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ONTARIO

REVISED REGULATIONS

OF

ONTARIO, 1970

A REVISION AND CONSOLIDATION OF REGULATIONS
PUBLISHED UNDER THE AUTHORITY OF
THE REGULATIONS REVISION ACT, 1968-69

VOLUME III

TORONTO
PRINTED AND PUBLISHED BY WILLIAM KINMOND, QUEEN'S PRINTER AND PUBLISHER

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REGULATION 436

under The Homemakers and Nurses Services Act

GENERAL

HOMEMAKING AND NURSING SERVICES

1. In this Regulation,

(*a*) "homemaking services" means housekeeping services including,

(i) the care of a child or children,

(ii) meal planning, marketing and the preparation of nourishing meals, and the preparation of special diets where required,

(iii) light housekeeping duties, exclusive of heavy or seasonal cleaning,

(iv) light laundry, ironing and essential mending of clothing,

(v) personal care, including assistance in walking, climbing or descending stairs, getting into or out of bed, eating, dressing, bathing and other matters of personal hygiene, and

(vi) simple bedside care, where required, under the direction of a physician or nurse, but not including nursing services,

provided in accordance with section 6 of the Act by a homemaker qualified under this Regulation;

(*b*) "nurse" means a nurse registered under *The Nurses Act*;

(*c*) "nursing services" means the services that are customarily provided by a nurse on a visitation basis;

(*d*) "welfare administrator" means a municipal welfare administrator, a regional welfare administrator or a welfare administrator of a band, as the case may be. R.R.O. 1960, Reg. 236, s. 1; O. Reg. 290/68, s. 1 (1); O. Reg. 276/70, s. 1; O. Reg. 437/70, s. 1 (1).

QUALIFICATIONS OF HOMEMAKERS AND NURSES

2. A homemaker shall be,

(*a*) the holder of a homemaker's certificate under this Regulation or, in the opinion of the welfare administrator, or the Director, qualified to perform homemaking services;

(*b*) medically examined annually and certified by a physician as being in good health and physically fit for her duties;

(*c*) mature, reliable and responsible;

(*d*) sympathetic to the welfare of children and families and to those who are elderly, handicapped, ill or convalescent;

(*e*) of suitable age, health and personality to carry out the duties of a homemaker; and

(*f*) a person with experience and knowledge sufficient to meet the needs of the persons and families for whom she acts as a homemaker and with the ability to cope with their problems. R.R.O. 1960, Reg. 236, s. 2; O. Reg. 276/70, s. 2.

COURSES OF INSTRUCTION FOR HOMEMAKERS

3.—(1) An application for a course of intruction for homemakers shall be made to the Director.

(2) The application shall be accompanied by,

(*a*) the certificate of a physician certifying that the applicant is in good health and physically fit to undertake the duties of a homemaker;

(*b*) a statement of a welfare administrator certifying that the municipality or council of the band that he represents or the Province of Ontario, as the case may be, sponsors the applicant and intends to employ her upon satisfactory completion of the course of instruction; and

(*c*) an undertaking by the applicant to accept employment as a homemaker in Ontario for a period of at least one year with the governmental authority or council of the band that sponsors her. R.R.O. 1960, Reg. 236, s. 4; O. Reg. 276/70, s. 3, *amended*.

4. A course of intruction shall include instruction in,

(*a*) child care, including the specialized care of infants and young children;

(*b*) hygiene, personal services and simple bedside care for elderly, handicapped, ill or convalescent persons;

(*c*) home economics, including nutrition, marketing, purchasing and budgeting;

(*d*) meal planning and preparation, including the preparation of special diets;

(*e*) laundering, ironing and the care and mending of clothing;

(*f*) general household duties and management; and

(*g*) other related skills. R.R.O. 1960, Reg. 236, s. 5.

5. Where a person satisfactorily completes the course of instruction, the Director shall issue to her a homemaker's certificate. R.R.O. 1960, Reg. 236, s. 6.

REIMBURSEMENT BY ONTARIO

6.—(1) In this section,

(*a*) "liquid assets" means cash, bonds, debentures, stocks, the beneficial interest in assets held in trust and available to be used for maintenance and any other assets that can be readily converted into cash; and

(*b*) "person in need" means,

(i) a person eligible for a benefit under *The Family Benefits Act*,

(ii) a person eligible for general assistance under *The General Welfare Assistance Act*, or

(iii) Subject to subsections 2 and 3, a person who by reason of financial hardship, inability to obtain regular employment, lack of the principal family provider, illness, disability or old age, has available monthly income as determined by the welfare administrator in accordance with Form 5, that is less than the monthly cost of providing under the Act the services of a homemaker or nurse to him or any of his dependants. O. Reg. 290/68, s. 3; O. Reg. 276/70, s. 4 (1, 2).

(2) In determining that a person is a person in need for the purpose of this section, there may be excluded in determining available monthly income an exemption on net earnings not exceeding an amount equal to twenty-five per cent of the monthly net earnings of the person and the monthly net earnings of his dependants who are adults. O. Reg. 290/68, s. 3.

(3) In determining that a person is a person in need for the purpose of this section, the welfare administrator shall take into account the liquid assets that are available. O. Reg. 290/68, s. 3; O. Reg. 276/70, s. 4 (3).

(4) For the purpose of section 9 of the Act, the financial circumstances of a person in need do not permit him to pay in full the fees prescribed for the services of a homemaker or nurse. O. Reg. 290/68, s. 3.

(5) The monthly amount of the reimbursement payable under section 9 of the Act by the Province of Ontario to a municipality or to a council of a band that enters into an agreement with a person or organization pursuant to section 5 of the Act for the furnishing of homemaking services or nursing services to a person in need, shall be 80 per cent of the amount by which the total monthly cost of the services, as approved by the Director, under the agreement paid by the municipality or council of the band, as the case may be, exceeds the available monthly income of the person in need determined in accordance with Form 5. O. Reg. 437/70, s. 3 (1).

(6) The Province of Ontario shall pay such amounts as may from time to time be approved by the Director to provide services of a homemaker or nursing services to a person in need who resides in territory without municipal organization. O. Reg. 437/70, s. 3 (2).

FORMS

7.—(1) An application for the services of a homemaker or nurse under the Act shall be in Form 1. R.R.O. 1960, Reg. 236, s. 10 (1).

(2) An application for reimbursement by the Province of Ontario under clause *a* of subsection 1 of section 8 shall be in Form 2. R.R.O. 1960, Reg. 236, s. 10 (2); O. Reg. 290/68, s. 6, *amended*.

(3) Each application in Form 1 shall be accompanied by a consent to inspect assets in Form 3, and where the application in Form 1 is made in respect of the services of a nurse, it shall also be accompanied by the certificate of a physician in Form 4. R.R.O. 1960, Reg. 236, s. 10 (3).

ACCOUNTS OF MUNICIPALITIES

8.—(1) Where in any month a municipality or a council of a band pays fees for the services of homemakers or nurses for persons whose financial circumstances as determined by this Regulation do not permit them to pay in full the fees for such services, the welfare administrator shall,

(*a*) complete an application for reimbursement by the Province of Ontario for that month in Form 2 and shall send it to the Director before the 20th day of the month next following; and

(*b*) complete a statement of the amount paid by the municipality or the council of the band for each recipient and the amount paid by the recipient during that month and retain the statement in his files. R.R.O. 1960, Reg. 236, s. 11 (1); O. Reg. 290/68, s. 7 (1, 2); O. Reg. 276/70, s. 5 (1, 2), *amended*.

(2) The Director may,

(*a*) require the welfare administrator or an an employee of the municipality or council of the band that the administrator represents to furnish him with such information as to the contents of Form 2 as he considers necessary; and

(*b*) direct an inspection and audit of the books, accounts and vouchers of the municipality or council of the band relating to the contents of Form 2. R.R.O. 1960, Reg. 236, s. 11 (2); O. Reg. 290/68, s. 7 (3); O. Reg. 276/70, s. 5 (3, 4).

9. An applicant for or recipient of services under the Act shall for the purpose of the Act and this Regulation be deemed to reside or to have resided in the municipality, on the reserve or in territory without municipal organization, as the case may be, where he is or was ordinarily resident at the date of his application for the services so long as he remains in the municipality or in the territory. O. Reg. 290/68, s. 8; O. Reg. 276/70, s. 6.

Form 1

The Homemakers and Nurses Services Act

APPLICATION FOR THE SERVICES OF

☐ A Homemaker

☐ A Nurse

To the Welfare Administrator of the.....of.....

I apply for the services of.....under *The Homemakers and Nurses Services Act* and in support of my application I make the following statements:

---

1. Name

(surname) (given names)

Address.....
(Number) (Street or R.R.) (City, Town, Post Office or Township) (County, etc.)

2. Marital status:	Date	Place		Date	Place
☐ Single			☐ Separated		
☐ Married			☐ Deserted		
☐ Widowed			☐ Divorced		

3. Personal and family data:
Applicant and dependent members of family living together

Given names (surname if different from applicant)	Sex M/F	Birthdate D. M. Y.	Age	Birthplace	Relationship to applicant	Health (good, fair, poor)
Applicant Spouse						

4. i. Members of family not living with applicant:

Relationship	Full Name	Address	Contribution

ii. Where application for services is being made by reason of the temporary absence of the mother owing to hospitalization or other institutional care, state name and address of hospital or institution:

.....

State reason for the admission of the mother to hospital or institution:.....

.....

State probable length of stay in hospital or institution.....

5. State in detail reasons that the services of a homemaker or nurse are required:

6. Check if in receipt of:

☐ general assistance under *The General Welfare Assistance Act*

☐ payment under the *Old Age Security Act* (Canada)

☐ a benefit under *The Family Benefits Act*

7. Residence during last three years:			From			To		
Address	Municipality or Post Office	Prov.	Day	Month	Year	Day	Month	Year

8. i. Assets

Type of Asset	Yes	No	In Whose Name	Name of Bank Organization or Company	Amount on Deposit or Value of Asset	Yearly Income of Dividend
Bank or Savings Accounts						
Government Bonds						
Other Bonds or Debentures						
Securities, Stocks, Shares						
Superannuation, Pension, Annuities						
Mortgages Receivable, Loans to Others						
Money in Trust						
Other (specify):						

ii. Real Propery (details of real estate owned by members of household)

Description	Owner	Assessed Value	Incumbrance	Annual Taxes	Total Arrears of	
					Taxes	Interest

9. DEBTS

Owning to Whom?	Details	Amount

10. NARRATIVE—Health and Welfare circumstances; particular family or individual problems and needs; future plans; contact with other agencies, etc.:

Date....., 19.... .....
(signature of applicant)

TO BE COMPLETED BY WELFARE ADMINISTRATOR

11. Type of service provided: ☐ Homemaker; ☐ Nurse.

Service rendered by:

☐ Private Organization Name and Address:.....

☐ Municipal or Band Staff—Name of Staff Member:.....

☐ Other—Specify:.....

12. RATES:

	Per Visit	Per Day (8 Hours)	Per Hour
Homemaker			
Nurse			
Amount paid by Applicant			
Amount paid by Municipality			

Date....., 19.... .....
(signature of welfare administrator)

Approved by:.....
(signature of provincial authority)

R.R.O. 1960, Reg. 236, Form 1; O. Reg. 290/68, s. 9; O. Reg. 276/70, s. 7.

Form 2

The Homemakers and Nurses Services Act

AN APPLICATION FOR REIMBURSEMENT BY THE PROVINCE OF ONTARIO

Amount for the month of....., 19.....

Corporation (or Band) of the.....of.....

County or District of.....

PART 1

HOMEMAKERS SERVICES — PURCHASED BY THE MUNICIPALITY OR COUNCIL OF THE BAND FROM A PERSON OR ORGANIZATION UNDER SECTION 5 OF THE ACT

1. Total Cases Served: ....

Family Cases ....

Single Cases ....

2. i. Family Cases		Male	Female	Total
Adults	60 years of age or more			
	Others			
Children				
Total Persons in Families				

ii. Single Cases	60 years of age or more			
	Others			

iii. Total Persons Served			

3. Cost of services furnished by day

Number of days..... @..... per day $.....

Number of days..... @..... per day .....

Number of days..... @..... per day .....

Cost of services provided by hour

Number of hours..... @..... per hour .....

Number of hours..... @..... per hour .....

Number of hours..... @..... per hour .....

$.....

Less: Total available monthly income of persons served..... .....

Net cost to municipality or council of band..... $.....

PART II

NURSES SERVICES — PURCHASED BY THE MUNICIPALITY OR COUNCIL OF THE BAND FROM A PERSON OR ORGANIZATION UNDER SECTION 5 OF THE ACT

4. Total Cases Served: ....

Male ....

Female ....

5. Visits to:		Male	Female	Total
Adults	60 years of age or more			
	Others			
Children				
Total Visits Made				

6. Cost of services

Number of visits..... @..... per visit $.....

Number of visits..... @..... per visit .....

Number of visits..... @..... per visit .....

$.....

Less: Total available monthly income of persons served..... .....

Net cost to municipality or council of band..... $.....

PART III

7. Net cost to municipality or council of band for homemakers and nurses services:

Net cost — Part I ..... $.....

Net cost — Part II ....

Total ..... $.....

PART IV

8. This statement is true and correct and the amounts shown have been disbursed and no amount is included that is not in accordance with *The Homemakers and Nurses Services Act*, and the regulations thereunder.

Welfare Administrator .....

Post Office Address .....

Treasurer or Head of Band .....

Post Office Address .....

PART V

FOR DEPARTMENTAL USE ONLY

9. Net cost to municipality or council of band (see Part III) .... $.....

10. Adjustment, specify ....

11. Adjustment, specify ....

12. Adjustment, net cost to municipality or council of band ....

13. Less: Municipal or Band portion — 20% of item 12 ....

14. Reimbursement by the Province ..... $.....

..... Recommended for payment.....
(date) (signature)

O. Reg. 276/70, s. 8; O. Reg. 437/70, s. 4 (1, 2).

Form 3

The Homemakers and Nurses Services Act

CONSENT TO INSPECT ASSETS

I, ..., an applicant for services under *The Homemakers and Nurses Services Act*, and I, ...,
(complete only where applicable)

spouse of the above applicant, consent that:

1. The Welfare Administrator or his authorized representative inspect and have access to any account or safety deposit box held by me alone or jointly, in any bank, trust company or other financial institution or to any assets held by me or on my behalf by any person, or any records relating to any of them.

2. The Welfare Administrator or his authorized representative secure information in respect of any life or accident insurance policy on my late spouse,

.....
(name of late spouse—complete only where applicable)

Dated at.....this.....day of....., 19....

.....
(signature of applicant)

.....
(Witness)

.....
(address)

Dated at.....this.....day of....., 19....

.....
(signature of spouse where applicable)

.....
(Witness)

.....
(address, if different)

O. Reg. 290/68, s. 10; O. Reg. 276/70, s. 9.

Form 4

The Homemakers and Nurses Services Act

MEDICAL CERTIFICATE

(To be completed by the attending physician where application is being made for the services of a registered nurse in the home of a person who is elderly, handicapped, ill or convalescent.)

1. In my opinion,.....
(print name of applicant)

.....
(address of applicant)

requires the services of a registered nurse on a visitation basis in his/her home in order:

(check) ☐ to enable him/her to remain at home;

☐ to make possible his/her return home from the hospital or other institution named below:

Name of Hospital of Institution:.....

Address:.....

2. Diagnosis (Primary complaint or disability):

.....

3. i. Nursing procedures to be administered:
(Check)

☐ Bed Bath

☐ Catheterization

☐ Irrigation

☐ Hypodermic Injection

☐ Intravenous infusion

☐ Enemas

☐ Dressings

☐ Other: (specify)

.....

ii. Visits recommended:

☐ Daily; .....per week; .....per month.
(number) (number)

iii. For a period of:

.....days; .....weeks; .....months.

4. Physician's name in block letters: .....

Address of physician: .....

Date: ....., 19... .....
(signature of physician)

R.R.O. 1960, Reg. 236, Form 4; O. Reg. 72/65, s. 7.

Form 5

The Homemakers and Nurses Services Act

DETERMINATION OF AVAILABLE MONTHLY INCOME

NAME .....

ADDRESS .....

.....TELEPHONE NO. .....

FAMILY COMPOSITION:

	Number
Children, 16 years and over	
Children, 10 to 15 years	
Children, 0 to 9 years	
Adults	

PART I

MONTHLY INCOME (ADULTS)

1. Net Earnings ..... $.....
2. Boarder Revenue ....
3. Rental Revenue ....
4. Family Allowances and Youth Allowances ....
5. Pensions ....
6. Unemployment Insurance or Training Allowances ....
7. Separation or Alimony Payments ....
8. Other (specify)

.....

....

9. Monthly Income ..... $.....

PART II

MONTHLY BUDGETARY ITEMS (FAMILY)

10.	Food, clothing and personal items (see Part IV)	$.....	
11.	Special diets	.....	
12.	Light	.....	
13.	Water	.....	
14.	Telephone	.....	
15.	Household supplies	.....	
16.	Fuel	.....	
17.	Sub-total		$.....
18.	Rent		.....
19.	Mortgage payments (principal and interest)		.....
20.	Property taxes		.....
21.	Debt payments, as approved by the welfare administrator		.....
22.	Travel and transportation		.....
23.	Drugs		.....
24.	Dental services		.....
25.	Optical services		.....
26.	Medical services (premiums or actual cost)		.....
27.	Hospital services (premiums or actual cost)		.....
28.	Other, as approved by the welfare administrator (specify)		.....
29.	Monthly Budgetary Items		$.....
30.	Monthly Income less Monthly Budgetary Items (item 9 less item 29)		$.....

I certify that all of the above information provided by me is correct

....
(date) (signature of applicant)

PART III

EXEMPTIONS

31.	Monthly Income less Monthly Budgetary Items (see item 30)		$.....
32.	Deduct Exemptions: On earnings (item 1 $..... × .....%)	$.....	
33.	On boarder revenue (item 2 $..... × 60%)	.....	.....
34.	On rental revenue (item 3 $..... × 40%)	.....	.....
35.	Family Allowances and Youth Allowances (item 4)	.....	.....

36. Payments or refunds received under *The Residential Property Tax Reduction Act*..... .....

37. Payments received under Order-in-Council numbered OC-3410/70 made pursuant to section 5 of *The Department of Agriculture and Food Act*... .....

38. For contingencies (item 17 $..... × 20%) .....

39. Total Exemptions..... ....

40. Available Monthly Income..... $.....

....
(date) (signature of welfare administrator)

PART IV

41. Determination of Amounts of Food, Clothing and Personal Items

Total Children	Children 16 years and over	Children 10–15 years	Children 0–9 years	Number of Adults	
				One	Two
0	0	0	0	$ 50.00	$ 90.00
1	0	0	1	81.00	111.00
	0	1	0	89.00	119.00
	1	0	0	97.00	127.00
2	0	0	2	102.00	137.00
	0	1	1	110.00	145.00
	0	2	0	118.00	153.00
	1	0	1	118.00	153.00
	1	1	0	122.00	157.00
	2	0	0	132.00	167.00
3	0	0	3	128.00	163.00
	0	1	2	136.00	171.00
	0	2	1	144.00	179.00
	0	3	0	152.00	187.00
	1	0	2	144.00	179.00
	1	1	1	152.00	187.00
	1	2	0	160.00	195.00
	2	0	1	158.00	193.00
	2	1	0	166.00	201.00
	3	0	0	172.00	207.00
4	0	0	4	154.00	189.00
	0	1	3	162.00	197.00
	0	2	2	170.00	205.00
	0	3	1	178.00	213.00
	0	4	0	186.00	221.00
	1	0	3	170.00	205.00
	1	1	2	178.00	213.00
	1	2	1	186.00	221.00
	1	3	0	194.00	229.00
	2	0	2	184.00	219.00
	2	1	1	192.00	227.00
	2	2	0	200.00	235.00
	3	0	1	198.00	233.00
	3	1	0	206.00	241.00
	4	0	0	212.00	247.00

42. More than Four Children

For each child in the family in excess of four add to the appropriate amount set out in the Schedule for a family of four children as follows:

	Monthly
Child 16 years and over	$40.00
Child 10-15 years	34.00
Child 0-9 years	26.00

O. Reg. 290/68, s. 11; O. Reg. 276/70, s. 10; O. Reg. 533/70, s. 1.

REGULATION 437

under The Homes for Retarded Persons Act

GENERAL

1.—(1) In this Regulation,

(*a*) "architect" means an architect who is a member in good standing of the Ontario Association of Architects;

(*b*) "board" means the board of directors of an approved corporation;

(*c*) "child" means a child who is under eighteen years of age;

(*d*) "licensed public accountant" means a public accountant licensed under *The Public Accountancy Act*;

(*e*) "parent" means a person having charge of a child who is a retarded person but does not include a children's aid society established under *The Child Welfare Act*;

(*f*) "physician" means a legally qualified medical practitioner;

(*g*) "professional engineer" means a professional engineer who is a member in good standing of the Association of Professional Engineers of the Province of Ontario;

(*h*) "resident" means a retarded person who resides in an approved home. O. Reg. 62/68, s. 1 (1), *amended*.

SPECIFICATION AND APPROVAL

2.—(1) The corporations listed in Schedule 1 are approved for the purposes of the Act.

(2) The homes for retarded persons listed in Schedule 2 are approved for the purposes of the Act. O. Reg. 62/68, s. 2.

RULES GOVERNING APPROVED HOMES

3. Every building or part thereof that is used as an approved home shall be so constructed, used, furnished or equipped as to comply with,

(*a*) the laws affecting the health of inhabitants of the municipality in which the approved home is located;

(*b*) any rule, regulation, direction or order of the local board of health and any direction or order of the local medical officer of health;

(*c*) any by-law of the municipality in which the approved home is located or other law for the protection of persons from fire hazards; and

(*d*) any restricted area, standard of housing or building by-law passed by the municipality in which the approved home is located pursuant to Part III of *The Planning Act* or any predecessor thereof. O. Reg. 62/68, s. 3.

4.—(1) In every approved home, the board shall provide,

(*a*) nourishing meals at regular intervals prepared by or under the supervision of a competent person;

(*b*) adequate and sanitary supplies of milk and drinking water;

(*c*) sleeping accommodation in rooms located on the ground floor or on the floor immediately above it with a minimum of,

(i) 400 cubic feet of air space and 50 square feet of floor space for each resident under sixteen years of age, and

(ii) 600 cubic feet of air space and seventy-five square feet of floor space for each resident sixteen years of age or over,

with the beds so placed that no bed overlaps a window or radiator and no bed is nearer to any other bed than 2½ feet;

(*d*) toilet and bathing facilities that are readily accessible to all residents, with a minimum of one wash basin and one flush toilet for every five residents and one bathtub or shower for every eight residents;

(*e*) an outside recreation area, maintained in a safe and sanitary condition and having a minimum of 100 square feet of space for each resident; and

(*f*) an inside recreation area maintained in a safe and sanitary condition and having a minimum of 50 square feet of space for each resident.

(2) The board shall ensure that a minimum temperature of 68° F is maintained in the approved

home from the 1st day of October to the 31st day of May in each year. O. Reg. 62/68, s. 4.

5. In every approved home, the board shall ensure that,

(*a*) all fire hazards in the home are eliminated and the recommendations of an officer authorized to inspect buildings under *The Fire Marshals Act* are carried out;

(*b*) there is adequate protection from radiators or other heating equipment;

(*c*) the water supplies are adequate for all normal needs including those of fire protection;

(*d*) there are at least two separate means of egress to the outside from floors with sleeping accommodation;

(*e*) the fire protection equipment, including the sprinkler system, fire extinguishers, hose and standpipe equipment are visually inspected at least once a month and serviced at least once a year by qualified personnel;

(*f*) the fire alarm system is inspected at least once a year by qualified fire alarm maintenance personnel, and tested at least once every month;

(*g*) at least once a year the heating equipment is serviced by qualified personnel and the chimneys are inspected and cleaned if necessary;

(*h*) a written record is kept of inspections and tests of fire equipment, fire drills, the fire alarm system, the heating system and chimneys;

(*i*) the staff and residents are instructed in the method of sounding the fire alarm;

(*j*) the staff are trained in the proper use of the fire extinguishing equipment;

(*k*) a procedure is established that is to be followed when a fire alarm is given, including the duties of the staff and residents;

(*l*) the staff and residents are instructed in the procedure established under clause *k* and the procedure is posted in conspicuous places in the home;

(*m*) where matches are used, only safety matches are issued to the staff and residents;

(*n*) the procedure established under clause *k* is practised at least once a month using the fire alarm to initiate the drill;

(*o*) an inspection of the building, including the equipment in the kitchen and laundry, is made each night to ensure that there is no danger of fire and that all doors to stairwells, all fire doors and all smoke barrier doors are kept closed;

(*p*) adequate supervision is provided at all times for the security of the residents and the home;

(*q*) the home is kept clean and free of com-combustible rubbish;

(*r*) all exits are clear and unobstructed at all times;

(*s*) combustible draperies, curtains, decorations and similar materials are suitably treated to render them resistant to the spread of flame and are re-treated when necessary;

(*t*) receptacles into which electric irons are plugged are equipped with pilot lights;

(*u*) lint traps in the laundry are cleaned out after each use of the equipment;

(*u*) flammable liquids used in the home are stored in suitable containers in non-combustible cabinets;

(*w*) large non-combustible ash trays are provided where smoking is permitted;

(*x*) no vaporizing liquid fire extinguishers are kept or used in the home; and

(*y*) no sprinkler heads and fire detector heads are painted. O. Reg. 62/68, s. 5.

6.—(1) An approved home located in a municipality that does not have public fire protection shall be provided with a complete automatic sprinkler system.

(2) The sprinkler system shall be installed so that the distance between each sprinkler head does not exceed fifteen feet measured along and at right angles to the pipes of the system, the distance between a sprinkler head and a wall or partition does not exceed seven feet six inches, and the area of protection for each sprinkler head does not exceed 200 square feet.

(3) The water supply to the sprinkler system shall be sufficient to provide a minimum pressure of ten pounds per square inch at the uppermost sprinkler head while water is discharged through an open main drain valve of not less than three-quarters of an inch internal diameter.

(4) The water supply to the sprinkler system shall provide not less than fifty gallons per minute at the

base of every sprinkler riser and shall be sufficient to maintain such flow for a minimum period of thirty minutes. O. Reg. 62/68, s. 6.

7. In every approved home the board shall,

(*a*) provide opportunities for the religious education of each resident and make it possible for all residents to attend suitable religious services;

(*b*) provide opportunities for the residents to participate in recreational, rehabilitative and hobby-craft activities; and

(*c*) ensure that each resident receives, at all times, care adequate for and consistent with his individual needs. O. Reg. 62/68, s. 7.

QUALIFICATIONS, POWERS AND DUTIES OF STAFFS

8.—(1) A board shall appoint a person as superintendent of each approved home maintained and operated by it who shall be approved by the Minister and shall be responsible to the board for the efficient management and operation of the home.

(2) In each approved home there shall be at least one competent staff member on full-time duty, or the equivalent thereof, for every four residents in the home.

(3) Each superintendent and staff member shall be a person who,

(*a*) is sympathetic to the welfare of retarded persons;

(*b*) has adequate knowledge, understanding and experience to recognize and meet the needs of retarded persons and the ability to cope with their problems; and

(*c*) is of suitable age, health and personality to carry out his duties. O. Reg. 62/68, s. 8.

9.—(1) No board shall appoint a superintendent or person to act temporarily as superintendent or employ a person on the staff of an approved home maintained and operated by it until the person so appointed or employed has obtained from a physician a certificate certifying that he is,

(*a*) free from active tuberculosis or other communicable or contagious disease; and

(*b*) physically fit to undertake his duties in the home.

(2) At least once a year the superintendent and each staff member of the approved home shall obtain the certificate prescribed in subsection 1. O. Reg. 62/68, s. 9.

10. Where a resident of an approved home dies, the superintendent shall give notice of the death to a coroner other than a coroner who is the physician appointed under section 12 as the physician for the home. O. Reg. 62/68, s. 10.

ADDITIONAL DUTIES OF PROVINCIAL SUPERVISORS

11. A provincial supervisor shall inspect,

(*a*) each approved home for the purpose of determining compliance with the Act and this Regulation and for any other purpose as required by the Minister;

(*b*) the building or buildings and accommodation, the sanitary and eating facilities, the recreational, rehabilitative and hobby-craft facilities and equipment, the fire equipment and fire precautions; and

(*c*) appraise the dietary and nutritional standards for the residents including those on special diets. O. Reg. 62/68, s. 11.

MEDICAL AND RELATED ANCILLARY SERVICES

12. Each board shall appoint one or more physicians to each approved home operated by it to ensure that medical services are provided for each resident in accordance with his needs. O. Reg. 62/68, s. 12.

13.—(1) In this section, "attending physician" means a legally qualified medical practitioner other than the physician for an approved home who is appointed under section 12.

(2) All medical services, programs and procedures and medications provided or used in an approved home are subject to the approval of the physician for the approved home. O. Reg. 162/68, s. 13 (1, 2).

(3) The physician for the approved home shall make an annual written report to the board summarizing the general health conditions of the residents, the medical and nursing services provided to them and the dietary standards in the home and shall include in the report any recommendation that he considers necessary to ensure proper conditions of health and an adequate state of well-being for the residents, and shall make such other reports as the board or Minister requires. O. Reg. 62/68, s. 13 (3), *amended*.

(4) The physician for the approved nome shall,

(*a*) inspect the sanitary conditions in the home at least once a month;

(*b*) report on such inspections to the board; and

(*c*) take any steps that he considers necessary to correct unsanitary conditions. O. Reg. 62/68, s. 13 (4), *amended*.

(5) The physician for the approved home shall attend and prescribe medication or treatment for any resident who has no attending physician of his own or where his parent or other person in whose charge he is requests that the services of the physician for the approved home be made available to the resident, and, where the resident is in the care and custody of a children's aid society under *The Child Welfare Act*, upon the request of the children's aid society.

(6) At least once a year each resident shall be given a complete medical examination by the physician for the approved home or the attending physician.

(7) The physician for the approved home or the attending physician shall make a detailed written report of the results of each medical examination of a resident and any recommendation pertaining thereto and the report shall be kept along with the other records of the resident.

(8) A resident shall be given such special diet as the physician for the approved home or the attending physician directs. O. Reg. 62/68, s. 13 (5-8).

(9) The board shall ensure the provision of such nursing services as are from time to time considered necessary by the physician for the approved home or the attending physician. O. Reg. 62/68, s. 13 (9), *amended*.

APPLICATIONS FOR GRANTS AND PAYMENTS UNDER SECTION 5 OR 6 OF THE ACT

14.—(1) An application for a grant under section 5 or 6 of the Act shall be made in triplicate in Form 1.

(2) An applicant for a grant under section 5 of the Act in respect of the erection of a new building or an addition to an existing building used or to be used as an approved home shall file with the Minister two copies of,

(*a*) the site plan showing the location of the building on the site; and

(*b*) the plans and specifications, prepared by an architect, showing the construction, equipment and arrangements of the home.

(3) An applicant for a grant under section 6 of the Act in respect of the acquisition of a building to be used as an approved home shall file with the Minister two copies of,

(*a*) the site plan showing the location of the building on the site; and

(*b*) a structural sketch of the building showing the areas to be used as the home. O. Reg. 62/68, s. 14.

15.—(1) An application for a payment of a grant under section 5 or 6 of the Act shall be made in triplicate in Form 2. O. Reg. 62/68, s. 15 (1).

(2) A grant under section 5 of the Act may be payable as follows:

1. An amount not exceeding the lesser of,

   (*a*) one-third of the estimated cost of completion of the new building or the addition; or

   (*b*) $1,666 for each bed provided for residents in the new building or in the addition,

   may be paid when an architect or a professional engineer certifies in Form 3 that the construction is at least one-third complete.

2. A further amount not exceeding the lesser of,

   (*a*) one-third of the estimated cost of completion of the new building or the addition; or

   (*b*) $1,666 for each bed provided for residents in the new building or in the addition,

   may be paid when an architect or a professional engineer certifies in Form 3 that the construction is at least two-thirds complete. O. Reg. 62/68, s. 15 (2).

(3) Subject to subsection 2, a grant under section 5 or 6 of the Act shall not be paid until,

(*a*) an architect or a professional engineer certifies in Form 3 that the erection, addition or acquisition, as the case may be, is completed in accordance with the plans approved by the Minister and that the building is ready for use and occupancy as an approved home; and

(*b*) an authorized officer of the board submits a report stating,

   (i) the actual cost of the erection, addition or acquisition of the building, as the case may be,

   (ii) that the total of the unpaid accounts applicable to the cost of construction or acquisition does not exceed the amount of the grant remaining to be paid,

   (iii) that the amount of the grant remaining to be paid will be applied

first in payment of the unpaid accounts referred to in subclause ii, and

(iv) that all refundable sales tax has been taken into account. O. Reg. 62/68, s. 15 (3); O. Reg. 465/70, s. 1; O. Reg. 536/70, s. 1.

COMPUTING COSTS UNDER SECTION 7 OF THE ACT

16. The capital cost of land, where applicable, and of furnishing and equipping a new building, an addition to an existing building or an acquired building used or to be used as an approved home may be included in computing the cost thereof to an approved corporation for the purpose of section 7 of the Act. O. Reg. 62/68, s. 16.

PAYMENTS UNDER SECTION 8 OF THE ACT

17.—(1) An application by an approved corporation for a monthly payment of the provincial subsidy under section 8 of the Act shall be made in triplicate in Form 4 and shall be furnished to the Minister not later than the 20th day of the following month. O. Reg. 62/68, s. 17, *part*.

(2) The amount to be paid by the Province of Ontario to an approved corporation under section 8 of the Act shall be computed in accordance with Form 4 and Form 7. O. Reg. 62/68, s. 17, *part, amended*.

(3) For the purposes of Form 4 and Form 7, "average daily cost of providing residential accommodation" means the actual average daily cost determined in accordance with Form 7 of providing care and maintenance in an approved home for each person resident in the home during the three month period for which the determination in Form 7 is made. O. Reg. 62/68, s. 17.

(4) In determining revenue for the purpose of Form 4,

(*a*) any income received by any resident other than a child up to and including $15 per month; and

(*b*) any income, in addition to any amount exempted under clause *a*, received by any resident by way of payment or refund under *The Residential Property Tax Reduction Act*, or under Order-in-Council numbered OC-3410/70 made pursuant to section 5 of *The Department of Agriculture and Food Act*,

shall not be included and the resident shall be permitted to retain such income for his own personal use. O. Reg. 536/70, s. 2, *amended*.

(5) For the purpose of Form 4 and Form 7, the net operating expenditures of an approved home are subject to the approval of the Minister. O. Reg. 62/68, s. 17.

ADMISSION TO APPROVED HOMES

18.—(1) Before admitting a retarded person to an approved home the superintendent or board shall,

(*a*) ensure that an application for admission is completed in Form 5;

(*b*) obtain a consent and authorization in Form 6; and

(*c*) obtain a certificate in writing from a physician certifying that there has been found in the person a condition of arrested or incomplete development of the mind and the person's best interests would be served by admission to the approved home.

(2) Subject to subsection 3, the superintendent shall ensure that,

(*a*) the person has been given a medical examination by a physician, including a skin test for tuberculosis;

(*b*) the physician has certified in writing that the person is free from active tuberculosis or any other communicable or contagious disease; and

(*c*) the person has been immunized in accordance with the requirements of the medical officer of health having jurisdiction in the area of the home.

(3) Where it is in the best interest of the welfare of the person that he be admitted to the home, but he cannot be medically examined or certified in accordance with subsection 2, the board may in its discretion admit the person to the home provided he is kept in isolation from other residents until the requirements of subsection 2 have been carried out. O. Reg. 62/68, s. 18.

RECORDS AND RETURNS

19.—(1) The superintendent of an approved home shall keep a written record and file for each resident.

(2) The record shall set forth in respect of each resident,

(*a*) his name, age and sex and his address prior to his admission to the home;

(*b*) the names, addresses and occupations of his parents;

(*c*) his personal and family history;

(*d*) the date and circumstances of and reasons for his admission to the home;

(*e*) the current terms of payment for the care and maintenance of the resident;

(*f*) the documentary or other evidence necessary to establish the identity of the resident, any person having charge of the resident and the relationship between them;

(*g*) a record of all medical, X-ray, psychiatric, psychological or other similar examinations or tests, together with the findings and recommendations;

(*h*) a record of all illnesses, accidents and admissions to hospitals;

(*i*) observations on the conduct and behaviour of the resident while residing in the home;

(*j*) an account or history of any other matter that might affect the well-being or progress of the resident;

(*k*) the date and circumstances when the resident is discharged from the home;

(*l*) the name, address and relationship of any person in whose charge the resident was placed at the time of discharge or the name and address of the institution to which the resident was discharged;

(*m*) a statement of the future plans for the care and maintenance of each resident prepared every six months; and

(*n*) where the resident dies, a report of the time, date and circumstances of the death, the name and address of the person, if any, who claims the body, the date that the notice of death is given to the coroner in accordance with section 10 and the name of the coroner. O. Reg. 62/68, s. 19.

20.—(1) Each corporation shall keep separate books of account and ledgers for each approved home operated by it.

(2) The books of account shall,

(*a*) set forth the revenue and expenditures of the approved home;

(*b*) contain a separate record of money received by the home from sources other than under the Act; and

(*c*) be audited annually by a licensed public accountant.

(3) Each corporation shall keep a subsidiary ledger for the charges made and the payments received for the cost of residential accommodation provided by each approved home operated by it. O. Reg. 62/68, s. 20.

21. Each corporation shall furnish to the Minister for each approved home maintained and operated by it,

(*a*) not later than the 20th day of the months of April, July, October and January, a quarterly report in duplicate in Form 7 of net operating expenditures in respect of the immediately preceding three months;

(*b*) not later than the last day of February of each year, the complete financial statement of the home for the immediately preceding calendar year, together with a report of a licensed public accountant and the report shall state whether, in his opinion,

(i) he has received all the information and explanations he has required,

(ii) the financial statement is in accordance with the books and records of the home, and

(iii) the financial statement has been prepared in accordance with generally accepted accounting principles applied on a basis consistent with that of the preceding year; and

(*c*) such other financial and statistical information as the Minister may require. O. Reg. 62/68, s. 21.

RECOVERY BY AN APPROVED CORPORATION OR THE PROVINCE

22.—(1) An approved corporation is entitled to recover without interest from a parent whose child is a resident or former resident of an approved home or from the estate of the parent as a debt due to the corporation the amount of costs paid by the corporation on behalf of the parent or resident notwithstanding that a provincial subsidy has been paid in respect of the costs.

(2) The Crown in right of Ontario is subrogated to the right of the approved corporation to recover costs under subsection 1. O. Reg. 62/68, s. 22 (1, 2).

(3) Where costs in respect of which a provincial subsidy has been paid under section 8 of the Act are recovered under subsection 1 or 2, the Province of Ontario is entitled to the same percentage of the amount recovered as the percentage on which the contribution by the Province to the corporation in respect of the amount recovered was based. O. Reg. 62/68, s. 22 (3), *amended*.

Schedule 1

1. The Association for Mentally Retarded of Hawkesbury and Area
2. Burlington and District Association for the Mentally Retarded
3. Cerebral Palsy Parent Council of Toronto
4. Elizabeth Bigelow Village
5. Friends of L'Arche
6. Good Shepherd Manor
7. Greater Niagara Association for the Mentally Retarded
8. Kapuskasing and District Association for the Mentally Retarded
9. Kitchener-Waterloo & District Association for the Mentally Retarded
10. London and District Association for the Mentally Retarded
11. Metropolitan Toronto Association for the Mentally Retarded
12. The Newmarket and District Association for the Mentally Retarded
13. North Bay and District Association for Retarded Children
14. North Halton Association for the Mentally Retarded
15. The Oakville Association for the Mentally Retarded
16. Oshawa and District Association for Retarded Children
17. Ottawa and District Association for the Mentally Retarded
18. Peace Bridge Area Association for the Mentally Retarded
19. Port Colborne District Association for the Mentally Retarded Inc.
20. The Hamilton and District Association for the Mentally Retarded
21. The St. Catharines and District Association for Retarded Children
22. St. Thomas-Elgin Association for Retarded Children
23. Sarnia and District Association for the Mentally Retarded
24. Sault Ste. Marie and District Association for the Mentally Retarded
25. South Waterloo Association for the Retarded
26. Stratford and District Association for Retarded Children
27. Tillsonburg and District Association for the Mentally Retarded
28. Ursuline Religious of the Diocese of London
29. The Valley Association for the Mentally Retarded
30. Welland District Association for Retarded Incorporated
31. Windsor Association for the Mentally Retarded
32. Woodstock and District Association for Retarded Children
33. York Central Association for the Mentally Retarded.

O. Reg. 62/68, Sched. 1; O. Reg. 118/68, s. 1; O. Reg. 349/68, s. 2; O. Reg. 313/69, s. 1; O. Reg. 411/69, s. 1; O. Reg. 154/70, s. 1; O. Reg. 465/70, s. 2 (1-5).

Schedule 2

1. Churchwood Residence, 935 Northwood Drive, Windsor
2. Friends of L'Arche, Yonge Street, Richmond Hill
3. Glengarda, 5043 Riverside Drive East, Windsor
4. Good Shepherd Manor, R.R. #1, Orangeville
5. Grand View, R.R. #1, Chelmsford
6. Harold R. Lawson Residence, 1710-12 Ellesmere Road, Scarborough
7. Hawthorne Lodge, 545 Northland Avenue, Port Colborne
8. Margot E. Scott House, 123 Montebello Drive, London
9. Rosedale, 796 Buffalo Road, Fort Erie
10. Silver Spring Farm, R.R. No. 2, Bell's Corners, Ontario.

O. Reg. 62/68, Sched. 2; O. Reg. 349/68, s. 3; O. Reg. 313/69, s. 2; O. Reg. 411/69, s. 2; O. Reg. 154/70, s. 2; O. Reg. 465/70, s. 3.

Form 1

The Homes for Retarded Persons Act

APPLICATION FOR GRANT
(under section 5 or 6 of the Act)

(Check (✓) where applicable)

1. The.....
(name of corporation)

.....
(address)

incorporated under the laws of Ontario without share capital and with objects of a charitable nature on

....., 19...., hereby applies for a grant under,
(date)

☐ Section 5 ☐ Section 6

of the Act, in respect of,

Under Section 5

☐ the erection of a new building

☐ the erection of an addition to an existing building

Under Section 6

☐ the acquisition of a building

used or to be used as an approved home within the meaning of clause *b* of section 1 of *The Homes for Retarded Persons Act*,

(*a*) known or to be known as: .....
(name of home)

(*b*) situated or to be situated at: .....
(address)

(*c*) consisting or to consist of.....building(s); and

(*d*) having or to have a total bed capacity of..... beds.

2. The estimated capital cost of the home is as follows:

(*a*) ☐ for the erection of the new building or addition,
or
☐ for the acquisition of the building ..... $.....

(*b*) for land, where applicable ..... $.....

(*c*) for furnishings and equipment ..... $.....

TOTAL CAPITAL COST..... $.....

3. The Corporation intends to finance this cost in the following manner:

(*a*) Provincial grant:

Under section 5 of the Act

☐ an amount equal to the capital cost of the new building or the addition, but not exceeding an amount based upon the bed capacity thereof at the rate of $5,000 per bed; or

Under section 6 of the Act

☐ an amount equal to the capital cost of acquiring the building, but not exceeding an amount based upon the bed capacity thereof at the rate of $1,200 per bed. ..... $.....

(*b*) Corporation funds ..... $.....

(*c*) TOTAL CAPITAL COST ..... $.....

4. The Corporation expects that the building will be ready for use as an approved home and occupancy on or

about the ..... day of ....., 19....

Dated at .....,

this ..... day of ....., 19....

.....
(signature of authorized officer of corporation)

.....
(signature of authorized officer of corporation)

O. Reg. 62/68, Form 1.

Form 2

The Homes for Retarded Persons Act

APPLICATION FOR PAYMENT OF GRANT UNDER SECTION 5 OR 6 OF THE ACT

(Check (✓) where applicable)

1. The .....
(name of corporation)

.....
(address)

hereby applies for payment of a grant under section 5 or 6 of *The Homes for Retarded Persons Act*, in the amount of $..... in accordance with the amount determined in

☐ Schedule A (section 5)
☐ Schedule B (section 6)
to this Form

2. The name and address of the home is as follows:

.....
(name of home)

.....
(address)

3. The home,

(*a*) consists or will consist of ..... building(s);

(*b*) has or will have a total capacity of ..... beds; and

(*c*) was or will be ready for use as a home and occupancy on ....., 19.....
(date)

4. Application for the above grant was made in Form 1 on ....., 19.....
(date)

5. The information in Schedule A ☐ or in Schedule B ☐ (check appropriate box) to this Form is true and correct.

Dated at .....,
this ..... day of
....., 19.....

.....
(signature of authorized officer of corporation)

.....
(signature of authorized officer of corporation)

SCHEDULE A

GRANT UNDER SECTION 5 OF THE ACT

(Check (✓) where applicable)

1. Total bed capacity of ☐ new building / ☐ addition | ..... beds.

2. ☐ Estimated Cost *or* ☐ Actual Cost:

(*a*) for construction ..... $.....

(*b*) for land ..... $.....

(*c*) for furnishings and equipment ..... $..... $.....

3. ..... beds at $5,000 per bed ..... $.....

4. Total amount of provincial grant — the lesser of items 2 or 3 ..... $.....

5. Payment applied for in this application:

(*a*) ☐ An amount not exceeding $1,666 per bed or one-third of item 4 where new building or addition is at least one-third complete.

(*b*) ☐ A further amount not exceeding $1,666 per bed or one-third of item 4 where new building or addition is at least two-thirds complete.

(*c*) ☐ The balance of provincial grant where new building or addition is complete and ready for use and occupancy and payments have been made under clauses *a* and *b*.

(*d*) ☐ Total amount of provincial grant — item 4 — where new building or addition is complete and ready for use and occupancy and no payments have been made under clauses *a* and *b*.

NOTES:

1. Where application for payment is made under clause *a* or *b* of item 5 of Schedule A, the application shall be accompanied by the certificate of an architect or professional engineer in Form 3.

2. Where application for payment is made under clause *c* or *d* of item 5 of Schedule A, the application shall be accompanied by,

(*a*) the certificate of an architect or professional engineer in Form 3;

(*b*) the report of an authorized officer of the board stating that the total of the unpaid accounts applicable to the cost of the construction or addition does not exceed the amount of the grant remaining to be paid, that the amount of the grant remaining to be paid will be applied first to the repayment of such unpaid accounts and, where applicable that all refundable sales tax has been taken into account.

SCHEDULE B

GRANT UNDER SECTION 6 OF THE ACT

1. Total bed capacity of acquired building ..... beds.

2. Actual cost of building ..... $.....

3. ..... beds at $1,200 per bed ..... $.....

4. Payments applied for — the lesser of item 2 or 3 ..... $.....

NOTE:

Where application for payment is made in item 4 of Schedule B, the application shall be accompanied by:

(i) the report of an authorized officer of the board stating the actual cost of the acquired building, that the total of the unpaid accounts does not exceed the amount of the grant remaining to be paid, that the amount of the grant remaining to be paid will be applied first in payment of such unpaid accounts, and where applicable, that all refundable sales tax has been taken into account,

(ii) the certificate of an architect or professional engineer in Form 3.

O. Reg. 62/68, Form 2; O. Reg. 465/70, s. 4 (1-2); O. Reg. 536/70, s. 3.

Form 3

The Homes for Retarded Persons Act

CERTIFICATE OF ARCHITECT OR PROFESSIONAL ENGINEER

(Check (✓) where applicable)

I, ... a member in good standing of the:
(full name)

☐ Ontario Association of Architects

☐ Association of Professional Engineers of the Province of Ontario

hereby certify:

1. THAT I have personally and carefully inspected the,

☐ new building being erected or erected; or

☐ addition to an existing building being erected or erected; or

☐ building acquired,

by .....
(name of corporation)

.....
(address)

for use as an approved home within the meaning of clause *b* of section 1 of *The Homes for Retarded Persons Act*.

2. THAT the home,

(*a*) is situated at .....
(address)

(*b*) will consist or consists of ..... building(s)

(*c*) will have or has a total capacity of ..... beds

(*d*) ☐ is a new building or an addition being erected and is at least one-third completed as of the date of application of the Corporation in Form 2; or

☐ is a new building or an addition being erected and is at least two-thirds completed as of the date of the application of the Corporation in Form 2; or

☐ is a new building or an addition, erected and completed, and is ready for use and occupancy; or

☐ is an acquired building and is ready for use and occupancy.

3. THAT to the best of my knowledge, information and belief,

(*a*) the building conforms to:

☐ the plans and specifications

☐ the structural sketch,

copies of which the authorized officers of the Corporation inform me were filed with the Minister and subsequently approved by him; and

(*b*) the capital cost of the building is as follows:

(i) ☐ for the erection of the new building or addition; or ☐ for the acquisition of the building	.....	$.....
(ii) for land, where applicable		$.....
(iii) for furnishings and equipment		$.....
(iv) TOTAL CAPITAL COST		$.....

Dated at .....,

this ..... day of ....., 19....

.....
(signature)

.....
(address of professional office)

O. Reg. 62/68, Form 3.

Form 4

The Homes for Retarded Persons Act

APPLICATION FOR MONTHLY PAYMENT OF PROVINCIAL SUBSIDY UNDER SECTION 8 OF THE ACT

For the month of ....., 19....

Name of approved home .....

Address .....

Name of corporation operating approved home .....

PART I

STATISTICAL

	Number of Residents Current Month	Number of Resident Days		Revenue	
		Current Month	Current Year to Date	Current Month	Current Year to Date
	(1)	(2)	(3)	(4)	(5)
1. Totals					
2. Residents of the institution (*a*) whose full cost of residential accommodation is the responsibility of, (i) a children's aid society under *The Child Welfare Act*, or					
(ii) another public agency;					
(*b*) whose full cost of residential accommodation is payable by parent(s), others or themselves					
3. Sub-total-item 2					
4. Residents of the institution for the purposes of the provincial subsidy (deduct 3 from 1)				$	$

PART II

COST OF RESIDENTIAL ACCOMMODATION

5. Cost of residential accommodation:

Multiply:

..... × ..... = $.....

(number of resident days recorded in column 2 of item 4) (average daily cost of providing residential accommodation) (see note)

PART III

COMPUTATION OF PROVINCIAL SUBSIDY

Residential Accommodation

6. 80% of cost of providing residential accommodation (item 5 × 8/10)..... $ .....

7. Deduct:

(*a*) Revenue (column 4 of item 4)..... $.....

(*b*) Less: 20% of item 5..... $.....

(*c*) Excess, if any, item 7(*a*) over item 7(*b*)..... $.....

8. Provincial subsidy for current month..... $.....

9. Adjustment of revenue for prior periods (specify)..... $.....

10. Total Provincial payment current month..... $.....

PART IV

CERTIFICATE

We certify that, to the best of our knowledge and belief:

(i) this application for provincial subsidy is correct,

(ii) the amounts shown have been calculated in accordance with the regulations, and

(iii) this application is in agreement with the records of the approved home.

Date....., 19.... .....
(signature of authorized officer)

.....
(signature of authorized officer)

NOTE:

Insert the amount shown in item 14 of Form 7 for the immediately preceding quarter year.

O. Reg. 62/68, Form 4; O. Reg. 349/68, s. 4.

Form 5

The Homes for Retarded Persons Act

APPLICATION TO ADMIT A RETARDED PERSON TO AN APPROVED HOME

☐ I/We make application for the admission of the retarded person named in this application: (See Note 1)

☐ I hereby apply for admission:

To the .....
(name of home)

.....
(address)

operated and maintained by

.....
(name of corporation)

and in support of this application I/we make the following statements:

1. NAME OF RETARDED PERSON

....
(surname) (given names)

ADDRESS .....
(number and street or R.R.) (city, town, village or P.O.)

.....
(county etc.)

AGE:

(*a*) present age in years .....

(*b*) date of birth ....
(day) (month) (year)

(*c*) place of birth .....

(*d*) documentary or other evidence presented to establish date of birth of retarded person

.....
(type of evidence)

SEX: ☐ Male ☐ Female

2. FAMILY OF RETARDED PERSON

Relationship	Full Name	Address	Occupation	Living or Deceased
Father				
Mother (maiden name)				

Living brothers and sisters: Age:

....

....

....

....

....

3. (*a*) IS RETARDED PERSON living with father or mother? ☐ Yes ☐ No

If "no", complete the following (except for a child referred to in 3(*b*)):

(i) Name of person or persons with whom person is living:

.....

(ii) Address: .....

(iii) Relationship(s): .....

(iv) Occupation(s): .....

(v) Is this (are these) person(s) under a legal duty to provide for the person? ☐ Yes ☐ No

If "no", give reasons: .....

(*b*) WHERE RETARDED PERSON IS A CHILD, is child in the care and custody of a children's aid society under *The Child Welfare Act*, or proposed for admission to the home on the application of a society? ☐ Yes ☐ No

If "yes", complete the following:

(i) Name and address of Society: .....

.....

(ii) Type of care or custody: ☐ Crown Wardship

☐ Wardship of Children's Aid Society

4. Is retarded person ordinarily resident in Ontario? ☐ Yes ☐ No

IS RETARDED PERSON ordinarily resident in Ontario? ☐ Yes ☐ No

5. RESIDENCE (state period(s) of residence of retarded person during the twelve months immediately preceding the date of his admission to the Home).

(*a*) RETARDED PERSON:

Province or Country	Municipality	Address	Dates		With Whom?
			From	To	

(*b*) PERSON IN CHARGE OF RETARDED PERSON (where applicable):

Name of Person in Charge	Province or Country	Municipality	Address	Dates	
				From	To

6. (*a*) NAME AND ADDRESS of retarded person's physician:

.....

(*b*) NAME AND ADDRESS of person to be notified in case of illness, accident or death:

.....

7. (*a*) STATE IN DETAIL REASONS WHY APPLICATION IS BEING MADE FOR ADMISSION OF RETARDED PERSON TO THE HOME:

.....

.....

.....

(*b*) TYPE OF CARE REQUIRED:

.....

.....

Attach statement or report of the psychological and medical findings, where applicable.

8. ARRANGEMENTS FOR PAYMENT OF THE COST OF CARE AND MAINTENANCE OF THE RETARDED PERSON:

	Daily Amount
(*a*) To be paid by parent(s)	$.....
(*b*) To be paid by Children's Aid Society	$.....
(*c*) To be paid by a municipality (specify)	$.....
(*d*) To be paid by other public agency (specify)	$.....
(*e*) To be paid by other(s) (specify)	$.....
(*f*) To be paid or assumed by Corporation	$.....
TOTAL	$.....

9. CERTIFICATE:

To the best of my/our knowledge, information and belief, the answers I/we have given and the statements made in this application are true and correct and I/we have not knowingly withheld any information or relevant fact.

Dated at ....., this ..... day of ....., 19....

..... (witness)

..... (signature of retarded person or person(s) in whose charge he is)

OR

..... (witness)

..... (signature of authorized officer of children's aid society)

NOTE:

To be completed by person or persons in charge of the retarded person.

O. Reg. 62/68, Form 5; O. Reg. 349/68, s. 5.

Form 6

The Homes for Retarded Persons Act

CONSENT TO ADMISSION TO APPROVED HOME (See Note 1 below)

To the Board of: .....
(name of approved corporation)

that operates and maintains the: .....
(name of approved home)

.....
(address)

I, ...
(name) (address)

(check appropriate box) ☐ the father

☐ the mother

☐ other person in whose charge the person is (specify relationship):

☐ an authorized officer of the Children's Aid Society of

.....
(address)

CONSENT to the admission of:

....
(name of retarded person) (last address)

to this approved home.

.....
(signature of parent or person in charge)

OR

.....
(signature and title of authorized officer of Children's Aid Society)

AUTHORIZATION FOR MEDICAL TREATMENT (See Note 2 below)

Name of retarded person .....

Birth: .....
(month) (day) (year) (place)

I hereby authorize the Board of ..... that operates
(name of approved corporation)

and maintains the ....., or the superintendent
(name of approved home)

thereof to secure

(check appropriate box) ☐ on my behalf

☐ on behalf of the above-named retarded person

in accordance with his/my needs, all necessary medical and other related or ancillary services including those of immunization and surgery.

Dated at ....., ...
(signature of retarded person, parent or person in charge)

this ..... day of *OR*

.....
(signature and title of authorized officer of Children's Aid Society)
....., 19....

(TO BE COMPLETED BY SUPERINTENDENT OF HOME WHERE RETARDED PERSON IS A CHILD OR IS IN THE CHARGE OF ANOTHER PERSON)

I CERTIFY that I have examined the following items of documentary or other evidence .....

.....
(list of items examined)

and I am satisfied as to the identity of the above-named retarded person and the parent or the person in whose charge the retarded person is and their relationship to each other.

Date:..... .....
(signature of superintendent)

NOTES:

1. Consent portion to be completed only where the retarded person is in the charge of his parent or other person or Children's Aid Society.

2. To be completed by person or Children's Aid Society in charge of retarded person or by retarded person himself where he is not in the charge of another person or Children's Aid Society.

O. Reg. 62/68, Form 6.

Form 7

The Homes for Retarded Persons Act

QUARTERLY REPORT OF NET OPERATING EXPENDITURES

For the three months ending....., 19....

Name of approved home.....

Address.....

Name of corporation operating approved home.....

.....

PART I

NET OPERATING EXPENDITURES (See Note)

A. Net operating expenditures for the current year to date:

1. Physical and personal needs of residents including food, medical, clothing and other needs ..... $.....

2. Education including teachers' salaries and staff benefits but not including transportation costs or fees paid to school boards..... $.....

3. Salaries, wages and staff benefits exclusive of teachers' salaries and staff benefits.... $.....

4. Consulting or other specialist fee (other than medical, dental or educational) ..... $.....

5. Accommodation ..... $.....

6. Administration ..... $.....

7. Replacement of furnishings and equipment ..... $.....

8. Other, specify ..... $.....

9. Sub-total (items 1 to 8 both inclusive) ..... $.....

10. Deduct: Miscellaneous operating revenues ..... $.....

11. Net operating expenditures for the current year to date ..... $.....

B. Net operating expenditures for current quarter year.

12. Deduct: Previous net operating expenditures for the current year to date (item 11 of Form 7 of the immediately preceding quarter year) ..... $.....

13. Net operating expenditures for current quarter year ..... $.....

PART II

AVERAGE DAILY COST OF RESIDENTIAL ACCOMMODATION DURING CURRENT QUARTER YEAR

14. a. Cost of residential accommodation in current quarter year (item 13 above) .... $.....

b. Total days care for all residents in the approved home current quarter (column 2 of item 1 of Form 4 for each month of current quarter year) ..... $.....

Average daily cost a ÷ b = ... $.....

PART III

CERTIFICATE

15. We certify that, to the best of our knowledge and belief, the next expenditures reported in Part I and the total days care reported in Part II above are correct and in agreement with the books and records of the above approved home.

Date....., 19....

.....
(signature of authorized officer)

.....
(signature of authorized officer)

NOTE:

Subsection 5 of section 17 of Regulation 437 of Revised Regulations of Ontario, 1970 reads as follows:

"(5) For the purpose of Form 4 and Form 7, the net operating expenditures of an approved home are subject to the approval of the Minister."

O. Reg. 62/68, Form 7.

REGULATION 438

under The Homes for Special Care Act

GENERAL

INTERPRETATION

1. In this Regulation,

(*a*) "administrator" means a person appointed by a board to administer an approved home or the person in charge of a licensed nursing home or a licensed residential home;

(*b*) "approved home" means an institution, building or other premises or place, or any part thereof, approved under section 4 of the Act as a home for special care;

(*c*) "board" means the governing board of an approved home;

(*d*) "Department" means the Department of Health;

(*e*) "Director" means the Director of Homes for Special Care;

(*f*) "inspector" includes a medical officer of health or his representative;

(*g*) "licensed nursing home" means a nursing home licensed under section 5 of the Act as a home for special care;

(*h*) "licensed residential home" means a private residence licensed under section 5 of the Act as a home for special care; and

(*i*) "physician" means a duly qualified medical practitioner. O. Reg. 261/64, s. 1.

2. A home for special care is classified as an approved home, a licensed nursing home or a licensed residential home. O. Reg. 261/64, s. 2.

PART 1

Approved Homes

APPLICATION

3. This Part applies to approved homes. O. Reg. 261/64, s. 3.

ADMINISTRATION

4. An administrator is responsible to the board for the efficient management and operation of the approved home that he administers. O. Reg. 261/64, s. 4.

QUALIFICATIONS OF STAFF MEMBERS

5. No person shall be employed in an approved home unless he is qualified to perform his duties in the home. O. Reg. 261/64, s. 5.

MEDICAL EXAMINATIONS FOR ADMINISTRATORS AND STAFFS

6.—(1) No person shall be appointed as an administrator or be employed in an approved home unless he has obtained from a physician a certificate certifying that he is,

(*a*) free from active tuberculosis or other communicable or contagious disease; and

(*b*) physically fit to undertake his duties in the home.

(2) At least once a year the administrator and each member of the staff of an approved home shall obtain the certificate prescribed in subsection 1. O. Reg. 261/64, s. 6.

POWERS AND DUTIES OF ADMINISTRATORS

7. In every approved home, the administrator,

(*a*) is responsible for,

(i) the proper performance of his duties under this Regulation,

(ii) the efficient management and operation of the home,

(iii) keeping the records required by this Regulation, and

(iv) the receipt from and the disbursement to, residents, of moneys held for residents in the trust account established under section 9 and for keeping a written record of all receipts and disbursements;

(*b*) shall admit persons to the home in accordance with this Regulation; and

(*c*) shall ensure that forms required in respect of admission to the home are properly completed and that a written record is kept of illnesses, transfers, discharges and deaths of residents. O. Reg. 261/64, s. 7.

FIRE PROTECTION AND FIRE DUTIES

8. The administrator of an approved home shall ensure that,

(*a*) all fire-hazards in the home are eliminated;

(*b*) fire-extinguishers, hose and standpipe equipment are inspected at least once a month;

(*c*) the heating equipment and chimneys are inspected at least once every six months to ensure that they are safe and in good repair;

(*d*) a written record is kept of inspections and tests of the fire equipment, the fire-alarm system, the heating system and chimneys;

(*e*) the staff, and so far as possible, the residents, know the method of sounding the fire-alarm;

(*f*) the staff is trained in the proper use of the fire-extinguishing equipment;

(*g*) a procedure is established to be followed when a fire-alarm is given, including the duties of the staff and residents;

(*h*) the staff and residents are instructed in the procedure established under clause *g*, and that the procedure is posted in conspicuous places in the home;

(*i*) a fire drill is held at least once a month;

(*j*) matches available to the staff or residents or used by them in or around the home are safety matches;

(*k*) an inspection of the building is made each night to ensure that there is no danger of fire, and that the doors in stairwells and smoke barriers are closed. O. Reg. 261/64, s. 8; O. Reg. 87/66, s. 1.

TRUST ACCOUNTS

9.—(1) Each board shall establish and maintain a trust account in a bank or The Province of Ontario Savings Office in which all moneys of residents held for safekeeping by the administrator shall be deposited.

(2) Where a resident has money upon admission to an approved home or receives money while he is a resident in the home, he may request the administrator to deposit it in the trust account.

(3) Where a resident has money deposited for him in the trust account, he may request the administrator to make all or any part of it available to him at any time.

(4) The administrator shall keep a separate book of account showing all deposits to and withdrawals from the trust account, the name of the resident for whom the deposit or withdrawal is made, and the date of each deposit or withdrawal.

(5) The administrator shall provide a resident with a written receipt for all moneys received for deposit in the trust account, and a resident shall provide the administrator with a written receipt for all moneys withdrawn from the account by the administrator for the resident. O. Reg. 261/64, s. 9.

10. The trust account established under section 9 shall be audited annually by a chartered accountant or a licensed public accountant. O. Reg. 261/64, s. 10.

BONDING OF ADMINISTRATOR

11.—(1) The administrator of an approved home shall be bonded by a bond of a guarantee company approved under *The Guarantee Companies Securities Act* in an amount or amounts satisfactory to the board that appointed him.

(2) The board shall pay the cost of the bond. O. Reg. 261/64, s. 11.

PART II

Licensed Nursing Homes

APPLICATION

12. This Part applies to licensed nursing homes. O. Reg. 261/64, s. 12.

13. The administrator of a licensed nursing home is responsible for the efficient management and operation of the home. O. Reg. 261/64, s. 13.

14. The administrator shall provide sleeping accommodation for residents in rooms with a minimum of,

(*a*) 400 cubic feet of air space and fifty square feet of floor space for each person under sixteen years of age; and

(*b*) 600 cubic feet of air space and seventy-five square feet of floor space for each person sixteen years of age and over,

and each room so used shall contain at least one window capable of being opened directly to the outside, and the area of the window shall not be less than 10 per cent of the floor area of the room. O. Reg. 261/64, s. 14.

15. Sleeping accommodation shall not be provided in any space in a licensed nursing home used as a lobby, hallway, closet, bathroom, stairway or kitchen. O. Reg. 261/64, s. 15.

16. The administrator shall provide toilet and bathing facilities which are readily accessible to all residents with a minimum of one wash-basin and one flush toilet for every eight residents and one bath-room or shower for every twelve residents. O. Reg. 261/64, s. 16.

17. The administrator shall,

(*a*) provide and maintain proper and adequate nursing service and personal care for residents under the direction of a competent nursing attendant;

(*b*) ensure that a sufficient staff of qualified nursing and other personnel is provided to give adequate nursing and personal care and prepare and serve meals and maintain the rooms and premises in a clean and sanitary condition; and

(*c*) ensure that medical care and attention are made available by a physician to residents as required. O. Reg. 261/64, s. 17.

18. The administrator shall ensure that,

(*a*) nourishing meals, including special diets where required, are provided at regular intervals and prepared by or under the supervision of a competent person; and

(*b*) adequate and sanitary supplies of milk and drinking water are provided. O. Reg. 261/64, s. 18.

19. The administrator shall maintain the licensed nursing home in a clean, safe and sanitary condition and shall ensure that,

(*a*) all fire hazards in the home are eliminated;

(*b*) there is adequate protection from radiators or other heating equipment;

(*c*) the water supplies are adequate for all normal needs, including those of fire protection;

(*d*) there are at least two separate means of egress to the outside from floors with sleeping accommodation;

(*e*) the premises are inspected at least quarterly by an officer authorized to inspect buildings under *The Fire Marshals Act*;

(*f*) all parts of the home are kept free from rubbish, garbage, ashes, flammable materials and other debris;

(*g*) the basement of the home is well drained and ventilated;

(*h*) the home is weatherproof, free from dampness, adequately heated and all heating equipment is in good repair;

(*i*) adequate kitchen equipment and facilities to ensure the proper preparation and protection of food are provided and maintained; and

(*j*) all necessary steps are taken to keep the building free from vermin, insects and pests. O. Reg. 261/64, s. 19; O. Reg. 87/66, s. 2.

PART III

LICENSED RESIDENTIAL HOMES

20. This Part applies to licensed residential homes. O. Reg. 261/64, s. 20.

21. A licensed residential home in which a person may be received as a resident shall,

(*a*) be a fit and proper place for that person, as evidenced by a written report of an inspection filed with the records of that person in the home; and

(*b*) not be the residence of a parent or child of that person. O. Reg. 261/64, s. 21.

22. Sleeping accommodation for a person who is a resident in a licensed residential home shall,

(*a*) be in a room with the beds so placed that no part of the bed is closer to another bed than 2½ feet and that no part of a bed overlaps a window or radiator;

(*b*) subject to clause *c*, be in a room that is located on the ground floor or the floor immediately above it;

(*c*) where the room is located on a floor above the floor immediately above the ground floor, be on a floor from which there are two separate and independent means of egress to the outside; and

(*d*) be in a room that is adequately ventilated and lighted by natural light. O. Reg. 261/64, s. 22.

INSPECTION OF LICENSED RESIDENTIAL HOMES

23.—(1) A licensed residential home in which a person may be received as a resident shall be,

(*a*) inspected and approved by an inspector not more than four months before the day on which a person is placed in that residence; and

(*b*) inspected by an inspector at regular intervals after the first inspection.

(2) A licensed residential home may be inspected by an inspector at any reasonable time. O. Reg. 261/64, s. 23.

FIRE SAFETY STANDARDS

24. The administrator of a licensed residential home shall ensure that,

(*a*) all fire hazards in the home are eliminated;

(*b*) fire extinguishers, hose and standpipe equipment are inspected at least once a month;

(*c*) the heating equipment and chimneys are inspected at least once every six months to ensure that they are safe and in good repair;

(*d*) a written record is kept of inspections and tests of the fire equipment, the fire alarm system, the heating system and chimneys;

(*e*) the staff and so far as possible the residents, know the method of sounding the fire alarm;

(*f*) the staff is trained in the proper use of the fire extinguishing equipment;

(*g*) a procedure is established to be followed when a fire alarm is given, including the duties of the staff and residents;

(*h*) the staff and residents are instructed in the procedure established under clause *g* and that the procedure is posted in conspicuous places in the home;

(*i*) a fire drill is held at least once a month;

(*j*) matches available to the staff or residents or used by them in or around the home are safety matches;

(*k*) an inspection of the building is made each night to ensure that there is no danger of fire, and that the doors in stairwells and smoke barriers are closed;

(*l*) all hallways, stairways and means of entrance or egress are kept free from obstruction at all times; and

(*m*) all flammable materials and supplies are properly stored. O. Reg. 173/70, s. 1.

25.—(1) In this section, "fire resistance rating" means the rating assigned to any element or assembly of materials of construction as published by The National Research Council of Canada, The Underwriter's Laboratories of Canada, the Joint Fire Research Organization, United Kingdom, The Underwriters' Laboratories Inc. or the Factory Mutual Engineering Division. O. Reg. 173/70, s. 1.

(2) The administrator of a licensed residential home shall comply with the following additional fire safety requirements, according to the class of occupancy of the licensed residential home:

1. Licensed residential home, Class I, three or less residents, excluding family and staff.
    i. Reasonable fire safety precautions shall be adhered to.
    ii. Good housekeeping shall be practised.
    iii. Proper heating unit maintenance shall be observed.
    iv. Precautions shall be taken for residents who smoke.
2. Licensed residential home, Class II, four to seven residents, excluding family and staff.
    i. Two separate means of egress, remote from each other, shall be provided for every floor or section of the building.
    ii. Where there is no interior secondary stairwell provided as an exit, an exterior fire escape connecting all floors and leading directly to grade level shall be provided.
    iii. All stairways shall be enclosed by a fire resistant partition having a fire resistance rating of three-quarters of an hour and self-closing door.
    iv. The ceiling or open joists over the furnace shall be covered with fire resistant material having a fire resistance rating of thirty minutes, to an area of two feet beyond the perimeter of the furnace and the area above the smoke pipe shall be covered in its entirety.
    v. At least one fire extinguisher approved by the Director shall be provided.
3. Licensed residential home, Class III, eight or more residents, excluding family and staff.

i. Two separate means of egress, remote from each other, shall be provided for every floor or section of the building.

ii. An exterior fire escape connecting all floors and leading directly to grade level shall be provided where no interior secondary stairwell is provided as an exit.

iii. All stairways shall be enclosed by a fire resistant partition having a fire resistance rating of three-quarters of an hour and self-closing door.

iv. The furnace or boiler room shall be separated from the remainder of the building by construction having a fire resistance rating of at least one hour.

v. All combustible ceilings, including exposed wood and joists, shall be fully covered with fire resistant material having a fire resistance rating of at least one hour.

vi. The furnace room door and inside door jamb shall be metal-clad and the door shall be equipped with a self-closing device.

vii. Provision shall be made to provide sufficient air for proper combustion in the boiler or furnace rooms.

viii. Each floor shall be equipped with a fire extinguisher approved by the Director.

ix. All vertical shafts, dumb waiters, laundry chutes, rubbish chute and every other shaft shall be enclosed with material having a fire-resistance rating of not less than forty-five minutes and shall be equipped with self-closing doors at all floors, including the basement, incorporating a degree of fire resistance equivalent to the shaft.

x. There shall be an electric fire alarm system in the building.

xi. Every fire alarm system shall be a closed circuit electrically supervised system, components of which have been tested and listed by the Underwriters' Laboratories of Canada or the Canadian Standards Association Testing Laboratories.

xii. A fire alarm station shall be installed on every floor in the building.

xiii. Heat actuated detectors shall be installed according to the manufacturer's listing in all areas in the building, except corridors and washrooms.

xiv. The fire alarm sounding device shall have a sound that is readily distinguishable from the sound produced by any other sounding device used in the building.

xv. Every fire alarm system shall be provided with two independent sources of power, and where batteries are used as a secondary source of power, the batteries shall be rechargeable by means of a trickle charger connected to the hydro-electric power supply.

xvi. Power for the fire alarm system shall be taken directly from the line side of the service after transformation and no power for the system shall be taken from secondary distribution panels or lighting panels.

xvii. The fire alarm electrical supply system shall be equipped with separate circuit breakers or fused switches that serve only the fire alarm system.

xviii. Every fire alarm panel shall be equipped with a glowing light that ceases to glow when the system is shut off and the panel shall be conspicuously marked to indicate that the system is inactive when the light is not glowing. O. Reg. 173/70, s. 1.

GENERAL

26. Nothing in this Regulation affects any by-law relating to fire safety requirements lawfully passed by a municipal council, or the authority of a municipal council to pass any such by-law, insofar as such by-law imposes additional or more stringent requirements than those prescribed in this Regulation. O. Reg. 173/70, s. 1.

PART IV

LICENCES

27.—(1) A licence issued to a nursing home shall be in Form 1 and an application for a licence in Form 1 shall be in Form 2.

(2) A licence issued to a residential home shall be in Form 3 and an application for a licence in Form 3 shall be in Form 2. O. Reg. 261/64, s. 24.

28.—(1) The Minister may issue a licence,

(*a*) to a nursing home that complies with this Regulation upon payment of the prescribed fee; and

(*b*) to a residential home that complies with this Regulation and the Minister finds suitable for the reception and care of residents. O. Reg. 298/66, s. 1.

(2) A licence in Form 1 or Form 3 expires with the 31st day of December in the year in which it is issued. O. Reg. 261/64, s. 25 (2), *amended*.

(3) The Minister may renew,

(*a*) a licence in Form 1 upon receipt of an application in Form 2 and payment of the prescribed fee; and

(*b*) a licence in Form 3 upon receipt of an application in Form 2. O. Reg. 298/66, s. 1.

(4) The fee for a licence in Form 1 is $10 and the fee for a renewal thereof is $5. O. Reg. 298/66, s. 1.

29. The Minister may at any time cancel any licence for any reason that he deems proper and notice of the cancellation shall be given by the Minister by registered letter mailed to the administrator at the address shown on the licence and to the local medical officer of health. O. Reg. 261/64, s. 26.

30. Each application for a licence in Form 1 or a renewal thereof shall be accompanied by,

(*a*) a certificate of an officer authorized to inspect buildings under *The Fire Marshals Act* certifying that the nursing home has been inspected by him within three months of the date of the application and is reasonably safe from fire hazard; and

(*b*) a certificate of an inspector certifying that the home has been inspected by him within three months of the date of the application, and that, in his opinion, it is in reasonable compliance with the requirements of Part II of this Regulation. O. Reg. 261/64, s. 27.

31. The administrator shall post a licence in Form 1 in a conspicuous place in the lower hallway of the home. O. Reg. 261/64, s. 28.

ADMISSION OF RESIDENTS

32. Any person,

(*a*) who has been a patient in an institution within the meaning of *The Mental Hospitals Act;*

(*b*) who has been an informal patient under *The Mental Hospitals Act* or has been discharged under that Act; and

(*c*) for whom no immediate provision for care and lodging has been made; or

(*d*) who is a resident in a residential unit established under Regulation 579 of Revised Regulations of Ontario, 1970,

may be admitted to a home for special care as a resident upon his own application or the application of a friend or relative. O. Reg. 261/64, s. 29; O. Reg. 135/66, s. 1.

33. The application referred to in section 32 shall be submitted to the Director who shall arrange for the admission of the applicant as a resident. O. Reg. 261/64, s. 30.

34.—(1) Part III of *The Mental Health Act*, and the relevant regulations thereunder apply *mutatis mutandis* to a resident in a home for special care as if the resident had continued as a patient in a psychiatric facility under that Act.

(2) Notwithstanding subsection 1, where a notice of continuance has been issued under subsection 2 of section 37 of *The Mental Health Act*, prior to the discharge of the resident from a psychiatric facility, the provisions of clause *d* of section 38 of that Act shall not apply. O. Reg. 236/68, s. 1.

RECORDS

35. The administrator of an approved home or a licensed nursing home shall keep or cause to be kept a written record for each resident that shall set forth,

(*a*) a detailed report on the medical history of the resident before admission and all physical and mental examinations, and all illnesses and accidents after admission;

(*b*) observations on the conduct and behaviour of the resident while in the home;

(*c*) where a resident is discharged from the home, the name and address of the person in whose charge the resident was placed at the time of discharge or the name and address of the institution to which the resident was discharged; and

(*d*) where a resident dies, a report of the time, date and circumstances of the death and the name and address of the person, if any, who claims the body. O. Reg. 261/64, s. 32.

36. Where,

(*a*) a fire has occured in a home for special care; or

(*b*) a resident has been assaulted or injured,

the administrator shall forthwith submit to the Director a written report containing full details of the fire, assault or injury, as the case may be. O. Reg. 397/68, s. 1.

INSPECTORS

37. The Minister may designate officers of the Department as inspectors for the purposes of the Act and this Regulation. O. Reg. 261/64, s. 33.

38. An administrator shall permit an inspector or an officer authorized to inspect buildings under *The Fire Marshals Act* to enter a home for special care at at any and all reasonable times for the purpose of inspecting the premises and every part thereof to ascertain whether the provisions of this Regulation are being complied with. O. Reg. 261/64, s. 34.

39. A medical officer of health shall inspect homes for special care within the area under his jurisdiction at regular intervals or when requested by the Director. O. Reg. 261/64, s. 35.

CHARITABLE ORGANIZATIONS

40. With the approval of the Minister, the Director may arrange with the board of any organization having objects of a charitable nature for assistance from such board in the inspection and supervision of accommodation and facilities for the care and maintenance of residents in licensed nursing homes and licensed residential homes and the supervision of the residents therein. O. Reg. 261/64, s. 36.

41.—(1) Where a resident in an approved home, a licensed nursing home or a licensed residential home is unable to pay for his care and maintenance, the Minister may pay an amount not exceeding $10.50 for each day that the resident receives care and maintenance in the home, but where the resident does not require nursing care, the amount payable shall not exceed $35 a week. O. Reg. 76/69, s. 2; O. Reg. 88/70, s. 1.

(2) In addition to the amounts prescribed in subsection 1, the Minister may pay for any,

(*a*) medical care or medicine; and

(*b*) clothing, toiletries or other personal necessities,

required by and supplied to a resident mentioned in subsection 1 for which the resident is unable to pay. O. Reg. 135/66, s. 2.

(3) A resident who has property or subsequently acquires property shall be liable for payments made on his behalf under subsection 1. O. Reg. 135/66, s. 2.

(4) The husband of a resident shall be liable for payments made on behalf of his wife under subsection 1. O. Reg. 135/66, s. 2.

42. In the event of the death in a home for special care of a resident who is an indigent person, the Minister may pay the expenses of his burial. O. Reg. 104/65, s. 2.

Form 1

The Homes for Special Care Act

NURSING HOME LICENCE

Under *The Homes For Special Care Act* and the regulations and subject to the limitations thereof,

this licence is issued to.....

.....
(name and address of home)
as a nursing home for special care.

This licence expires with the....day of.....,

19.....

.....
(signature of issuer)

Dated at Toronto, this....day of.....,

19.....

O. Reg. 261/64, Form 1.

Form 2

The Homes for Special Care Act

APPLICATION FOR LICENCE AS

—NURSING HOME

—RESIDENTIAL HOME

To: The Director of Homes for Special Care,
Department of Health,
Parliament Buildings,
Toronto 2, Ontario.

1. Name of Applicant.....
2. Address of Applicant.....
3. Location of Home.....
4. Occupation of Applicant.....
5. Number of bedrooms available for residents...

6. Number of residents the applicant proposes to accommodate at one time.....

7. Number available for use by residents:

(*a*) wash-basins.....

(*b*) flush toilets.....

(*c*) bathrooms.....

(*d*) showers.....

8. Interest of applicant in home.....
(owner, lessee, etc.)

.....
(signature of applicant)

Dated at.....this....day of.....,
19.....

O. Reg. 261/64, Form 2.

Form 3

The Homes for Special Care Act

RESIDENTIAL HOME LICENCE

Under *The Homes for Special Care Act*, and the regulations, and subject to the limitations thereof, this licence is issued to.....
(name and address of home)
as a residential home for special care.

This licence expires with the....day of.....,
19.....

.....
(signature of issuer)

Dated at Toronto, this....day of.....,
19.....

O. Reg. 261/64, Form 3.

REGULATION 439

under The Homes for the Aged and Rest Homes Act

GENERAL

INTERPRETATION

1. In this Regulation,

(*a*) "board" means the board of management of a home established under section 5 or 6 of the Act;

(*b*) "home" includes a joint home;

(*c*) "municipal auditor" means an auditor licensed and appointed in accordance with *The Municipal Act* for one or more of the municipalities maintaining the home or for the board, as the case may be, or, where the home is established under section 5 of the Act, means a public accountant licensed under *The Public Accountancy Act*;

(*d*) "municipal authority" means a person appointed for the purposes of section 29 by the council of a municipality or by the board of a home established under section 5 or 6 of the Act;

(*e*) "provincial authority" means a regional welfare administrator or a welfare institutions supervisor or a field worker of the Department of Social and Family Services or any other employee of the Department who is designated by the Minister as a provincial authority. R.R.O. 1960, Reg. 237, s. 1; O. Reg. 325/61, s. 1; O. Reg. 221/69, s. 1.

QUALIFICATIONS OF SUPERINTENDENT

2. An administrator shall, at the time of appointment,

(*a*) be in good health;

(*b*) have a specialized knowledge of and adequate experience in modern methods of administering a home;

(*c*) have a sympathetic understanding of problems pertaining to the needs of elderly persons and in particular of those persons residing in a home and a suitable personality for the position; and

(*d*) have the ability to retain the confidence of the staff and to direct it efficiently. R.R.O. 1960, Reg. 237, s. 2; O. Reg. 221/69, s. 2.

QUALIFICATIONS OF STAFF MEMBERS

3. Subject to section 41, where separate accommodation is provided in a home for the aged for residents confined to bed, there shall be employed at the home a nurse registered under *The Nurses Act*. O. Reg. 219/67, s. 1; O. Reg. 221/69, s. 3.

MEDICAL EXAMINATIONS FOR SUPERINTENDENTS AND STAFFS

4.—(1) No council of a municipality and no board shall appoint an administrator or person to act temporarily as administrator or employ a person on the staff of the home until the person so appointed or employed has obtained from a legally qualified medical practitioner a certificate certifying that he is,

(*a*) free from active tuberculosis or other communicable or contagious disease; and

(*b*) physically fit to undertake his duties in the home. O. Reg. 325/61, s. 2; O. Reg. 221/69, s. 4 (1).

(2) At least once a year the administrator and each member of the staff of a home shall obtain the certificate prescribed in subsection 1. O. Reg. 325/61, s. 2; O. Reg. 221/69, s. 4 (2).

POWERS AND DUTIES OF SUPERINTENDENTS

5. An administrator,

(*a*) is responsible to the council of the municipality that establishes and maintains the home, the councils of the municipalities that establish and maintain a joint home or to the board, as the case may be, for,

(i) the proper performance of his duties under the Act and this Regulation,

(ii) the efficient management and operation of the home, and

(iii) keeping the records, completing the forms and making the returns required by the Act and this Regulation;

(*b*) shall admit persons to the home in accordance with section 16 of the Act and with this Regulation;

(*c*) shall ensure that each applicant is interviewed upon admission to the home and that a written record is kept of any relevant information disclosed by the applicant;

(*d*) shall ensure that a written record is kept of clothing, valuables and other personal effects brought by the applicant to the home upon admission or acquired by him from time to time after admission;

(*e*) shall ensure that the forms required under the Act and this Regulation in respect of the admission are properly completed and that a written record is kept of illnesses, transfers, discharges and deaths of residents;

(*f*) is responsible for the receipt from, and the disbursement to, residents of moneys held for residents in the trust account established under section 33 and for keeping a written record of all those receipts and disbursements;

(*g*) shall organize a continuing program of varied and meaningful activities designed to stimulate the interests of residents, including handicrafts, continuous learning, recreation and entertainment;

(*h*) shall encourage the participation of volunteer groups and individuals from the community including a Home Auxiliary in the program of varied and meaningful residents;

(*i*) shall allocate proper accommodation to residents, taking into consideration their age, sex, the type of care needed and all other relevant personality factors;

(*j*) shall purchase provisions for the home;

(*k*) shall ensure that residents are given sufficient food of good quality and adequate nutritional value;

(*l*) shall ensure that a separate written record is kept of special diets for residents prescribed by the physician for the home or the attending physician under subsection 9 of section 18;

(*m*) shall ensure that an adequate supply of books, other published material and current periodicals and newspapers is available for residents at all times;

(*n*) shall ensure that there are adequate and regular opporunities in the home for residents who so desire to participate in religious services;

(*o*) shall certify all bills and accounts of the home;

(*p*) shall establish and follow a regular procedure for the hearing of any grievance of any resident of the home, correct the grievance if he considers it necessary and maintain a written record of all such hearings;

(*q*) shall ensure that adequate supervision is provided at all times for the security and protection of the home and residents;

(*r*) in accordance with section 22 of *The Coroners Act*, shall give notice of the death of a resident to a coroner other than a coroner who is the physician for the home in which the deceased resident was residing at the time of his death;

(*s*) shall co-operate in any program established under *The Elderly Persons Centres Act* which could be of benefit or interest to the residents of the home;

(*t*) shall set up a system of regular staff conferences and assist in the operation of any training program for staff members of the home; and

(*u*) shall prepare and maintain an organization chart, details of staff benefits and a job description and salary scale for each staff position established under subsection 2 of section 11 of the Act. R.R.O. 1960, Reg. 237, s. 5; O. Reg. 325/61, s. 3; O. Reg. 25/63, s. 1; O. Reg. 219/67, s. 2; O. Reg. 221/69, s. 5, *amended*.

MEDICATIONS

6.—(1) In this section, "prescription drugs" means,

(*a*) a controlled drug mentioned in Schedule G of the *Food and Drugs Act* (Canada);

(*b*) a narcotic as defined in the *Narcotic Control Act* (Canada); and

(*c*) a drug mentioned in Schedule C of *The Pharmacy Act*. O. Reg. 219/67, s. 3.

(2) The administrator of a home shall keep in a separate locked cupboard all drugs and medications and shall keep all drugs referred to in clauses *a* and *b* of subsection 1 in a separate locked container within the locked cupboard. O. Reg. 219/67, s. 3; O. Reg. 221/69, s. 6.

(3) The keys to the cupboard shall be kept in the custody of the nurse in charge on duty who shall be responsible for the removal from the cupboard

or from the locked container, as the case may be, and for the administration of all prescription drugs under the direction of a physician. O. Reg. 219/67, s. 3.

(4) No person shall remove a prescription drug from the receptacle in which it is brought into the home except by or under the supervision of a physician. O. Reg. 219/67, s. 3.

(5) Unused portions of a resident's prescription drugs remaining on the premises of the home after discharge or death shall be destroyed by the registered nurse of the home. O. Reg. 219/67, s. 3.

(6) A notation on the destruction of prescription drugs giving the quantity, description and prescription number shall be noted on the resident's chart and signed by the registered nurse of the home. O. Reg. 219/67, s. 3.

(7) A daily record signed by the registered nurse of the home shall be kept of all prescription drugs referred to in clauses *a* and *b* of subsection 1, showing the amounts dispensed, and the amounts on hand and in addition there shall be kept all records required under the *Narcotic Control Act* (Canada). O. Reg. 219/67, s. 3.

RULES GOVERNING HOMES

7. Residents of a home shall be under the general supervision of the administrator. R.R.O. 1960, Reg. 237, s. 6; O. Reg. 221/69, s. 7.

8.—(1) No resident shall leave a home at any time without notifying the administrator or his representative. O. Reg. 25/63, s. 2; O. Reg. 221/69, s. 8 (1).

(2) Residents may smoke only in the areas designated by the administrator and suitable fire-resistant receptacles shall be provided in the areas. R.R.O. 1960, Reg. 237, s. 7 (2); O. Reg. 221/69, s. 8 (2).

(3) A resident may sell any article he makes and retain the proceeds thereof in accordance with a policy to be determined by the council of the municipality for the board operating the home. R.R.O. 1960, Reg. 237, s. 7 (3).

9. No resident shall have any liquor as defined in *The Liquor Control Act* in his possession or under his control in the home except upon the written direction given to the administrator by the physician for the home. R.R.O. 1960, Reg. 237, s. 8; O. Reg. 221/69, s. 9.

FIRE PROTECTION AND FIRE DUTIES

10.—(1) The board or the committee of management of a home, as the case may be, shall ensure that,

(*a*) all fire hazards in the home are eliminated and the recommendations of an officer authorized to inspect the buildings are carried out;

(*b*) there is adequate protection from radiators or other heating equipment;

(*c*) the water supplies are adequate for all normal needs including those of fire protection;

(*d*) there are at least two separate means of egress to the outside from floors with sleeping accommodation;

(*e*) the fire protection equipment, including the sprinkler system, fire extinguishers, hose and standpipe equipment are visually inspected at least once a month and serviced at least once a year by qualified personnel;

(*f*) the fire alarm system is inspected at least once a year by qualified fire alarm maintenance personnel, and tested at least once every month;

(*g*) at least once a year the heating equipment is serviced by qualified personnel and the chimneys are inspected and cleaned if necessary;

(*h*) a written record is kept of inspections and tests of fire equipment, fire drills, fire alarm system, the heating system and chimneys;

(*i*) the staff and residents are instructed in the method of sounding the fire alarm;

(*j*) the staff are trained in the proper use of the fire extinguishing equipment;

(*k*) a procedure is established that is to be followed when a fire alarm is given, including the duties of the staff and residents;

(*l*) the staff and residents are instructed in the procedure established under clause *k* and the procedure is posted in conspicuous places in the home;

(*m*) where matches are used, only safety matches are issued to the staff and residents;

(*n*) the procedure established under clause *k* is practised at least once a month using the fire alarm to initiate the drill;

(*o*) an inspection of the building, including the equipment in the kitchen and laundry, is made each night to ensure that there is

no danger of fire and that all doors to stairwells, all fire doors and all smoke barrier doors are kept closed;

(*p*) adequate supervision is provided at all times for the security of the residents and the home;

(*q*) oxygen is not used or stored in the home in a pressure vessel;

(*r*) the home is kept clean and free of combustible rubbish;

(*s*) all exits are clear and unobstructed at all times;

(*t*) combustible draperies, curtains, decorations and similar materials are suitably treated to render them resistant to the spread of flame and retreated when necessary;

(*u*) receptacles into which electric irons are plugged are equipped with pilot lights;

(*v*) lint traps in the laundry are cleaned out after each use of the equipment;

(*w*) flammable liquids used in the home are stored in suitable containers in non-combustible cabinets;

(*x*) large non-combustible ash trays are provided where smoking is permitted;

(*y*) no vapourizing liquid fire extinguishers are kept or used in the home; and

(*z*) sprinkler heads and fire detector heads are not painted.

(2) Where a home is located in a municipality that does not have public fire protection, it shall be provided with a complete automatic sprinkler system.

(3) The sprinkler system shall be installed so that the distance between each sprinkler head does not exceed fifteen feet measured along and at right angles to the pipes of the system, the distance between a sprinkler head and a wall or partition does not exceed seven feet six inches, and the area of protection for each sprinkler head does not exceed 200 square feet.

(4) The water supply to the sprinkler system shall be sufficient to provide a minimum pressure of ten pounds per square inch at the uppermost sprinkler head while water is discharged through an open main drain valve of not less than three-quarters of an inch internal diameter.

(5) The water supply to the sprinkler system shall provide not less than fifty gallons per minute at the base of every sprinkler riser and shall be sufficient to maintain this flow for a minimum period of thirty minutes. O. Reg. 219/67, s. 4.

FORMS AND RECORDS

11. An authorization mentioned in clause *e*, an application mentioned in clause *f* or a statement mentioned in clause *h*, as the case may be, of subsection 1 of section 16 of the Act shall be in Form 1. O. Reg. 219/67, s. 5.

12. An application in Form 2 shall be accompanied by a consent to inspect assets under clause *g* of section 16 of the Act in Form 3. R.R.O. 1960, Reg. 237, s. 12.

13. A statement under clause *i* of subsection 1 or clause *g* of subsection 2 of section 16 of the Act shall be in Form 4. R.R.O. 1960, Reg. 237, s. 14; O. Reg. 219/67, s. 6.

14. Where an application is made for the admission of an applicant under clause *d* of subsection 1 or clause *b* of subsection 2 of section 16 of the Act, forms 1, 2, 3 and 4 shall be transmitted to the Minister by the person receiving those forms. R.R.O. 1960, Reg. 237, s. 15; O. Reg. 219/67, s. 7.

15.—(1) The records of a home shall include,

(*a*) a separate file for the documents of each resident;

(*b*) adequate books of account and ledgers;

(*c*) a complete inventory of furnishings and equipment;

(*d*) where the home operates a farm, a record of produce purchased therefrom in accordance with section 35; and

(*e*) a record of the trust account set up by the home under section 33. O. Reg. 325/61, s. 4 (1).

(2) The board or committee of mangement of a home, as the case may be, shall ensure,

(*a*) that the records of the inventory referred to in clause *c* of subsection 1 are,

(i) maintained on a continuing basis,

(ii) up-to-date, and

(iii) available for inspection by a provincial authority at any time;

(*b*) that the records of the inventory show,

(i) any additions to or deductions from the inventory that are made from time to time,

(ii) the reasons for the additions or deductions, and

(iii) the disposition of any item that is deducted;

(*c*) that a serial number is assigned to and recorded for each item of furnishings and equipment in the records of the inventory, including the items that are added from time to time, other than cutlery, crockery, dishes, tableware or other similar utensils;

(*d*) that the serial number of any item that is deducted from the records is not used again;

(*e*) that an annual inspection is made of the records of the inventory and the actual furnishings and equipment on hand in the home by a person designated by the board or committee of management to make the inspection to determine whether the records are true and correct; and

(*f*) that a written report of each annual inspection is kept in the records of the home, showing any discrepancies between the records of the inventory and the actual furnishings and equipment on hand in the home at the time of the inspection. O. Reg. 325/61, s. 4 (2).

(3) The books of account and ledgers shall,

(*a*) set forth the revenues and expenditures of the home;

(*b*) be segregated from the continuing books of account of the municipality;

(*c*) contain a separate record of money received by the home from sources other than under the Act; and

(*d*) be audited yearly by the municipal auditor. R.R.O. 1960, Reg. 237, s. 16 (2); O. Reg. 221/69, s. 10 (1).

(4) The administrator of a home shall furnish to the Minister not later than the 20th day of each month for the immediately preceding month,

(*a*) a financial report in duplicate in Form 7;

(*b*) an application for monthly payment of provincial subsidy, in triplicate, in Form 8; and

(*c*) a statement of persons whose residence before admission to the home was in unorganized territory, in triplicate, in Form 9. R.R.O. 1960, Reg. 237, s. 16 (3); O. Reg. 221/69, s. 10 (2).

(5) The administrator of a home shall furnish to the Minister not later than the last day of February in each year, for the year ending with the 31st day of December immediately preceding,

(*a*) an annual return of residents in Form 6; and

(*b*) a financial statement of revenue and expenditure in duplicate in Form 7 together with a report of the municipal auditor stating whether in his opinion,

(i) he has received all the information and explanations he has required,

(ii) the financial statement is in accordance with the books and records of the home, and

(iii) the financial statement has been prepared in accordance with generally accepted accounting principles applied on a basis consistent with that of the preceding year; and

(*c*) such other financial and statistical information as the Minister may require. R.R.O. 1960, Reg. 237, s. 16 (4); O. Reg. 221/69, s. 10 (3, 4).

16.—(1) A home shall maintain a separate bank account in which shall be deposited the revenues of the home and out of which shall be paid the expenditures of the home. R.R.O. 1960, Reg. 237, s. 17.

(2) Subsection 1 does not apply to a home that is established and maintained by a city and that is not a joint home. O. Reg. 185/61, s. 1.

17.—(1) A home shall keep a written record of each resident. R.R.O. 1960, Reg. 237, s. 18 (1).

(2) The record shall include,

(*a*) a detailed report of the medical history of a resident before admission and all physical and mental examinations, and all illnesses and accidents, after admission;

(*b*) observations on the resident's conduct and behaviour while in the home;

(*c*) where a resident is discharged from the home, the name and address of the person or institution to whom or to which he goes and the date of discharge;

(*d*) where a resident dies, a report of the time, date and circumstances of the death, the name and address of the person, if any, who claims the body, the date that the notice of death is given to the coroner in accordance with clause *r* of section 5 and the name of the coroner; and

(*e*) a separate statement of account for each resident of the charges made for his maintenance in the home, and the amounts paid to the home by him or on his behalf, other than the amounts paid on his behalf by a municipality, except that where a municipality that has an agreement with the home under section 7 of the Act makes a payment on behalf of a resident such payment shall be recorded in his statement of account. R.R.O. 1960, Reg. 237, s. 18 (2); O. Reg. 325/61, s. 5.

MEDICAL SERVICES

18.—(1) In this section, and in section 19 "attending physician" means a legally qualified medical practitioner other than the physician for a home who is appointed under subsection 4 of section 11 of the Act. O. Reg. 325/61, s. 6; O. Reg. 219/67, s. 8.

(2) All medical and paramedical services, programs, procedures and medications provided or used in a home are subject to the approval of the physician for the home. O. Reg. 325/61, s. 6; O. Reg. 221/69, s. 11 (1).

(3) At least once a year, or at such other more frequent intervals as the board or committee of management of a home requires, the physician for the home shall submit to the board or committee, as the case may be, a report summarizing the general health conditions of the residents and the medical and nursing services provided to them and shall include in the report any recommendations that he considers necessary to ensure proper conditions of health and an adequate state of well-being for all residents. O. Reg. 325/61, s. 6, *amended*.

(4) The physician for the home shall,

(*a*) inspect the sanitary conditions in the home at least once a month;

(*b*) report on such inspections to the board or committee of management of the home; and

(*c*) take any steps that he considers necessary to ensure that any of his recommendations for the correction of any unsanitary condition is carried out. O. Reg. 325/61, s. 6; O. Reg. 221/69, s. 11 (2), *amended*.

(5) Before admission to a home an applicant shall be given a chest X-ray and the results shall be negative for tuberclosis. O. Reg. 219/67, s. 9.

(6) At least once a year each resident of a home shall be given a chest X-ray unless otherwise directed by the physician for the home. O. Reg. 219/67, s. 9.

(7) At the time of his admission to a home and thereafter at least once a year each resident shall be given a medical examination by the physician for the home or the attending physician. O. Reg. 219/67, s. 9.

(8) Within seven days of the resident's admission thereto, the physician for the home or the attending physician shall make a detailed written report in Form 5 of the results, including any recommendation pertaining thereto, of the medical examination of the resident made at the time of admission, and thereafter shall make a written report of each subsequent medical examination in Form 5 and the report shall be kept with the other records of the resident. O. Reg. 219/67, s. 9.

(9) Where the physician for the home or the attending physician directs, a resident of a home shall be given a special diet. O. Reg. 219/67, s. 9.

19. The physician for the home shall attend and prescribe medication or medical care for any resident of the home who has no attending physician of his own or who requests that the services of the physician for the home be made available. O. Reg. 219/67, s. 10.

MANNER OF COMPUTING THE PROPORTION OF THE COST OF CONSTRUCTION ALLOCATED TO UNORGANIZED PARTS OF DISTRICTS

20.—(1) Under subsection 2 of section 24 of the Act, the proportion of the cost of construction of a home in a territorial district that shall be allocated to the unorganized portions of the district shall be in the same proportion as the assessment allowance for the unorganized portions of the district as determined under subsection 2 bears to the total assessment referable to the entire district as determined under subsection 3.

(2) The assessment allowance for the unorganized portions of the district shall be determined by multiplying the per capita assessment for the organized municipalities in the district by the population of the unorganized portions of the district, according to the last published census of Canada.

(3) The total assessment referable to the entire district shall be determined by adding the assessment allowance for the unorganized portions of the district as determined under subsection 2 to the total assessment for the organized municipalities in the district.

(4) For the purpose of this section, the assessment for an organized municipality shall be the assessment as shown on the last revised assessment rolls as equalized. R.R.O. 1960, Reg. 237, s. 20.

21. Under subsection 2 of section 27 of the Act, the proportion of the capital expenditure of a home in a territorial district that shall be allocated to the unorganized parts of the district shall equal the proportion last allocated to those parts in accordance with the determination made under section 20 in respect of the cost of construction. O. Reg. 25/63, s. 5.

OPERATING AND MAINTENANCE COSTS

22.—(1) The expenditures of a home listed in Part II of Form 7 and referred to in subsections 11, 12 and 13 are operating and maintenance costs for the purposes of section 28 of the Act. R.R.O. 1960, Reg. 232, s. 21 (1); O. Reg. 406/70, s. 1 (1).

(2) For the purpose of subsection 1, operating and maintenance costs include the portion of the fees paid to a physician for a home for all services rendered by the physician that are prescribed in section 18 not exceeding $1.30 per month for each bed in the home based on the designated bed capacity for the home. O. Reg. 219/67, s. 11 (1), *amended*.

(3) An application under section 28 of the Act for a monthly payment of the provincial subsidy in respect of the operating and maintenance costs of a home shall be in Form 8. R.R.O. 1960, Reg. 237, s. 21 (3).

(4) Subject to subsections 5, 7, 8, 9, 10, 11, 12 and 13, Ontario shall pay to the home 70 per cent of the net monthly amount of the operating and maintenance costs of the home computed in accordance with Form 8. R.R.O. 1960, Reg. 237, s. 21 (4); O. Reg. 25/63, s. 6 (1); O. Reg. 219/67, s. 11 (2); O. Reg. 221/69, s. 12 (1); O. Reg. 406/70, s. 1 (2).

(5) Subject to subsections 7, 8, 9, 10, 11, 12 and 13, where the population in a territorial district does not exceed 10,000 persons, Ontario shall pay to a home established for the district under section 6 of the Act, 85 per cent of the net monthly amount of the operating and maintenance costs of the home computed in accordance with Form 8. O. Reg. 221/69, s. 12 (6); O. Reg. 406/70, s. 1 (3), *amended*.

(6) For the purpose of subsection 5, the population of the territorial district shall be determined by the latest census made under *The Assessment Act* of the municipalities participating in the home. O. Reg. 221/69, s. 12 (6).

(7) Where the application referred to in subsection 3 is not furnished to the Minister within three months next following the first day of the month to which it relates, the payment by Ontario under subsection 4 or 5 shall be reduced to 25 per cent. R.R.O. 1960, Reg. 237, s. 21 (5); O. Reg. 221/69, s. 12 (2).

(8) Where any operating or maintenance cost is incurred for,

(*a*) the purchase of furnishings or equipment that are replacements; or

(*b*) repairs to or maintenance of the buildings, equipment or grounds of a home,

and such cost is in excess of $500, no payment shall be made by Ontario under subsection 4 or 5 unless the incurring of the cost is first approved by the Minister as necessary and not excessive for the purpose. O. Reg. 25/63, s. 6 (2); O. Reg. 221/69, s. 12 (3).

(9) Where an operating or maintenance cost is incurred for an initial salary or an annual or other periodic increase in salary to an administrator or the supervisory staff of a home, no payment shall be made by Ontario under subsection 4 or 5 unless the amount of the initial salary or increase is first approved by the Minister as not excessive. O. Reg. 25/63, s. 6 (2); O. Reg. 221/69, s. 12 (4).

(10) In computing the provincial subsidy under subsection 4 or 5,

(*a*) the cost of the maintenance of a resident in a home who is not paying any part of the cost shall not be included where he is able to pay the whole or part of the cost as determined by the provincial authority in accordance with subsection 2 of section 23; and

(*b*) where a resident of a home is able to pay more of the cost of his maintenance than he is paying as determined by the provincial authority in accordance with subsection 2 of section 23, the additional amount that the provincial authority determines to be payable by that resident shall be computed as if it has been paid. O. Reg. 25/63, s. 6 (2); O. Reg. 221/69, s. 12 (5).

(11) Ontario shall pay to the home 100 per cent of the portion of the fees paid to a physician of the home for all services rendered by the physician as prescribed in section 19 not exceeding $2.15 per month for each resident in the home on the last day of the month. O. Reg. 219/67, s. 11 (3).

(12) Subject to subsection 13, Ontario shall pay to a home an amount equal to 50 per cent of the expenditures of the home incurred for the purchase of any additional furnishings or equipment that are not replacements and that cost $500 or less. O. Reg. 406/70, s. 1 (4).

(13) Where a home is established and maintained under section 6 of the Act and incurs expenditures referred to in subsection 12, Ontario shall pay to the home an amount equal to the total of,

(*a*) the proportion of the expenditures referred to in subsection 12 that would be allocated to the unorganized parts of the territorial district under section 21 if the expenditures were for a capital purpose; and

(*b*) 50 per cent of the remaining expenditures referred to in subsection 12 in respect of which payment has not been made under clause *a*. O. Reg. 406/70, s. 1 (4).

23.—(1) In this section,

(*a*) "assets" means liquid assets such as cash, bonds, debentures, stocks, the beneficial interest in assets held in trust and available to be used for maintenance, and any other liquid assets that can be readily converted into cash;

(*b*) "income" means income received from any source other than,

(i) donations made by a religious, charitable or benevolent organization, or

(ii) casual gifts of small value. O. Reg. 25/63, s. 7; O. Reg. 219/67, s. 12 (1).

(2) For the purposes of subsection 1 of section 22 of the Act, the portion of the income and assets of a resident of a home that is available for the payment or recovery of the cost of his maintenance shall be,

(*a*) the gross amount of the income in excess of,

(i) the first $15 per month, and

(ii) any payment of refund received under *The Residential Property Tax Reduction Act*, or under Order-in-Council numbered OC-3410/70 made pursuant to section 5 of *The Department of Agriculture and Food Act*; and

(*b*) the gross amount of his assets less an amount that is considered reasonable by the board or committee and the provincial authority for the burial expenses of the resident. O. Reg. 25/63, s. 7; O. Reg. 539/70, s. 1 (1), *amended*.

(3) The resident shall be permitted to retain the amounts of income of the resident of a home referred to in subclause i or ii of clause *a* of subsection 2 for his own personal use notwithstanding any assignment thereof or agreement to the contrary made by him for the benefit of the home, and where the income referred to in subclause i of clause *a* of subsection 2 is not received on a monthly basis, a deduction at the rate of $15 per month shall be made for the personal use of the resident before determining the amount available for the cost of his maintenance. O. Reg. 539/70, s. 1 (2).

24. Under section 27 of the Act, the cost of maintenance per day for each person whose residence before admission to the home was in unorganized territory shall be computed in accordance with Form 9. R.R.O. 1960, Reg. 237, s. 22.

CAPITAL EXPENDITURES

25.—(1) Expenditures incurred by a home for additional furnishings and additional equipment that,

(*a*) are not replacements;

(*b*) are approved by the Minister before their purchase;

(*c*) are necessary, in his opinion, for the efficient operation of the home; and

(*d*) cost in excess of $500,

are capital expenditures for the purposes of subsection 1 of section 27 of the Act. O. Reg. 325/61, s. 7; O. Reg. 406/70, s. 3.

(2) An application, under subsection 1 of section 27 of the Act for a monthly payment of the provincial subsidy in respect of the capital expenditures referred to in subsection 1 and for capital expenditures other than those incurred by the home for new accommodation or for the alteration of a building by an addition or extension thereto, shall be in Form 8. R.R.O. 1960, Reg. 237, s. 23 (2).

26.—(1) Where a home requires a payment by Ontario under subsection 1 of section 27 of the Act for the acquisition, erection or alteration to a building for use as a home or for an alteration of a building by an addition or extension thereto, it shall file the request with the Minister in triplicate in Form 10.

(2) Where the request is for a payment in respect of the erection of a new building or an alteration of a building by an addition or extension thereto, the request may be made for a portion of the estimated cost thereof as follows:

1. 5 per cent when all structural work below the ground floor joists or slabs is completed.

2. 20 per cent when the roof is on and the building, addition or extension is enclosed.

3. 10 per cent when the interior partitions are installed and finished.

4. Such other parts of the estimated amount to be paid by Ontario at such other times as the Minister approves. R.R.O. 1960, Reg. 237, s. 24 (1, 2).

(3) When the new building, addition or extension is completed and ready for occupancy, the request shall be for payment of an amount calculated by deducting the total of the payments made under paragraphs 1 to 4 of subsection 2 from 50 per cent of the actual cost of the new building, addition or extension and the request shall be certified by the municipal auditor. R.R.O. 1960, Reg. 237, s. 24 (3); O. Reg. 221/69, s. 14 (1).

(4) Where the request is for a payment in respect of the acquisition of a building for use as a home, or altering, furnishing and equipping an acquired building, the request may be made for,

(*a*) 50 per cent of the actual cost of acquisition when the building is acquired;

(*b*) 50 per cent of the actual cost of altering, furnishing and equipping the acquired building as certified by the municipal auditor when the building is ready for occupancy; or

(*c*) such other parts of the estimated amount to be paid by Ontario for altering, furnishing and equipping the acquired building at such other times as the Minister approves. R.R.O. 1960, Reg. 237, s. 24 (4); O. Reg. 221/69, s. 14 (2).

(5) Subject to subsection 6, each request for payment shall be accompanied by a certificate of an architect, who is a member in good standing of the Ontario Association of Architects or a professional engineer who is a member in good standing of the Ontario Association of Professional Engineers, certifying that,

(*a*) all structural work below the ground floor joists or slabs is completed;

(*b*) the roof is on and the new building, addition or extension is enclosed;

(*c*) the interior partitions are installed and finished;

(*d*) the new building, addition or extension is completed and ready for occupancy;

(*e*) the building acquired for use as a home is, in his opinion, a suitable building for such use; or

(*f*) the building acquired for use as a home is ready for occupancy,

as the case may be, for the payment requested.

(6) Where the request for payment is made in accordance with paragraph 4 of subsection 2 or clause *c* of subsection 4, the certificate of the architect or professional engineer shall state the progress made towards completion for occupancy of the new building, addition or extension or the building acquired. R.R.O. 1960, Reg. 237, s. 24 (5, 6).

CONDITION OF RESIDENCES, PRIVATE-HOME CARE

27. A private residence in which a person may be placed for private-home care shall,

(*a*) not accommodate more than five other lodgers or boarders;

(*b*) be a fit and proper place for that person, as evidenced by the written reports on the inspection, in Form 11, filed with the records of that person in the home; and

(*c*) not be the residence of a parent or child of that person. R.R.O. 1960, Reg. 237, s. 25, *amended*.

28. Sleeping accommodation for a person who is placed in private-home care shall,

(*a*) be in a room with the beds so placed that no part of the bed is closer to another bed than 2½ feet and that no part of a bed overlaps a window or radiator;

(*b*) subject to clause *c*, be in a room that is located on the ground floor or the floor immediately above it;

(*c*) where the room is located on a floor above the floor immediately above the ground floor, be on a floor from which there are two separate and independent means of egress to the outside; and

(*d*) be in a room that is ventilated and lighted by natural light to the satisfaction of the municipal authority. R.R.O. 1960, Reg. 232, s. 26, *amended*.

INSPECTION OF PRIVATE RESIDENCES, PRIVATE-HOME CARE

29.—(1) A private residence in which a person may be placed for private-home care shall be,

(*a*) inspected and approved by a municipal authority on a day not more than four months before the day on which a person is placed in that residence; and

(*b*) inspected by a municipal authority at intervals of a least every four months commencing from the date of inspection in clause *a*. R.R.O. 1960, Reg. 232, s. 27 (1), *amended*.

(2) A private residence in which a person is placed for private-home care may be inspected by a provincial authority at any time. R.R.O. 1960, Reg. 232, s. 27 (2), *amended*.

PAYMENT FOR PRIVATE-HOME CARE

30.—(1) Where a person is placed in private-home care, the administrator shall notify the provincial authority in writing within ten days, giving the name of the person and the address of the residence with such additional particulars as may be required by the Minister. R.R.O. 1960, Reg. 237, s. 28 (1); O. Reg. 221/69, s. 15 (1), *amended*.

(2) If for any reason a person is removed or transferred while placed in private-home care, the administrator shall notify the provincial authority in writing within ten days, giving the name of the person, his new address, and the reason for the removal or transfer. R.R.O. 1960, Reg. 237, s. 28 (2); O. Reg. 221/69, s. 15 (2).

31. Subject to subsection 3 of section 32, the amount payable by the Treasurer of Ontario for a person placed in private-home care that is administered under subsection 5 of section 19 of the Act is,

(*a*) where the cost is $90 a month or less, an amount equal to 70 per cent of the cost less 70 per cent of any maintenance payments paid by such person or on his behalf other than by a municipality; and

(*b*) where the cost is more than $90 a month, an amount equal to $63 a month less 70 per cent of any maintenance payments paid by such person or on his behalf other than by a municipality. O. Reg. 325/61, s. 8; O. Reg. 219/67, s. 13, *amended*.

32.—(1) Subject to subsection 2, application for the provincial share of the cost of private-home care payable under subsection 2 of section 19 of the Act shall be in Form 8 and the amount payable shall be determined in accordance with section 22. O. Reg. 219/67, s. 14 (1).

(2) An application for the provincial share of the cost of private-home care that is administered under subsection 5 of section 19 of the Act shall be made in triplicate in Form 12 not later than the 20th day of each month for the immediately preceding month. O. Reg. 219/67, s. 14 (2).

(3) Where the application referred to in subsection 2 is not made within three months next following the first day of the month to which it relates, the amount payable by the Treasurer of Ontario under section 31 is,

(*a*) where the cost is $90 a month or less, an amount equal to 25 per cent of the cost less 25 per cent of any maintenance payments paid by such person or on his behalf other than by a municipality; and

(*b*) where the cost is more than $90 a month, an amount equal to $22.50 a month less 25 per cent of any maintenance payments paid by such person or on his behalf other than by a municipality. O. Reg. 325/61, s. 9; O. Reg. 219/67, s. 14 (3).

(4) The accounts of a home respecting private-home care shall be audited each year by the municipal auditor. R.R.O. 1960, Reg. 237, s. 30 (3); O. Reg. 221/69, s. 16.

TRUST ACCOUNTS

33.—(1) Every board or municipality, as the case may be, establishing and maintaining a home shall establish and maintain a trust account in a chartered bank of Canada, Province of Ontario Savings Office or trust company registered under *The Loan and Trust Corporations Act*, in which all moneys of residents received by the administrator for safekeeping shall be deposited. O. Reg. 219/67, s. 15; O. Reg. 221/69, s. 17 (1).

(2) Where a resident has money upon admission to a home or receives money while he is resident in a home, he may request the administrator to deposit it in the trust account. R.R.O. 1960, Reg. 237, s. 31 (2); O. Reg. 221/69, s. 17 (2).

(3) Where a resident has money deposited for him in the trust account, he may request the administrator to make all or any part of it available to him at any time. R.R.O. 1960, Reg. 237, s. 31 (3); O. Reg. 221/69, s. 17 (3).

(4) The administrator shall keep a separate book of account showing all deposits to, and withdrawals from, the trust account, the name of the resident for whom the deposit or withdrawal is made, and the date of each deposit or withdrawal. R.R.O. 1960, Reg. 237, s. 31 (4); O. Reg. 221/69, s. 17 (4).

(5) The administrator shall provide a resident with a written receipt for all moneys received for deposit in the trust account, and a resident shall provide the administrator with a written receipt for all moneys withdrawn from the account by the administrator for the resident. R.R.O. 1960, Reg. 237, s. 31 (5); O. Reg. 221/69, s. 17 (5).

34. The trust account established under section 33 shall be audited annually by the municipal auditor who audits the books of account and ledgers of the home. O. Reg. 25/63, s. 8; O. Reg. 221/69, s. 18.

PURCHASE OF PRODUCE FROM HOME FARM

35.—(1) Where a home operates and maintains a farm in connection with the home and uses its produce, the home shall be charged with the current monthly wholesale price of the produce in the locality in which the home is situate. R.R.O. 1960, Reg. 237, s. 33 (1).

(2) All produce from the farm used by the home shall be invoiced by the administrator and the invoices shall be submitted each month during the year to the municipality or board for approval. R.R.O. 1960, Reg. 237, s. 33 (2); O. Reg. 221/69, s. 19.

BONDING OF ADMINISTRATOR

36.—(1) The administrator of a home shall be bonded by a bond of a guarantee company approved under *The Guarantee Companies Securities Act* in an amount or amounts satisfactory to the municipality or the board, as the case may be, that appointed him. R.R.O. 1960, Reg. 237, s. 34 (1); O. Reg. 221/69, s. 20.

(2) The municipality or the board, as the case may be, shall pay the cost of the bond. R.R.O. 1960, Reg. 237, s. 34 (2).

DISTRICT OF NIPISSING

37. For the purposes of the Act the Territorial District of Nipissing is divided into two parts as follows:

1. Nipissing East composed of that part of the Territorial District of Nipissing lying east of the easterly boundary of the geographic townships of Commanda, Blyth, Notman, Hammel, Gooderham, Flett, Hartle and Eldridge, or its projection.

2. Nipissing West composed of that part of the Territorial District of Nipissing lying west of the line described in paragraph 1. R.R.O. 1960, Reg. 237, s. 35.

DISTRICT OF PARRY SOUND

38. For the purposes of the Act the Territorial District of Parry Sound is divided into two parts as follows:

1. Parry Sound East composed of that part of the Territorial District of Parry Sound lying within the boundaries of the geographic townships of Armour, Bethune, Chapman, Croft, Gurd, Hardy, Himsworth North, Himsworth South, Joly, Laurier, Lount, Machar, McConkey, Mills, Nipissing, Patterson, Perry, Pringle, Proudfoot, Ryerson, Spence, Strong, and Wilson.

2. Parry Sound West composed of that part of the Territorial District of Parry Sound lying within the boundaries of the geographic townships of Blair, Brown, Burpee, Burton, Carling, Christie, Conger, Cowper, Ferguson, Ferrie, Foley, Harrison, Hagerman, Henvey, Humphry, McDougall, McKellar, McMurrich, Monteith, Mowatt, Shawanaga, and Wallbridge. O. Reg. 231/63, s. 2; O. Reg. 219/64, s. 1.

BOARDS OF MANAGEMENT

39.—(1) The term of office of the members of boards of mangement of homes established under section 6 of the Act shall be for a period of,

(*a*) three years in respect of two members;

(*b*) two years in respect of two members; and

(*c*) one year in respect of any other member. O. Reg. 25/63, s. 9; O. Reg. 221/69, s. 21.

(2) The Chairmanship of the board shall change hands at least once every three years. O. Reg. 231/63, s. 1.

REST HOMES

40. Any person who in the opinion of the two legally qualified medical practitioners mentioned in clause *a* of subsection 2 of section 16 of the Act,

(*a*) is mentally or physically handicapped due to birth defects, accident, deterioration or the end results of disease so that he is unable to care for himself or to be cared for in his own home;

(*b*) has no underlying disease process or need for complex control and his presence in the home will not create an actual or potential health hazard to the other residents of the home;

(*c*) is not psychopathic or does not have an aggressive behavioural problem and his presence in the home will not create an actual or potential threat to the welfare of the other residents of the home; and

(*d*) if admitted to a home, will not be deprived of any benefit, care or protection available to him in a hospital,

is a class of person who is in need of long-term maintenance and supervision in a rest home. O. Reg. 219/67, s. 16; O. Reg. 221/69, s. 22.

41. The board or committee of management, as the case may be, shall provide in every rest home supervision for twenty-four hours each day of the residents thereof by at least one nurse registered under *The Nurses Act* for each sixty residents or fraction thereof of the home during the period from midnight until 8 a.m. and one such nurse for each forty residents or fraction thereof during the period 8 a.m. until midnight. O. Reg. 219/67, s. 16; O. Reg. 221/69, s. 22.

Form 1

The Homes for the Aged and Rest Homes Act

File No.

OHSIP No.

OHSC No.

Municipality or Board of the.....of.....

Date of Application.....

PART I

APPLICATION TO ADMIT A PERSON TO A HOME
(pursuant to clause *f* of subsection 1 of section 16 of the Act)

1. Pursuant to *The Homes for the Aged and Rest Homes Act*, and the regulations, I hereby apply

for admission to.....home for the aged/rest home (strike out whichever is not applicable).

Reasons for making application:

.....

.....

.....

.....

.....
(signature of applicant)

PART II

AUTHORIZATION TO ADMIT A PERSON TO A HOME
(pursuant to clause *e* of subsection 1 of section 16 of the Act)

Municipality or Board of the.....of.....

To the administrator of the.....home.

Under *The Homes for the Aged and Rest Homes Act* and the regulations, I authorize the admission

of.....
(full name of applicant)

of.....
(address of applicant)

to the.....Home for the Aged/Rest Home
(strike out whichever is not applicable)

Dated at.....

this.....day of....., 19.....

.....
(signature of authorizing officer)

.....
(appointment or office)

NOTE: Clause *e* of subsection 1 of section 16 of the Act reads as follows:

(*e*) an authorization in the prescribed form signed by the head of the council of a city, town, village, township or band, or in a county in which the county council has designated the warden to sign such authorizations, by the warden, or in a city having a population of not fewer than 100,000, by such member of the council as the mayor has designated, or where the person resides in unorganized territory, by a regional welfare administrator of the Department of Social and Family Services or any other employee of the Department designated by the Minister for the purpose.

PART III

STATEMENT OF WELFARE OFFICER
(pursuant to clause *h* of subsection 1 of section 16 of the Act)

SECTION A—SOCIAL HISTORY

1. Name of applicant..... { Mr. ☐ Mrs. ☐ Miss ☐
(last name) (first and middle names)

2. Present address of applicant.....
(street and number, or R.R.) (city or post office)

3. Age: (i) Present age in years.....

(ii) Date of birth.....
(month) (day) (year)

4. Place of birth.....
(city, town or village) (county) (province or state) (country)

5. Citizenship.....

6. Name of father.....
(last name) (first and middle names)

Place of birth of father.....
(province or state) (country)

Maiden name of mother.....
(last name) (first and middle names)

Place of birth of mother.....
(province or state) (country)

7. Family medical practitioner:

Name.....

Post office address.....

8. Person to be notified in emergency:

Name.....

Address.....

Telephone: business.....

home.....

Relationship of above person to applicant.....

9. Names and addresses of applicant's children:

.....

.....

.....

.....

.....

10. Applicant's religious adviser:

Name.....

Church address.....

11. Marital status:

(i) Present status: married ☐ divorced ☐
single ☐ separated ☐
widow ☐ deserted ☐
widower ☐

(ii) If applicant is married state:

Date of marriage.....

Name and post office address of spouse.....

Name of husband or maiden name of wife.....

(iii) If applicant is a married woman state maiden name.....

(iv) If applicant has been deserted by or separated from her husband state:

Date husband last heard from..... (month) (day) (year)

Present address of husband (where known).....

Financial settlement (if any).....

Place and date of court order (if any).....

12. Occupation:

(i) Trade, profession or kind of work.....

(ii) Type of industry or business.....

(iii) Date applicant last worked at this occupation.....

(iv) Total number of years applicant engaged in this occupation.....

(v) If change of occupation list above information for each.....

13. Residence:

State residence of applicant over a period of time before the date of application sufficient to establish clearly the municipality in which the applicant last resided for a period of twelve consecutive months:

Date (from and to)	Post Office Address	Municipality	County

SECTION B—PERSONAL HISTORY

1. Is applicant presently living in:

	Yes	No
(i) Own house	☐	☐
(ii) Apartment	☐	☐
(iii) Housekeeping room or flat	☐	☐
(iv) Boarding house	☐	☐
(v) Private nursing home	☐	☐
(vi) Hospital	☐	☐
(vii) Institution	☐	☐
(viii) Apartment hotel	☐	☐
(ix) Hotel	☐	☐

Does applicant live alone.....with relatives.....with friends.....

2. Activities possible for applicant:

Is applicant capable of:	Yes	No
(i) Seeing well enough for personal safety?	☐	☐
(ii) Hearing well enough for personal safety?	☐	☐
(iii) Taking own medication?	☐	☐
(iv) Climbing stairs?	☐	☐
(if answer to iv is no, are bedroom, toilet and living area on same floor?)	☐	☐
(v) Doing own shopping?	☐	☐
(vi) Cooking proper meals for self?	☐	☐
(vii) Opening refrigerator door?	☐	☐
(viii) Opening canned goods?	☐	☐
(ix) Doing own housework?	☐	☐
(x) Doing own laundry?	☐	☐
(xi) Caring for yard and garden?	☐	☐
(xii) Clearing own snow?	☐	☐
(xiii) Disposing of own garbage?	☐	☐
(xiv) Using telephone?	☐	☐
(xv) Bathing self?	☐	☐
(xvi) Combing hair?	☐	☐
(xvii) Shaving?	☐	☐
(xviii) Making own vists to:		
i. Friends?	☐	☐
ii. Relatives?	☐	☐
iii. Clubs?	☐	☐
iv. Library?	☐	☐
v. Doctor?	☐	☐

If applicant unable to perform any of the above acts, would partial or complete assistance permit safe and comfortable living in present surrounding

☐ yes ☐ no

If answer is yes, list the help needed.....

.....

.....

.....

.....

SECTION C—STATEMENT OF INCOME AND ASSETS

1. Is applicant in receipt of:

(i) Old age assistance..... (yes or no)

(ii) Blind persons' allowances..... (yes or no)

(iii) Disabled persons' allowances..... (yes or no)

(iv) Old age security..... (yes or no)

(v) Armed services' veteran's pension (Canadian Pensions Commission)..... (yes or no)

(vi) War veterans' allowance..... (yes or no)

(vii) Other government income or allowance..... (yes or no)

2. If answer to any question in paragraph 1 is "yes", give:

(i) The amount of monthly cheque(s)—$.....

(ii) File number.....

(iii) Service number, if any.....

3. Is the applicant's spouse or parents in receipt of:

(i) Old age assistance..... (yes or no)

(ii) Blind persons' allowance..... (yes or no)

(iii) Disabled persons' allowance..... (yes or no)

(iv) Old age security..... (yes or no)

(v) Other government income or allowance..... (yes or no)

4. If answer to any question in paragraph 3 is "yes", give the file number.....

5. Home and other real estate owned alone or jointly by applicant, his spouse or his parents:

(i) Description of property.....

(ii) Owned by whom.....

(iii) Assessed value.....

(iv) Present market value.....

(v) Date of purchase.....

(vi) Purchase price.....

(vii) Encumbrances:

principal amount.....

name of holder.....

due date.....

(viii) Total annual payments on encumbrances:

principal.....

interest.....

outstanding arrears.....

(ix) Annual taxes (last complete year).....

(x) Arrears of taxes.....

6. Bank accounts (list all accounts in name of applicant or applicant's spouse or parents):

Name and post office address of bank	Account No.	In whose name is account	Amount on deposit	Date of most recent withdrawal
			$	
			$	
			$	

7. Safety deposit box:

Name and post office address of bank	In whose name	Key held by	Address of key holder

8. Investments (list all stocks, bonds, mortgages, or other securities owned by applicant or applicant's spouse or parents, or held in trust for benefit of any of them):

Description of investment	In whose name is investment?	Value of investment	Dividend, interest, or other income from investment
		$	
		$	
		$	

9. Life insurance (list any life insurance policy held on applicant, applicant's spouse or parents):

Name of policy holder	Name of insurer	Policy number	Amount of insurance	Rate of premium (specify whether paid by week or month)	Name of beneficiary
			$	$	
			$	$	
			$	$	

10. Medical insurance other than OHSIP covering applicant:

Name of insurer	Policy number	Amount of coverage	Rate of premium	Other beneficiaries
		$	$	
		$	$	
		$	$	

11. Security, assistance, allowance pension, superannuation or annuities:

	Amount Monthly			
	Applicant	Spouse	Parents	Amount
(i) Old age security				$
(ii) Old age assistance				$
(iii) Blind person's allowance				$
(iv) Armed services' veteran's pension—(Canadian Pensions Commission)				$
(v) War veterans' allowance				$
(vi) Superannuation or retirement pension—(state source)				$
(vii) Annuity (specify source)				$
(viii) Disabled person's allowance				$
(ix) Dependent father's or widows and unmarried women's allowance				$
(x) General welfare assistance				$
(xi) Other government allowance (specify source)				$
Total				$

12. Other assets owned or held in trust:

	Value		
	Applicant	Spouse	Parents
(i) Cash on hand			
(ii) Interest in any business (give particulars in item 19)			
(iii) Money on loan:			
(*a*) to whom			
(*b*) terms of repayment—			
payments			
interest			
(iv) Livestock and/or poultry (specify in item 19)			
(v) Transfer within past three years by applicant to another, of money, investments or other assets (other than casual gifts of small value)			
(vi) Other property not already specified (give particulars in item 19)			
Total			

13. Cemetery plot:

Location (include plot number).....

Deed held by—Name.....

Address.....

14. Is there a prepaid funeral? yes ☐ no ☐

If yes—name and address of funeral director.....

.....

15. Attorney under Power of Attorney or Committee of applicant (if any):

Name.....

Address.....

Relationship to applicant (if any).....

Particulars of deed or order of appointment.....

16. Particulars of any debts of applicant (other than in item 5):

Amount.....

Particulars.....

Name of creditor.....

17. Financial contributions from children or parents during the past year (list all living children):

Name	Post office address	Age	Occupation	Son, daughter or Parents (S, D or P)	Married or Single (M or S)	Number of Children	Amount contributed	Living with applicant? Yes or No
							$	
							$	
							$	
							$	
							$	

18. Financial contributions from other relatives:

Name	Post office address	Occupation	Amount	Living with applicant yes	no
			$		
			$		
			$		

19. Additional information regarding Section C:.....

.....

.....

.....

.....

PART IV

DECLARATION

DOMINION OF CANADA
PROVINCE OF ONTARIO
To Wit

In the matter of *The Homes for the Aged and Rest Homes Act* and the application of

.....for admission to a
(name of applicant)

home.....

I,.....do solemnly declare
(name of applicant)

that .....has read the
(name of welfare officer)

statements contained in Section A and Section C of Part III of this form and the statements therein are true.

And I make this solemn Declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the *Canada Evidence Act*.

Declared before me at.....
in the Province of Ontario this.....
day of....., 19....
.....
A Commissioner, etc.*

.....
(signature of applicant)

*strike out and substitute official status if authorized under section 21 of the Act.

PART V

COMMENTS OF WELFARE OFFICER

.....
.....
.....
.....
.....

I certify that I have verified the information given in Part III of this Form.

Dated at.....this.....day of....., 19....

.....
(signature of welfare officer)

O. Reg. 219/67, s. 17; O. Reg. 221/69, s. 23.

Form 2

The Homes for the Aged and Rest Homes Act

MEDICAL ASSESSMENT FORM UPON AN APPLICATION FOR ADMISSION TO A HOME

Name of Home for Aged or Rest Home.....

Municipality or Board of the.....of.....

Date of examination.....
day month year

Name of applicant: Mr. / Mrs. / Miss .....
(surname—please print) (given names)

Address:.....
(street and number or R.R.) (city, town, village or post office)

SECTION A

ASSESSMENT OF GENERAL CARE NEEDS

(This section may be completed by nurse or other person considered competent by attending physician)
CHECK THE MOST APPROPRIATE CATEGORY IN EACH OF THE FOLLOWING GROUPS

1. SKIN

Does examination reveal any evidence of abrasions, rash, bruises, ulcerations or abnormality?

Yes ☐ No ☐ If "yes", explain:.....

2. NUTRITIONAL STATE

Undernourished ☐ Well nourished ☐ Overweight ☐

3. MENTAL CONDITION

(i) Approximately normal ☐

(ii) Occasional brief periods of confusion and/or forgetfulness ☐

(iii) Marked confusion and disorientation with brief periods of alertness and proper orientation ☐

(iv) Obvious and persistent confusion and disorientation ☐

(v) Mental deficiency (*a*) Congenital ☐

(*b*) Acquired (organic brain damage) ☐

4. BEHAVIOUR

	Check each question either— Yes	No
(i) Approximately normal	☐	☐
(ii) Quiet and co-operative	☐	☐
(iii) Apathetic	☐	☐
(iv) Talkative	☐	☐
(v) Emotional Changeability or lability	☐	☐
(vi) Suspicious	☐	☐
(vii) Noisy, disturbing to others	☐	☐
(viii) Quarrelsome—belligerent (underline which)	☐	☐
(ix) Requires restraint	☐	☐

5. HABITS

	Check each question either— Yes	No
(i) Bladder control normal	☐	☐
(ii) Bowel control normal	☐	☐
(iii) Able to speak normally	☐	☐
(iv) Able to read a newspaper	☐	☐
(v) Able to hear conversational voice	☐	☐
(vi) Able to wash face and hands	☐	☐
(vii) Able to bathe self	☐	☐
(viii) Able to use toilet facilities	☐	☐
(ix) Able to see for purpose of ambulation	☐	☐

6. USE OF LIMBS

Arms and Hands	Right	Left	Lower Limbs	Right	Left
(i) Normal use	☐	☐	(v) Normal use	☐	☐
(ii) Impaired use	☐	☐	(vi) Impaired use	☐	☐
(iii) No use	☐	☐	(vii) No use	☐	☐
(iv) Amputation	☐	☐	(viii) Amputation	☐	☐

7. FEEDING

(i) Feeds self ☐

(ii) Requires supervision for feeding ☐

(iii) Requires assistance for feeding ☐

(iv) Requires to be fed ☐

8. DRESSING

(i) Able to dress self ☐

(ii) Requires supervision or assistance in dressing ☐

(iii) Requires to be dressed ☐

(iv) Continuous bed care ☐

9. Bed Care
   - (i) Requires no assistance to get in or out of bed ☐
   - (ii) Requires some assistance to get in or out of bed ☐
   - (iii) Requires lifting in and out of bed ☐
   - (iv) Requires to be turned in bed ☐

10. Ambulation
   - (i) Able to walk without help:
     - Normal for age ☐
     - Feeble, requires supervision ☐
   - (ii) Independent with wheelchair ☐
   - (iii) Requires assistance such as:
     - (*a*) Personal assistance to walk ☐
     - (*b*) Lifting in and out of chair ☐
     - (*c*) Unable to propel wheelchair ☐
   - (iv) Unable to do anything for self ☐

Signature (if completed by nurse)	Date

Section B (see note 1)

PROFESSIONAL SERVICE NEEDS

	Yes	No
1. Special diet	☐	☐
2. P.R.N. orders	☐	☐
3. Injections —Subcutaneous	☐	☐
—Intramuscular	☐	☐
—Intravenous	☐	☐
4. Sterile dressing	☐	☐
5. Tube feeding or intubation	☐	☐
6. Irrigations	☐	☐
7. Indwelling catheter	☐	☐
8. Laboratory services:		
(i) Microscopic urinalysis	☐	☐
(ii) Blood counts and smears	☐	☐
(iii) Blood chemistry	☐	☐
9. X-ray	☐	☐
10. Rehabilitation services:		
(i) Physiotherapy	☐	☐
(ii) Occupational therapy	☐	☐
(iii) Speech therapy	☐	☐
(iv) Vocational assessment	☐	☐
11. Other	☐	☐

If "Yes", Please Specify .....

SECTION C

MEDICAL ASSESSMENT

1. BRIEF MEDICAL HISTORY.....

.....

.....

2. DESCRIBE PATIENT'S PRESENT CONDITION.....

.....

.....

3. LIST PRESENT MEDICATION WITH DOSAGE:

	Date Ordered
(i)	.....
(ii)	.....
(iii)	.....
(iv)	.....

4. NOTE ANY DRUG OR SERUM SENSITIVITIES OR ALLERGIES.....

.....

.....

5. DIAGNOSIS: (List in spaces A, B, C, D in order of importance, the conditions that make care or treatment necessary at this time) (see note 2)

	DURATION		
	Wks.	Mos.	Yrs.
A			
B			
C			
D			

	A	B	C	D
6. PROGNOSIS:				
(i) Little effect on life span.....	☐	☐	☐	☐
(ii) Some deterioration in 3 months...	☐	☐	☐	☐
(iii) Probably fatal in 3 months.....	☐	☐	☐	☐
(iv) Improvement in 3 months.....	☐	☐	☐	☐
7. REHABILITATION POTENTIAL:				
(i) None.....	☐	☐	☐	☐
(ii) Limited-needs trial therapy.....	☐	☐	☐	☐
(iii) Moderate-to self-care level.....	☐	☐	☐	☐
(iv) Complete-independent living.....	☐	☐	☐	☐
8. PRESENT STATUS OF DISEASE:				
(i) Stabilized.....	☐	☐	☐	☐
(ii) Mildly active.....	☐	☐	☐	☐
(iii) Unstable (see note 3).....	☐	☐	☐	☐
(iv) Active.....	☐	☐	☐	☐
9. PURPOSE OF MEDICAL CARE:				
(i) Maintenance.....	☐	☐	☐	☐
(ii) Evaluation and treatment.....	☐	☐	☐	☐
(iii) Rehabilitation procedures.....	☐	☐	☐	☐
(iv) Palliative therapy.....	☐	☐	☐	☐

10. RECOMMENDED PLACEMENT:

HOSPITAL FACILITIES		DOMICILIARY CARE FACILITIES	
Convalescent Hospital Care ..	☐	Home for the Aged	☐
Chronic Hospital Care	☐	Rest Home	☐
		Nursing Home:	
		Class 1	☐
		Class 2	☐

Other .....

11. ESTIMATED DURATION OF STAY

..... Weeks ..... Months ..... Continuous

12. COMMENTS .....

.....

.....

.....

13. PLACEMENT CERTIFICATION

The statements herein contained are correct to the best of my professional knowledge and in my opinion the care needs of the applicant indicate that he or she is eligible for admission to the facility indicated in paragraph 10 above.

....
(date) (signature of attending physician)

NOTES:

1. Sections B and C should be completed by the attending physician.
2. For each condition, indicate your assessment in the vertical line by one check (the most appropriate in each of the following groups).
3. If condition is classified "unstable", indicate nature and frequency of exacerbations, relapses, etc.

O. Reg. 219/67, s. 17; O. Reg. 221/69, s. 24.

File Number

Form 3

The Homes for the Aged and Rest Homes Act

CONSENT TO INSPECT ASSETS

I, ..., an applicant for admission to a home for the aged or rest home under *The Homes for the Aged and Rest Homes Act* consent that the welfare officer of ..... (municipality or district) inspect and have access to any account held by me alone or jointly, in any bank, trust company, or other finanacial institution, or to any assets held in trust for me by any person, or any record relating to them.

Dated at ..... this ..... day of ..... 19.....

....
(witness) (signature of applicant)

.....
(address)

R.R.O. 1960, Reg. 237, Form 3; O. Reg. 219/67, s. 18.

Form 4

The Homes for the Aged and Rest Homes Act

PHYSICIANS' CERTIFICATE

(pursuant to the clause *i* of subsection 1 or clause *g* of subsection 2 of section 16 of the Act)

Name of Home .....

Municipality or Board of the ..... of .....

Name of applicant: Mr. / Mrs. / Miss ..... (surname—please print) ..... (given names)

Address: ..... (street and number or R.R.) ..... (city, town, village or post office)

SECTION A

CERTIFICATE OF ATTENDING PHYSICIAN (see note 1)

I certify that I have completed the medical assessment form (Form 2) for this applicant and the applicant is eligible for admission to a rest home under the clause of subsection 2 of section 16 of the Act checked below. (see note 2)

"16—(2) Any person,

☐ (*a*) who is twenty-one or more years of age and who in the opinion of two legally qualified medical practitioners, one of whom is the physician of the home, is in need of long-term maintenance and supervision as prescribed by the regulations; or

☐ (*b*) who is under the age of twenty-one years and is eligible under clause *a*, if his admission is approved by the Minister,

may be admitted to and maintained in a rest home or joint rest home by the committee of management or the board of management, as the case may be,....."

or

☐ The applicant is not eligible for admission to a rest home, and I recommend the following type of care .....

.....

.....

....
(date) (signature of attending physician)

SECTION B

CERTIFICATE OF THE PHYSICIAN OF THE HOME (see note 3)

1. I certify that I have examined the applicant and have reviewed his (or her) medical assessment form (Form 2) and have laboratory reports of a chest X-ray showing no evidence of active tuberculosis; that I find no evidence of active or carrier state of typhoid or paratyphoid, no evidence of active lues venerea and I find no history of the presence of the above or evidence of other infectious or communicable disease.

2. I further certify that the applicant is eligible for admission to:

A home for the aged under the clause of subsection 1 of section 16 of the Act checked below. (see note 4)

"16—(1) Any person,

☐ (*a*) who is over the age of sixty years and incapable of supporting himself or unable to care properly for himself;

☐ (*b*) who is over the age of sixty years and mentally incompetent and who requires care, supervision and control for his protection, but who is not suitable to be in a psychiatric facility under *The Mental Health Act*;

☐ (*c*) who is the over the age of sixty years and who requires bed care and general personal nursing services, but does not require care in a hospital; or

☐ (*d*) who is under the age of sixty years and who because of special circumstances cannot be cared for adequately elsewhere, if his admission is approved by the Minister,

may be admitted to and maintained in a home or joint home by the committee of management or the board of management, as the case may be,....."

or

A rest home under the clause of subsection 2 of section 16 of the Act checked below. (see notes 2 and 5)

"16.—(2) Any person,

☐ (*a*) who is twenty-one or more years of age and who in the opinion of two legally qualified medical practitioners, one of whom is the physician of the home, is in need of long-term maintenance and supervision as prescribed by the regulations; or

☐ (*b*) who is under the age of twenty-one years and is eligible under clause *a*, if his admission is approved by the Minister,

may be admitted to and maintained in a rest home or joint rest home by the committee of management or the board of management, as the case may be,....."

or

The applicant is not eligible for admission to,

☐ A home for the aged (see note 4)

or

☐ A rest home (see note 5)

3. Home Physician's further comments and recommendations.....

.....

.....

....
(date) (signature of physician of home)

NOTES:

1. Certificate under this section is only required where application is made for admission to a rest home.

2. Section 40 of Regulation 439 of Revised Regulations of Ontario, 1970 reads as follows:

"Any person who in the opinion of the two legally qualified medical practitioners mentioned in clause *a* of subsection 2 of section 16 of the Act,

(*a*) is mentally or physically handicapped due to birth defects, accident, deterioration or the end results of disease so that he is unable to care for himself or to be cared for in his own home;

(*b*) has no underlying disease process or need for complex control and his presence in the home will not create an actual or potential health hazard to the other residents of the home;

(*c*) is not psychopathic or does not have an aggressive behavioural problem and his presence in the home will not create an actual or potential threat to the welfare of the other residents of the home; and

(*d*) if admitted to a home, will not be deprived of any benefit, care or protection available to him in a hospital,

is a class of person who is in need of long-term maintenance and supervision in a rest home".

3. Certificate under this section should be completed only by the physician for the home to which application is made for admission and is required where applicant is to be admitted to a rest home or to a home for the aged.

4. To be completed only if application is for admission to a home for the aged.

5. To be completed only if application is for admission to a rest home.

O. Reg. 219/67, s. 19; O. Reg. 321/69, s. 25.

Form 5

The Homes for the Aged and Rest Homes Act

FIVE YEAR MEDICAL RECORD

Name of Home.....Location.....

Resident's name..... ☐ S ☐ M ☐ W ☐ D Age.....Sex.....

Previous occupation.....

Date of admission D / M / Y / Date of discharge or death D / M / Y /

Cause of death.....

.....

Previous health (illnesses-operations).....

.....

.....

.....

.....

Date of examinations (Day/Month/Year)	Admission	1st year	2nd year	3rd year	4th year	5th year
	/ /	/ /	/ /	/ /	/ /	/ /

Diagnosis on admission (under system and add specific diagnosis):

Normal .....

Cardiovascular .....

Gastrointestinal .....

Pulmonary .....

Genito-urinary .....

Metabolic .....

Mental or emotional .....

Other .....

.....

FUNCTIONAL CLASSIFICATION

PHYSICAL

A No limitation of normal physical activity.

B Slight to moderate limitation of normal physical activity.

C Marked limitation of normal physical activity but not requiring bed care.

D Severe limitation of physical activity requiring constant help and supervision and some bed care.

E Total limitation of normal physical activity requiring complete bed care.

F Limitation of physical activity in whole or in part due to the presence of active organic disease which necessitates special nursing and medical care.

MENTAL AND EMOTIONAL

1. Complete retention of normal mental acuity and emotional balance.
2. Slight reduction of mental function with occasional brief periods of confusion and/or forgetfulness.
3. Marked confusion and disorientation with brief periods of alertness and proper orientation.
4. Obvious and persistent confusion and disorientation.
5. Complete stagnation and vegetation of mental and emotional functions including mental deficiency.
6. Actively psychotic with delusions and/or hallucinations or other evidence of established psychosis.

e.g.B, 4, etc. Date	Admission	1st year	2nd year	3rd year	4th year	5th year

NURSE'S ANNUAL REPORT ON GENERAL ATTITUDE AND DEPORTMENT OF RESIDENTS

	Admission		1st year		2nd year		3rd year		4th year		5th year	
	yes	no	yes	no	yes	no	yes	no	yes	no	yes	no
1. Mental impairment?												
2. Forgetfulness?												
3. Depression?												
4. Agitation?												
5. Quarrelsomeness?												
6. Viciousness?												
7. Suspiciousness?												
8. Lack of co-operation?												
9. Unusual untidiness of person?												
Signature of Nurse												

ANNUAL MEDICAL HISTORY AND FUNCTIONAL ENQUIRY

	Admission		1st year		2nd year		3rd year		4th year		5th year	
	yes	no	yes	no	yes	no	yes	no	yes	no	yes	no
1. Gain or loss of weight?												
2. Illnesses during past year?												
3. Hospitalization or surgery?												
4. Present complaint?												
5. Loss of hearing?												
6. Difficulty with vision?												
7. Headaches?												
8. Dizziness?												
9. Loss of memory?												
10. Dental difficulty?												
11. Cough?												
12. Shortness of breath?												
13. More than one pillow for sleeping?												
14. Angina or chest pain?												
15. Heat intolerance?												
16. Abnormal appetite?												
17. Excessive thirst?												
18. Constipation or diarrhoea?												
19. Indigestion or abdominal distress?												
20. Urinary incontinence?												
21. Urinary frequency?												
22. Vaginal discharge?												
23. Blood loss?												
by Vomiting?												
Expectoration?												
Bowel?												
Urine?												
24. Rheumatism or joint pain?												
25. Difficulty in walking?												
26. Fits or fainting?												
27. Burning in feet?												
28. Recent Chest X-ray?												
29. Special diet?												
30. Continuous medication?												

If Answer to Any of these Questions "Yes", Give Details Below

Admission Examination .....

.....

.....

1st Year .....

.....

.....

2nd Year .....

.....

.....

3rd Year .....

.....

.....

4th Year .....

.....

.....

5th Year .....

.....

.....

Date of Examinations (Day/Month/Year)	Admission / /		1st year / /		2nd year / /		3rd year / /		4th year / /		5th year / /	
Temperature												
Pulse Rate												
Respiration Rate												
Weight												
Height												
Blood Pressure												
	yes	no	yes	no	yes	no	yes	no	yes	no	yes	no
General Gait abnormal?												
Wheelchair bound?												
Bedridden?												
Ears Hearing obviously impaired?												
External canal obstructed?												
Other pathology present?												
Eyes Corrected vision unsatisfactory?												
Registered with C.N.I.B. 20/200?												
Nose and Throat Nasal obstruction?												
Glossitis or other abnormality?												
Dentition unsatisfactory?												
Neck Thyroid abnormality?												
Any venous congestion?												
Other abnormality?												

	yes	no	yes	no	yes	no	yes	no	yes	no	yes	no
CHEST												
Respiratory difficulty?												
Is chest barrel shaped?												
Consolidation present?												
Rales in bases?												
Abnormal X-ray?												
BREASTS												
Any tumour or abnormality?												
CARDIOVASCULAR												
Irregularity of rhythm?												
Cardiac enlargement?												
Cardiac murmurs?												
ABDOMEN												
Liver or spleen enlarged?												
Abnormal masses?												
Tenderness?												
Evidence of hernia?												
RECTAL												
Abnormality of prostate?												
Haemorrhoids or fissures?												
Discharge (blood/mucous)?												
New growths?												
GENITO-URINARY												
Evidence of discharge?												
Evidence of prolapse?												
Other abnormality?												
EXTREMITIES												
Oedema buttocks or legs?												
Pigmentation or ulceration?												
Feet cold on palpation?												
Diminished pulsation: —Femoral?												
—Pedal?												
MUSCULO-SKELETAL												
Evidence arthritis?												
Amputations?												
Joint contractures?												
SKIN												
Rashes or vermin?												
Growths or sores?												
NEUROLOGICAL												
Tremors—head, arms, legs?												
Knee jerks absent or unequal?												
Babinski positive?												
Presence of paralysis?												
Sensory disturbances?												
Emotional disturbances?												

If Answer to any of these Questions is "Yes", Give Details under Examiner's Summary and Diagnosis

LABORATORY	Admission	1st year	2nd year	3rd year	4th year	5th year
URINE						
Specific gravity						
Albumin						
Sugar						
Blood						
Pus						
Casts						
BLOOD						
Haemoglobin						
Blood sugar						
B.U.N. or N.P.N.						
Wasserman						
Other						
X-RAY						
Chest or other						
ELECTROCARDIOGRAM						

.....
(resident's name)

.....
(resident's no.)

YEARLY SUMMARY ON BACK PAGE

EXAMINER'S SUMMARY AND DIAGNOSIS

ADMISSION EXAMINATION

.....
(signature and date)

FIRST YEAR

.....
(signature and date)

SECOND YEAR

.....
(signature and date)

THIRD YEAR

.....
(signature and date)

FOURTH YEAR

.....
(signature and date)

FIFTH YEAR

.....
(signature and date)

O. Reg. 219/67, s. 19.

Form 6

The Homes for the Aged and Rest Homes Act

ANNUAL RETURN OF RESIDENTS IN A HOME FOR THE YEAR ENDING DECEMBER 31st, 19....

Name of home.....

Municipality or board of the.....of.....

1. Number of residents according to age and sex:

i. Beginning of year:

Number of residents as of January 1st.....

ii. Subsequent admissions during year:

new admissions.....

re-admissions.....

iii. Totals: add i and ii.....

iv. Discharges: Number of residents discharged during year.....

*v. Deaths: Number of deaths of residents during year.....

vi. End of year: Number of residents as of December 31st.....

viii. Totals: add iv, v and vi (to agree with totals in subparagraph iii).....

*Include only deaths occurring in the home; do not include deaths occurring in hospital or elsewhere.

Column 1							Column2							Column 3						
Males Age Range							Females Age Range							Totals Age Range						
Under 60	60-69	70-79	80-89	90-99	100 and over	Totals	Under 60	60-69	70-79	80-89	90-99	100 and over	Totals	Under 60	60-69	70-79	80-89	90-99	100 and over	Totals

2. Number of residents according to maintenance classification:

	PAYING RESIDENTS		NON-PAYING RESIDENTS Paid for by:			TOTALS (To agree with totals in column 3 of paragraph 1 above)
	Recipients of old-age assistance blind and disabled persons' and family benefits allowances	Other paying residents, recipients including of old-age security	Province of Ontario	Municipality Operating the home	Outside municipalities	
i. Beginning of Year: Number of residents as of January 1st						
ii. Subsequent Admissions during year: (*a*) new admissions						
(*b*) re-admissions						
iii. Internal Transfers during year: (*a*) transferred to						
(*b*) transferred from						
iv. Net Totals: add i, ii and iii (*a*), and subtract iii (*b*)						
v. Discharges: Number of residents discharged during year						
*vi. Deaths: Number of deaths of residents during year						
vii. End of Year: Number of residents as of December 31st						
viii. Totals: add v, vi and vii (to agree with net totals in subparagraph iv)						

*Include only deaths occurring in the home; do not include deaths occurring in hospital or elsewhere.

3. Number of resident days and average length of stay of residents:

i. Total number of resident days

ii. Total number of residents in the home during year (to agree with subparagraph iv of paragraph 2)

iii. Approximate average length of stay in days of residents (subparagraph i divided by subparagraph ii)

4. Number of beds for residents:

i. Normal bed capacity .....

ii. Additional temporary beds .....

Total beds .....

5. Number of Residents in Private-Home Care (include all such residents found in the aggregate of the totals of subparagraphs (v), (vi) and (viii) of paragraph 2) .....

Date ..... I certify that this return is true and correct.

.....
(signature of administrator of home)

R.R.O. 1960, Reg. 237, Form 6; O. Reg. 219/67, s. 20; O. Reg. 221/69, s. 26.

Form 7

The Homes for the Aged and Rest Homes Act

FINANCIAL REPORT

NAME OF HOME .....

MUNICIPALITY OR BOARD OF THE ..... OF .....

FOR THE PERIOD ....., 19..... TO ....., 19.....

PART I

OPERATING ACCOUNT — REVENUE

	Totals For Year To Date	For Departmental Use Only
1. PAYMENTS FOR MAINTENANCE OF RESIDENTS:		
i. From Province of Ontario for residents from unorganized territory ...	$.....	
ii. From paying residents (include only amounts applied against maintenance costs)		
(*a*) Full Paying Residents	$.....	
(*b*) Partial Paying Residents	$.....	
iii. From estates of deceased residents		
(*a*) Transferred from trust accounts	$.....	
(*b*) Other	$.....	
(*c*) Total	$.....	.....
iv. From residents or others for arrears of maintenance	$.....	.....
2. RECOVERIES OF EXPENDITURES:		
i. Refund of Federal Sales Taxes (operation only)	$.....	.....
ii. Employees' Board and Lodging	$.....	.....
iii. Other — specify		
.....		
.....	$.....	.....

	Totals For Year To Date	For Departmental Use Only
3. Other Revenue:		
List significant items separately:		
.....		
.....		
.....	$.....	.....
For Monthly Report Only		
4. Total — Revenue (items 1 to 3)	$.....	.....
5. Deduct — Total revenue previous month	$.....	.....
6. Total Revenue for Current Month	$.....	.....

For Annual Report Only	Totals For Year To Date	For Departmental Use Only
7. Payments by Municipalities or Bands:		
i. From participating Municipalities or Bands under sections 3, 4, 5 and 6 of the Act (specify name of and amount paid by each municipality or band)		
.....		
.....	$.....	
ii. From outside Municipalities under section 7 of the Act (specify name of and amount paid by each municipality)		
.....		
.....	$.....	
iii. From outside Municipalities or Bands not participating and not having an agreement (specify name of and amount paid by each municipality or band)		
.....		
.....	$.....	
8. Payments by Province of Ontario:		
i. For operating or maintenance costs, under section 28 of the Act	$.....	
ii. For capital expenditures—under section 27 of the Act	$.....	
iii. Physician's fees for services prescribed under section 19 of Regulation 439 of Revised Regulations of Ontario, 1970	$.....	
iv. For purchases of $500 or less of additional furnishings and equipment under subsections 12 and 13 of section 22 that are not replacements	$.....	
9. Total Revenue (total of paragraphs 1 to 3 inclusive and 7 and 8)	$.....	

PART II

OPERATING ACCOUNT—EXPENDITURES	Totals For Year To Date	For Departmental Use Only
1. Physical and personal needs of residents, including food, medical, clothing, recreational items, dental, pocket money, and other needs (except physician's fees and Ontario Hospital Services Commission premiums)	$	
2. Physician's fees Home Physician for services rendered under section 18 of Regulation 439 of Revised Regulations of Ontario, 1970. Number of approved beds.....x $1.30 per month	$	
3. Ontario Hospital Services Commission premiums for residents	$	
4. Funeral and burial expenses	$	
5. Salaries, wages and staff benefits approved by Minister (not including Home Physician)	$	
6. Consulting or other specialists fees (other than medical or dental)	$	
7. Building operation and services including rent, fuel, utilities, cleaning supplies, but excluding farm buildings	$	
8. Household supplies including laundry and cleaning materials	$	
9. Repairs and maintenance of		
i. buildings—other than farm buildings	$	
ii. equipment—other than farm equipment	$	
iii. grounds	$	
iv. vehicles—other than farm vehicles (see note)	$	
10. Replacement of		
i. furnishings	$	
ii. equipment — other than farm equipment (see note)	$	
11. Administrative including travel expenses, insurance office expenses, freight and express and operation of automobiles	$	
12. Other expenditures — specify:		
	$	
13. TOTAL EXPENDITURES — Current year to-date	$	
14. DEDUCT: TOTAL EXPENDITURES PREVIOUS MONTH (item 13 for immediately preceding month)	$	
15. TOTAL OPERATING EXPENDITURES FOR THE CURRENT MONTH	$	

NOTE: Expenditures in excess of $500 require approval of Minister—see section 22 (8) of Regulation 439 of Revised Regulations of Ontario, 1970.

PART III

CAPITAL ACCOUNT — EXPENDITURES

	Totals For Year To Date	Date of Minister's Approval	For Departmental Use Only
1. Purchase of additional furnishings (list items and expenditures for each)			
.....			
.....			
.....	$.....	$.....	$.....
2. Purchase of additional equipment (list items and expenditures for each)			
.....			
.....			
.....	$.....	$.....	$.....
3. Alterations to or in buildings or to the grounds of the home (give details and break-down of expenditures)			
.....			
.....			
.....	$.....	$.....	$.....
TOTAL CAPITAL EXPENDITURES (PART III).....	$.....	$.....	$.....

PART IV

TO BE COMPLETED FOR ANNUAL RETURN ONLY

1. NET OPERATING AND MAINTENANCE COST

i. Total Operating Expenditures, Part II..... $.....

ii. Less: Recoveries of Expenditures and Other Revenue, paragraphs 2 and 3, Part I..... $.....

iii. Total Net Operating Cost (Deduct ii from i)..... $.....

2. AVERAGE GROSS DAILY COST

i. Total Net Operating Cost (subparagraph iii of paragraph 1 above)..... $.....

ii. Total number of resident days for all residents (as reported in subparagraph i of paragraph 3 of Form 6)..... .....

iii. Average Gross Daily Cost — i divided by ii..... $.....

PART V

Municipal Auditor's Report (attach separately if space inadequate)

.....

.....

.....

.....

.....

Date....., 19..... .....
Municipal Auditor
(licence number:)

O. Reg. 221/69, s. 27; O. Reg. 406/70, s. 4.

Form 8

The Homes for the Aged and Rest Homes Act

APPLICATION FOR MONTHLY PAYMENT OF PROVINCIAL SUBSIDY

Name of Home.....

Municipality or Board of the.....of.....

For the Month of....., 19....

Under subsection 1 of section 27 and under section 28 of the Act, application is made for the monthly payment of the provincial subsidy for the month.

For Departmental Use Only

1. COMPUTATION OF PROVINCIAL SUBSIDY

A. Operating and Maintenance Cost

i. Total operating expenditures for month (Part II of Form 7)..... $.....

ii Total revenue for current month (Part I of Form 7) $.....

iii. Net operating and maintenance cost for month (deduct ii from i)..... $.....

iv. Provincial subsidy.....% of iii..... $..... $.....

B. Physician's Fees Under Section 19 of Regulation 439 of Revised Regulations of Ontario, 1970

i. Total fees paid to home physician for month.... $.....

ii. Less: Fees claimed in Part II of Form 7..... $.....

iii. Fees paid for services beyond standard services under section 18 of Regulation 439 of Revised Regulations of Ontario, 1970..... $.....

iv. No. of residents in home on the last day of the month.....x $2.15..... $.....

v. Provincial subsidy—100 per cent of lesser of iii or iv. ..... $..... $.....

C. Purchases of $500 or less of Additional Furnishings and Equipment under subsections 12 and 13 of Section 22 of Regulation 439 of Revised Regulations of Ontario, 1970 that are not Replacements

i. Total expenditures for month		$.....	
ii. Provincial subsidy re: unorganized @ ....%	$.....	$.....	$.....
iii. Balance of expenditures	$.....		
iv. Provincial subsidy—50% of iii			$.....

D. Capital Expenditures

i. Total capital expenditures for month (Part III of Form 7)	$.....		
ii. Provincial subsidy re: unorganized @ ....%	$.....	$.....	$.....
iii. Balance of capital expenditures	$.....		
iv. Provincial subsidy—50% of iii		$.....	$.....

E. Total Provincial Subsidy

i. Operating and maintenance costs (A (iv)), Physician's Fees under section 19 of Regulation 439 of Revised Regulations of Ontario, 1970 (B (v)) and Purchases of additional furnishings and equipment under subsections 12 and 13 of section 22 of Regulation 439 of Revised Regulations of Ontario, 1970 that are not replacements (C (ii) and (v))	$.....	$.....
ii. Capital expenditures (D (ii) and (iv))	$.....	$.....

2. Statistical

	Number of Residents	Number of Resident Days
i. Total residents during month	.....	.....
ii. Residents paying the average gross daily cost of maintenance of $.... as established for the year 19	.....	.....
iii. Residents from unorganized territories (as reported on Form 9)	.....	.....
Add (ii) and (iii)	.....	.....
iv. Residents maintained in whole or in part by the home or a municipality (deduct (ii) and (iii) from (i))	.....	.....

3. Certificate

We certify that,

i. This application for Provincial subsidy is correct;

ii. The amounts shown have been disbursed in accordance with the regulations; and that

iii. This application is in agreement with the records of the home,

.....
(signature and official title of authorized officer)

.....
(signature and official title of authorized officer)

Date....., 19....

O. Reg. 221/69, s. 28.

Form 9

The Homes for the Aged and Rest Homes Act

STATEMENT FOR THE MONTH OF ....., 19... AS TO THE COST OF MAINTENANCE FOR CERTAIN PERSONS WHOSE RESIDENCE BEFORE ADMISSION TO A HOME WAS IN UNORGANIZED TERRITORY

Name of Home.....

Municipality or Board of The.....of.....

Date.....
(month) (day) (year)

Under section 29 of the Act, the municipality of the .....of.....

.....or the board of the.....
(name of home)

applies for the amount shown in paragraph 2 (v) for the maintenance of certain persons whose residence before admission was in unorganized territory.

1. Record of Residents from Unorganized Territory in the District of.....

.....

i. Non-Paying Residents—(Do Not Include residents who are in receipt of Old Age Security, Old Age Assistance, Blind and Disabled Persons' and Family Benefits Allowances or those whose maintenance in the home is being paid in whole or in part from any other source.)

Name of Resident	Address before Admission	Resided in the Home During the Month of ....., 19...		Number of Resident Days During Month
		Date of Admission	Date of Discharge	
TOTAL NUMBER OF RESIDENT DAYS				

ii. Paying Residents—(INCLUDE residents in receipt of Old Age Security, Old Age Assistance, Blind and Disabled Persons' and Family Benefits Allowances and those whose maintenance is being paid in whole or in part from any other source.)

Name of Resident	Address before Admission	Resided in the Home During the Month of ....., 19....		Number of Resident Days During Month	Amount Contributed During Month
		Date of Admission	Date of Discharge		
			TOTALS		$

2. Total Cost of Maintenance:

i. Average gross daily cost of maintenance as established for the year 19..... $

ii. Total number of resident days for month—Non-Paying Residents plus Paying Residents.....

iii. Total cost of maintenance for month—(i multiplied by ii)..... $

iv. Total amount contributed during month..... $

v. Net cost of maintenance for month—(deduct iv from iii)..... $

3. CERTIFICATE:

I certify that this statement is true and correct and is in accordance with the requirements of the Act and the regulations.

Date....., 19.... .....
(signature and official title of authorized officer)

I approve this statement:

Date....., 19.... .....
(signature of provincial authority)

R.R.O. 1960, Reg. 237, Form 9; O. Reg. 219/67, s. 23; O. Reg. 221/69, s. 29.

Form 10

The Homes for the Aged and Rest Homes Act

REQUEST FOR PAYMENT FOR NEW OR ADDITIONAL ACCOMMODATION OR FOR AN ADDITION TO OR EXTENSION OF A HOME

Name of Home.....

Municipality or Board of The.....of.....

PART I

Under subsection 1 of section 27 of the Act, request is made for a payment of $..... being

(*a*) a portion of the estimated cost of $..... for construction, equipment and furnishings for

..... (a new building, or an addition to, or extension of the home)

for one of the following:

1. 5 per cent when all structural work below the ground floor joists or slabs is completed ..... $.....
2. 20 per cent when the roof is on and the building, addition or extension is enclosed ..... $.....
3. 10 per cent where the interior partitions are installed and finished ..... $.....
4. an amount, as approved by the Minister ..... $.....

(*b*) the portion of the actual cost of $..... for the construction, equipment and furnishings for a new building, or an addition to, or an extension of the home, when all accounts have been paid and sales tax refunds received, as certified by the auditor for the home; the amount of $..... being calculated as follows:

Actual cost of construction, furnishings and equipment	$.....
Less refunds of federal sales tax	$.....
NET ACTUAL COST	$
50 per cent of net actual cost	$.....
Less payments previously made under clause (*a*)	$.....
	$

We certify that the work which payment is requested has been completed.

.....
(signature and official title of authorized officer)

Date....., 19.... .....
(signature and official title of authorized officer)

PART II

Under subsection 1 of section 27 of the Act, request is made for a payment of $..... being

(*a*) 50 per cent of the actual cost of $..... for a building that has been acquired for use as a home;

(*b*) an amount as approved by the Minister of the estimated cost of $..... for altering, furnishing and equipping the acquired building ..... $.....

(*c*) the portion of the actual cost of $..... for altering, furnishing and equipping the acquired building that is ready for occupancy; all accounts have been paid and sales tax refunds received, as

certified by the auditor for the home, and the amount of $.....is calculated as follows:

Actual cost of alterations, furnishings and equipment	$.....
Less refunds of federal sales tax	$.....
NET ACTUAL COST	$
50 per cent of net actual cost	$.....
Less payments previously made under clause (*b*)	$.....
	$

We certify that this statement is true and correct and is in accordance with the requirements of the Act and the regulations.

.....
(signature and official title of authorized officer)

Date....., 19....

.....
(signature and official title of authorized officer)

R.R.O. 1960, Reg. 237, Form 10; O. Reg. 219/67, s. 24.

Form 11

The Homes for the Aged and Rest Homes Act

REPORT ON INSPECTION OF PRIVATE RESIDENCE

I certify that on....., I inspected the private
(date)

residence of.....at.....
(landlord) (address)

in which persons may be placed for private-home care under *The Homes for the Aged and Rest Homes Act*,

and found that it.....a fit and proper place for that purpose.
(is or is not)

Comments.....

.....

.....

Dated at....., this .....day of....., 19.....

.....
(signature)

.....
(position)

R.R.O. 1960, Reg. 237, Form 11.

Form 12

The Homes for the Aged and Rest Homes Act

APPLICATION FOR PROVINCIAL SHARE OF THE COST OF MAINTENANCE OF PERSONS PLACED IN PRIVATE-HOME CARE

Municipality of the.....of.....

1. Under subsection 5 of section 19 of the Act, application is made for a payment of $ _____

being the provincial share of monthly maintenance payments for the month of....., 19....

2. The following is a statement of maintenance payments for persons in private-home care during the month of ....., 19....:

Name of Person	Gross Monthly Cost of Care	Person in Residence		Payments for Month		Provincial Share
		From	To	Other than by Municipality	By Municipality	
	$			$	$	$
			TOTAL:	$	$	$

I approve this statement.

.....
(signature of provincial authority)

Date....., 19....

I certify this statement is true and correct.

.....
(signature of administrator or other authorized officer)

Date....., 19....

R.R.O. 1960, Reg. 237, Form 12; O. Reg. 219/67, s. 25; O. Reg. 221/69, s. 30.

REGULATION 440

under The Hospital Labour Disputes Arbitration Act

REMUNERATION OF CHAIRMAN AND MEMBERS OF BOARD OF ARBITRATION

1. The amounts of remuneration of a chairman of a board of arbitration for his several duties as such shall be,

(*a*) $100 for each day,

(i) that he is present when the board sits,

(ii) necessarily spent in travelling from his place of residence to meetings of the board and returning therefrom, and

(iii) during which he is engaged in preparing the report of the board's findings and recommendations;

(*b*) the amount of,

(i) his living expenses, and

(ii) his travelling expenses where the means of conveyance is other than by his own automobile,

where the expenses are necessarily, actually and reasonably expended in connection with the work of the board; and

(*c*) in any one fiscal year, where he travels by his own automobile in connection with the work of the board,

(i) either outside Ontario or within that part of Ontario designated as southern Ontario in the Schedule, the following:

1. For the first 5000 miles or any part thereof necessarily travelled, fifteen cents per mile.

2. For miles necessarily travelled or any part thereof in excess of 5000, but not exceeding 10,000, eight cents per mile.

3. For miles necessarily travelled or any part thereof in excess of 10,000, six cents per mile, and

(ii) within that part of Ontario designated as northern Ontario in the Schedule, the following:

1. For the first 5000 miles or any part thereof necessarily travelled, sixteen cents per mile.

2. For miles necessarily travelled or any part thereof in excess of 5000, but not exceeding 10,000, nine cents per mile.

3. For miles necessarily travelled or any part thereof in excess of 10,000, seven cents per mile. O. Reg. 469/69, s. 1.

2. The amounts of remuneration for the several duties of a member of a board of arbitration other than a chairman, shall be,

(*a*) for considering the recommendation of a person to be the third member of the board, $5;

(*b*) $60 for each day,

(i) that he is present when the board sits,

(ii) necessarily spent in travelling from his place of residence to meetings of the board and returning therefrom, and

(iii) during which he is engaged in preparing the report of the board's findings and recommendations;

(*c*) the amount of,

(i) his living expenses, and

(ii) his travelling expenses where the means of conveyance is other than by his own automobile,

where the expenses are necessarily, actually and reasonably expended in connection with the work of the board; and

(*d*) in any one fiscal year, where he travels by his own automobile in connection with the work of the board,

(i) either outside Ontario or within that part of Ontario designated as southern Ontario in the Schedule, the following:

1. For the first 5000 miles or any part thereof necessarily travelled, fifteen cents per mile.

2. For miles necessarily travelled or any part thereof in excess of 5000, but not exceeding 10,000, eight cents per mile.

3. For miles necessarily travelled or any part thereof in excess of 10,000, six cents per mile, and

(ii) within that part of Ontario designated as northern Ontario in the Schedule, the following:

1. For the first 5000 miles or any part thereof necessarily travelled, sixteen cents per mile.

2. For miles necessarily travelled or any part thereof in excess of 5000, but not exceeding 10,000, nine cents per mile.

3. For miles necessarily travelled or any part thereof in excess of 10,000, seven cents per mile. O. Reg. 469/69, s. 2.

Schedule

1. That part of Ontario lying south of the following described boundary line is designated as southern Ontario and that part lying north of the line is designated as northern Ontario:

The road known municipally as Healey Lake Road from Healey Lake easterly to its junction with Secondary Highway No. 612; Secondary Highway No. 612 to King's Highway No. 103; King's Highway No. 103 easterly to its junction with King's Highway No. 69; King's Highway No. 69 easterly to its junction with King's Highway No. 118; King's Highway No. 118 through the Town of Bracebridge to its junction with King's Highway No. 11; King's Highway No. 11 northerly to its junction with King's Highway No. 60 at the Town of Huntsville; King's Highway No. 60 easterly to its junction with King's Highway No. 62 at Killaloe Station; King's Highway No. 62 to the Town of Pembroke.

2. The highways named in the boundary line described in paragraph 1 are included in the designation of southern Ontario. O. Reg. 469/69, s. 3.

REGULATION 441

under The Hospital Labour Disputes Arbitration Act

RULES OF PROCEDURE

1.—(1) In this Regulation,

(*a*) "Board" means the Ontario Labour Relations Board;

(*b*) "file" means file with the Board;

(*c*) "registrar" means the registrar of the Board and includes a deputy registrar;

(*d*) "respondent" means the person named in an application as a respondent or added as a respondent by the Board.

(2) Where a period of time is prescribed by this Regulation and expressed as a number of days, the period shall be computed as the number of days expressed exclusive of holidays. O. Reg. 90/65, s. 1.

2.—(1) An application for a declaration that a strike is unlawful shall be made in quadruplicate in Form 1 or 2, as the case may be.

(2) An application for a declaration that a lockout is unlawful shall be made in quadruplicate in Form 3. O. Reg. 90/65, s. 2.

3. The registrar shall serve each respondent with,

(*a*) a copy of the application; and

(*b*) a notice of application and of hearing in Form 4. O. Reg. 90/65, s. 3.

4. A respondent may reply by filing his reply in quadruplicate in Form 5 not later than the sixth day after,

(*a*) the day on which the registrar served the respondent with the notice of application, where it was served personally; or

(*b*) the day immediately following the day on which the registrar mailed the notice of application to the respondent, where it was served by mail. O. Reg. 90/65, s. 4.

5.—(1) An application for consent to institute a prosecution shall be made in quadruplicate in Form 6.

(2) The registrar shall serve each respondent with,

(*a*) a copy of the application; and

(*b*) a notice of application and of hearing in Form 4. O. Reg. 90/65, s. 5.

6. A respondent may reply by filing his reply in quadruplicate in Form 7 not later than the sixth day after,

(*a*) the day on which the registrar served the respondent with the notice of application, where it was served personally; or

(*b*) the day immediately following the day on which the registrar mailed the notice of application to the respondent, where it was served by mail. O. Reg. 90/65, s. 6.

7. Where a notice of hearing in Form 8 is required to be served, it shall be served not less than two days before the day fixed for the hearing. O. Reg. 90/65, s. 7.

8. A summons to a witness shall be in Form 9. O. Reg. 90/65, s. 8.

9. Except where inconsistent with this Regulation, the rules of procedure of the Ontario Labour Relations Board apply, *mutatis mutandis*, to proceedings under the Act. O. Reg. 90/65, s. 9.

Form 1

The Hospital Labour Disputes Arbitration Act

APPLICATION FOR DECLARATION
THAT STRIKE, CALLED OR AUTHORIZED BY
TRADE UNION OR COUNCIL OF TRADE
UNIONS, UNLAWFUL
BEFORE THE ONTARIO LABOUR RELATIONS BOARD

Between:

Applicant,

—and—

Respondent.

The applicant applies to the Ontario Labour Relations Board for a declaration that a strike called or authorized by the respondent is unlawful.

The applicant states:

1. (a) address of applicant:

   (*b*) address of applicant for service:

   (*c*) address of respondent:

2. The material facts upon which the applicant intends to rely in support of its allegation that a strike was called or authorized by the respondent and that the strike is unlawful are as follows:

DATED at....., this.....day of....., 19....

.....
(signature for the applicant)

O. Reg. 90/65, Form 1.

Form 2

The Hospital Labour Disputes Arbitration Act

APPLICATION FOR DECLARATION THAT STRIKE, ENGAGED IN BY EMPLOYEES, UNLAWFUL BEFORE THE ONTARIO LABOUR RELATIONS BOARD

Between:

Applicant,

—and—

Respondents.

The applicant applies to the Ontario Labour Relations Board for a declaration that a strike engaged in by employees of the applicant is unlawful.

The applicant states:

1. (*a*) address of applicant:

   (*b*) address of applicant for service:

   (*c*) addresses of respondents:

2. The material facts upon which the applicant intends to rely to support its allegation that a strike was engaged in by the respondents and that the strike is unlawful are as follows:

DATED at....., this.....day of....., 19....

.....
(signature for the applicant)

O. Reg. 90/65, Form 2.

Form 3

The Hospital Labour Disputes Arbitration Act

APPLICATION FOR DECLARATION THAT LOCKOUT UNLAWFUL BEFORE THE ONTARIO LABOUR RELATIONS BOARD

Between:

Applicant,

—and—

Respondent.

The applicant applies to the Ontario Labour Relations Board for a declaration that a lockout called or authorized by the respondent is unlawful.

The applicant states:

1. (*a*) address of applicant:

   (*b*) address of applicant for service:

   (*c*) address of respondent:

2. The material facts upon which the applicant intends to rely in support of its allegation that a lockout was called or authorized by the respondent and that the lockout is unlawful are as follows:

DATED at....., this.....day of....., 19....

.....
(signature for the applicant)

O. Reg. 90/65, Form 3.

FILE NO.....

Form 4

The Hospital Labour Disputes Arbitration Act

NOTICE OF APPLICATION FOR DECLARATION THAT STRIKE OR LOCKOUT UNLAWFUL OR FOR CONSENT TO INSTITUTE PROSECUTION AND OF HEARING BEFORE THE ONTARIO LABOUR RELATIONS BOARD

Between:

Applicant,

—and—

Respondent.

TO THE RESPONDENT,

1. TAKE NOTICE that the applicant, on.....day, the.....day of..... 19....made to the Ontario Labour Relations Board an application, a copy of which is attached for.....

2. You shall send to the Board your reply, if any, to this application, so that,

(*a*) it is received by the Board; or

(*b*) if mailed by registered mail addressed to the Board at its office, 8 York Street, Toronto 1, Ontario, it is mailed,

not later than the.....day of....., 19....

3. And Further Take Notice of the hearing of the application by the Board at its Board Room at 8 York Street, Toronto 1, Ontario, on.....day, the.....day of....., 19...., at.....o'clock in the.....noon.

4. If you fail to attend at the hearing of the application on the.....day of....., 19...., or at any continuation thereof, the Board may dispose of the application on the evidence and representations placed before it at such hearing or hearings without further notice to you.

Dated this.....day of....., 19....

.....
Registrar

O. Reg. 90/65, Form 4.

File No.....

Form 5

The Hospital Labour Disputes Arbitration Act

REPLY TO APPLICATION FOR DECLARATION THAT STRIKE OR LOCKOUT UNLAWFUL BEFORE THE ONTARIO LABOUR RELATIONS BOARD

Between:

Applicant,

—and—

Respondent.

*strike out if not applicable.

The respondent states in reply to the application for a declaration that a *strike *lockout is unlawful as follows:

1. (*a*) correct name of respondent:

(*b*) address of respondent:

(*c*) address of respondent for service:

2. The respondent replies to the application as follows:

Dated at....., this.....day of....., 19....

.....
(signature for the respondent)

O. Reg. 90/65, Form 5.

Form 6

The Hospital Labour Disputes Arbitration Act

APPLICATION FOR CONSENT TO INSTITUTE PROSECUTION BEFORE THE ONTARIO LABOUR RELATIONS BOARD

Between:

Applicant,

—and—

Respondent.

The applicant applies to the Ontario Labour Relations Board for consent to institute a prosecution of the respondent for an offence under the Act.

The applicant states:

1. (*a*) address of applicant:

   (*b*) address of applicant for service:

   (*c*) address of respondent:

2. The nature of the alleged offence:

3. The date of commencement of the alleged offence:

4. The material facts upon which the applicant intends to rely as establishing the offence are as follows:

DATED at....., this.....day of....., 19....

.....
(signature for the applicant)

O. Reg. 90/65, Form 6.

FILE NO.....

Form 7

The Hospital Labour Disputes Arbitration Act

REPLY TO APPLICATION FOR CONSENT TO INSTITUTE PROSECUTION BEFORE THE ONTARIO LABOUR RELATIONS BOARD

Between:

Applicant,

—and—

Respondent.

The respondent states in reply to the application for consent to prosecute for an offence under the Act as follows:

1. (*a*) correct name of respondent:

   (*b*) address of respondent:

   (*c*) address of respondent for service:

2. The respondent replies to the application as follows:

DATED at ....., this .....day of ....., 19....

.....
(signature for the respondent)

O. Reg. 90/65, Form 7.

FILE NO.....

Form 8

The Hospital Labour Disputes Arbitration Act

NOTICE OF HEARING
BEFORE THE ONTARIO LABOUR RELATIONS BOARD

Between:

Applicant,

—and—

Respondent,

—and—

Intervener.

TO:

TAKE NOTICE of the hearing by the Board of .....at the Board Room, 8 York Street, Toronto 1, Ontario, on .....day, the .....day of ....., 19...., at ..... o'clock in the .....noon.

DATED this .....day of ....., 19....

.....
(SEAL) Registrar

O. Reg. 90/65, Form 8.

Form 9

The Hospital Labour Disputes Arbitration Act

SUMMONS TO WITNESS
BEFORE THE ONTARIO LABOUR RELATIONS BOARD

Between:

Applicant,

—and—

Respondent,

—and—

Intervener.

TO:

You are summoned and required to attend before the Ontario Labour Relations Board at a hearing to be held at the Board Room, 8 York Street, in the City of Toronto, on .....day, the..... day of....., 19...., at the hour of.....o'clock in the .....noon, and so from day to day until the hearing is concluded, to give evidence on oath touching the matters in question in this proceeding, and to bring with you and produce at that time and place.....

DATED this.....day of....., 19....

.....
(SEAL) Chairman

O. Reg. 90/65, Form 9.

REGULATION 442

under The Hospital Services Commission Act

CAPITAL GRANTS FOR SCHOOLS FOR THE EDUCATION OF HOSPITAL AND RELATED PERSONNEL

1. In this Regulation,

(*a*) "approved cost" means the cost of,

(i) the construction of new buildings or the renovation of existing buildings to be used for a school,

(ii) fees that are approved by the Commission and paid to an architect for his services and the services of his consulting engineers,

(iii) fees that are approved by the Commission for consultants, other than those paid through the architect,

(iv) necessary equipment and furnishings, including elevators and air-conditioning in areas of the school approved by the Commission as requiring air-conditioning,

(v) land, demolition of existing buildings and other clearance of the site,

(vi) land surveys and soil tests,

(vii) necessary paving and sodding,

(viii) financing charges, and

(ix) working capital and pre-opening expenses,

but does not include the cost of,

(x) contingency allowances,

(xi) chapel furnishings,

(xii) landscaping, gardens, works of art, murals, busts, statues and similar decorations,

(xiii) residence accommodation, or

(xiv) a swimming pool;

(*b*) "basic equipment" means all equipment, approved by the Commission, that is necessary and reasonable to enable a school to commence its function as determined at the time of its completion and includes all such equipment that is installed and ready for use not later than twelve months from the date of completion of the school;

(*c*) "renovation program" means a program to provide adequate accommodation for a school in a building or buildings, or any parts thereof, that are obsolete or otherwise inadequate for the purposes of the school;

(*d*) "school" means a school for the education of personnel necessary for the operation of a hospital and includes, but is not limited to, a school for the education of,

(i) registered nurses,

(ii) registered nursing assistants,

(iii) medical laboratory technicians, or

(iv) radiological technicians,

that may be completely separate from a hospital and not on lands owned by any hospital. O. Reg. 82/68, s. 1.

2.—(1) Where the contract for the construction or renovation program to provide premises for a school was signed on or after the 1st day of June, 1966, the Commission shall pay a capital grant for the construction or renovation.

(2) The capital grant under subsection 1 shall amount to the approved cost and shall be paid to the school if it is incorporated or to the hospital that owns and operates the school if the school is not incorporated.

(3) The Commission shall retain any grants paid by the Department of National Health and Welfare and the grants authorized by Regulation 727 of Revised Regulations of Ontario, 1970 in respect of the construction and renovation. O. Reg. 82/68, s. 2.

3. Where the actual cost of the construction or renovation program differs from the total approved cost as approved by the Commission, the Commission may make any adjustment in the amount of the capital grant that the Commission considers proper. O. Reg. 82/68, s. 3, *revised*.

4.—(1) The cost of purchasing land acquired on or after the 1st day of June, 1966 for the construction

of new buildings or for a renovation program shall be paid to the school or to the hospital that owns and operates the school, as the case may be, if the site for the school has been approved by the Commission.

(2) Where a school engages staff and begins to educate students prior to the completion of the construction of new buildings or of the renovation program, the Commission may pay to the school or to the hospital that owns and operates the school, as the case may be, a grant for working capital and pre-opening expenses in such amount as is considered proper by the Commission.

(3) The Commission may pay to a school or to the hospital that owns and operates the school, as the case may be, fees approved by the Commission and earned by,

(*a*) consultants required prior to the preparation of the architect's preliminary sketch-plans for the planning of a new school or the development of an expansion program for an existing school or a renovation program; and

(*b*) an architect and consultants approved by the Commission,

(i) for the development of preliminary sketch-plans for new school buildings or for an expansion or renovation program, when such sketch-plans have been approved by the Commission, and

(ii) for the completion of final working drawings, when such completed working drawings have been approved by the Commission.

(4) The capital grant shall be paid to the school or to the hospital that owns and operates the school, as the case may be, in instalments as follows:

1. One-fifth when the Commission has given final approval to the construction of new buildings or to a renovation program, less the total sum of any moneys paid to the school or hospital under subsections 1, 2 and 3.

2. One-tenth when one-eighth of the work is completed.

3. One-tenth when one-quarter of the work is completed.

4. One-tenth when three-eighths of the work is completed.

5. One-tenth when one-half of the work is completed.

6. One-tenth when five-eighths of the work is completed.

7. One-tenth when three-quarters of the work is completed.

8. One-tenth when seven-eighths of the work is completed.

9. The balance when the approved construction of new buildings or renovation program is completed and the buildings and facilities are furnished, equipped and ready to receive and educate students. O. Reg. 82/68, s. 4, *revised*.

REGULATION 443

under The Hospital Services Commission Act

GENERAL

1.—(1) In the Act and in this Regulation,

(*a*) "insured person" means a resident who is,

(i) a member of a mandatory group,

(ii) a member of a collector's group,

(iii) a member of a group for which a municipality has been designated the collector, or

(iv) a pay-direct participant,

by whom or on whose behalf the prescribed premium for his insurable status has been paid in advance to the Commission, or

(v) a recipient of public assistance,

and, unless qualified by the word "single", includes a dependant of an insured person;

(*b*) "insured services" means the ambulance services established by a contract entered into with the Commission by each ambulance operator listed in Schedule 12 and the in-patient services and the out-patient services to which an insured person is entitled without charge other than the prescribed premium and, where applicable, the charge prescribed by this Regulation and includes physiotherapy services ordered by a physician and provided in those physiotherapy facilities that are approved by the Commission and listed in Part I of Schedule 10 and physiotherapy services ordered by a physician where such services are available and provided for an insured person in his home by a physiotherapist who works in a physiotherapy facility listed in Part II of Schedule 10, but does not include,

(i) syphilis serology,

(ii) the services of a private duty nurse who is not engaged and paid by the hospital, or

(iii) any services a person is entitled to and eligible for under any statute or law mentioned in Schedule 1;

(*c*) "recipient of public assistance" means,

(i) a person who receives benefits under,

a. the *Old Age Security Act* (Canada),

b. *The General Welfare Assistance Act*, from the Department of Social and Family Services because the person is not the responsibility of any organized municipality,

c. *The Vocational Rehabilitation Services Act*, as a recipient of a maintenance allowance, or

d. *The Family Benefits Act*,

and who is approved by the Director of the Family Benefits Branch of the Department of Social and Family Services under section 33,

(ii) a member of a group for which a municipality has been designated the collector under section 35, and

(iii) a child who is made a ward of a children's aid society or of the Crown under *The Child Welfare Act*. O. Reg. 1/67, s. 1 (1); O. Reg. 229/67, s. 1; O. Reg. 57/68, s. 1 (1); O. Reg. 231/68, s. 1; O. Reg. 261/68, s. 1.

(2) In sections 1 to 28 of the Act and in this Regulation, "hospital" means any hospital that is approved by the Commission to participate in the plan of hospital care insurance and includes a nursing home approved by the Commission as a health facility for the provision of care to chronically ill patients, but does not include a tuberculosis sanatorium or a hospital or institution for the mentally ill and does not include a home for the aged, an infirmary or other institution, or a nursing home the purpose of which is the provision of custodial care. O. Reg. 1/67, s. 1 (2).

(3) In this Regulation,

(*a*) "benefit period" means the period of time during which an insured person is entitled to insured services;

(*b*) "child" includes an adopted child, *de jure* or *de facto*, a step-child and an illegitimate child;

(*c*) "contract hospital" means a private or industrial hospital that has entered into a contract with the Commission for the provision of insured services to insured persons;

(*d*) "dependant" means a resident who is,

(i) the spouse of an insured person, or

(ii) a child of an insured person who is dependent for support upon the insured person and who is,

a. under the age of twenty-one years and unmarried, or

b. twenty-one years of age or over, mentally or physically infirm and dependent for support upon the insured person or upon the spouse of the insured person, before his twenty-first birthday, but does not include the spouse of any such child;

(*e*) "employee" means,

(i) a resident who regularly performs services under a contract, written or oral, of hiring and service or apprenticeship, and includes a director or other officer of a corporation, but does not include a director who qualifies for directorship by holding only one qualifying share in trust for some principal,

(ii) a person who is a resident, or who has a dependant who is a resident, and who is paid wages, salary or pay and allowances out of the Consolidated Revenue Fund (Canada), or by Her Majesty in right of Canada or an agent of Her Majesty, or

(iii) a person who is a resident, or who has a dependant who is a resident, and who is paid wages, salary or pay and allowances out of the Consolidated Revenue Fund (Ontario), or by Her Majesty in right of Ontario or an agent of Her Majesty,

and does not include an independent contractor;

(*f*) "employer", in relation to any employee, means the person from whom the employee receives his salary, wages or pay and allowances;

(*g*) "in-patient" means a person admitted to and assigned a bed in a hospital by the order of a legally qualified medical practitioner;

(*h*) "in-patient services" means all of the following services to an in-patient:

1. Accommodation and meals at the standard or public ward level.

2. Necessary nursing service.

3. Laboratory, radiological and other diagnostic procedures, together with the necessary interpretations for the purpose of maintaining health, preventing disease and assisting in the diagnosis and treatment of any injury, illness or disability.

4. Drugs, biological and related preparations that are prescribed by an attending physician in accordance with accepted practice and sound teaching and administered in a hospital, but not including preparations sold under the *Proprietary or Patent Medicine Act* (Canada).

5. Use of operating room, case room and anaesthetic facilities, including necessary equipment and supplies.

6. Routine surgical supplies.

7. Use of radiotherapy facilities, where available.

8. Use of physiotherapy facilities, where available.

9. Services rendered by persons who receive remuneration from the hospital, including therapeutic radiologists;

(*i*) "insurable status" means the status by which a premium rate is determined for an insured person;

(*j*) "members of the Royal Canadian Mounted Police Force" includes persons appointed as special constables by the Commissioner of the Royal Canadian Mounted Police and designated by him as being eligible to receive hospital care and treatment from the Force;

(*k*) "necessary nursing service" means the nursing service that is provided and paid for by the hospital to meet the medical needs of a patient as determined by the attending physician;

(*l*) "out-patient" means a person who receives out-patient services;

(*m*) "out-patient services" means,

(i) laboratory and diagnostic radiological procedures, together with the necessary interpretations, for the purpose of assisting in the emergency diagnosis and treatment of an out-patient who presents himself at a hospital within twenty-four hours after an accident and thereafter presents himself at a hospital for a follow-up visit necessary to conclude the emergency treatment of a fracture, where the treatment was started at a hospital within twenty-four hours after the accident or while the out-patient was an in-patient,

(ii) the use of radiotherapy, occupational therapy and physiotherapy facilities where available in a hospital in Canada when prescribed by a physician,

(iii) the use of speech therapy facilities, where available in a hospital in Canada and prescribed by a physician for the treatment of an organic illness or injury, and

(iv) the hospital component of all other out-patient services, including the use of an operating room and anaesthetic facilities, surgical supplies, necessary nursing service, meals required during a treatment program and the supplying of drugs, biologicals and related preparations that are prescribed by a physician on the medical staff of the hospital in accordance with accepted practice and sound teaching and administered in the hospital, but does not include,

1. The provision of any preparations sold under the *Proprietary or Patent Medicine Act* (Canada).

2. The provision of medications for the patient to take home.

3. Diagnostic services performed to satisfy the requirements of third parties such as employers and insurance companies.

4. Visits solely for the administration of drugs, vaccines, sera or biological products.

5. Dental extractions where seven or less teeth are to be extracted, unless medical complications exist that justify the use of hospital facilities or unless the out-patient suffers from cerebral palsy or is a mentally retarded child.

6. Any out-patient services insurable under *The Health Services Insurance Act*;

(*n*) "per day rate" means the amount payable, as determined by the Commission, to a hospital in respect of the provision of in-patient services by the hospital;

(*o*) "prescribed form" means the form prescribed by the Commission for the purpose;

(*p*) "resident" means a person who is legally entitled to remain in Canada and who makes his home and is ordinarily present in Ontario, but does not include a tourist, a transient or a visitor to Ontario;

(*q*) "standard ward accommodation" means a bed in a hospital area designated by the hospital and approved by the Commission as a standard or public ward. O. Reg. 1/67, s. 1 (3); O. Reg. 260/68, s. 1, *revised*.

2. For the purposes of the Act, "maintenance, care, diagnosis and treatment" in respect of a person admitted to a hospital as defined in section 29 of the Act does not include the care and maintenance provided in a residential unit established under Regulation 579 of Revised Regulations of Ontario, 1970. O. Reg. 1/67, s. 2.

PREMIUMS

3. An insured person who has paid or has had paid on his behalf the prescribed premium is entitled to insured services. O. Reg. 1/67, s. 3 (5).

4. The payment of a premium by or on behalf of a person who is not a resident does not entitle that person to insured services. O. Reg. 1/67, s. 5.

MANDATORY GROUP

5.—(1) Where the employees of the same employer, and the employer if he is a resident and not a corporation, total fifteen or more, they form a mandatory group.

(2) Where the employees of the same employer, and the employer if he is a resident and not a corporation, total more than five but less than fifteen, the employer may apply to the Commission for an order designating himself and his employees as a mandatory group. O. Reg. 1/67, s. 6 (1-2).

(3) A person who,

(*a*) is a married woman entitled to insured services as a dependant of an insured person;

(*b*) is a married man entitled to insured services as a dependant of a member of a mandatory group or a collector's group other than a group of recipients of municipal unemployment relief or a group of municipal hospital indigents;

(*c*) is under the age of twenty-one, receives from the employment an income of less than $40 per week and works less than twenty-four hours a week;

(*d*) is employed for a temporary period of employment where the date of the termination of the period of employment is determined at the commencement of the employment and is shown on the records of the employer to be a date that will fall before the first day of the third month following the date of employment;

(*e*) proves to the satisfaction of the employer that he is a student registered in a university or other institution of learning and that he is an insured person, and who indicates his intention to return as a student to the university or institution at the end of the vacation period during which he is employed;

(*f*) is also employed in a mandatory group other than the mandatory group from which he seeks exemption and is having premiums paid on his behalf as a member of the other mandatory group;

(*g*) is an insured person because he is a member of a collector's group other than a group of recipients of municipal unemployment relief or a group of municipal hospital indigents for which a municipality has been designated by the Commission as the collector; or

(*h*) is not a resident,

shall be counted as an employee for the purpose of determining whether a group qualifies under subsection 1 or 2, but that person is not a member of the mandatory group and the employer is not required to remit to the Commission a monthly report or monthly premium payment for or on behalf of the person. O. Reg. 1/67, s. 6 (3); O. Reg. 175/70, s. 1.

(4) Each employee mentioned in subsection 3 shall complete a request for exemption in the prescribed form, in duplicate, and the employer shall forward one copy to the Commission and shall retain the other copy for the duration of the employee's employment.

(5) Notwithstanding subsection 3, if a person to whom clause *c* or clause *d* of subsection 3 applies requests his employer to include his name on report forms and remit premiums on his behalf, the employer shall do so.

(6) An employer is not required to but may count a person as an employee, for the purpose of this section, or to include an employee's name on report forms and remit premiums on his behalf until he has been in the employment more than fourteen days. O. Reg. 1/67, s. 6.

6.—(1) When the total number of employees of an employer of a mandatory group becomes fewer than six, the employer may apply to the Commission for an order terminating the mandatory group, but until such order is made the employer shall continue to remit to the Commission the monthly reports and the monthly premium payments for the mandatory group.

(2) Upon application under subsection 1, or without such application where considered expedient by the Commission, the Commission may make an order terminating a mandatory group upon such terms and conditions as the Commission determines. O. Reg. 1/67, s. 7, *revised*.

7.—(1) Where a mandatory group is created, the employer shall complete and submit to the Commission the group application form on or before the last day of the month in which the group is created.

(2) The employer of each mandatory group shall complete and submit to the Commission each month a group remittance summary and a group reconciliation in the prescribed form. O. Reg. 1/67, s. 8.

8.—(1) Every member of a mandatory group shall notify his employer of any change in his insurable status within thirty days after the change.

(2) The employer shall show the changes of which he has received notice under subsection 1 in the group remittance summary and group reconciliation forms to be processed with the next payroll after his receipt of the notice. O. Reg. 1/67, s. 9.

9.—(1) Each month the employer of each mandatory group shall, concurrently with the filing of the returns required by subsection 2 of section 7, remit to the Commission an amount equal to the total monthly premiums for all members of his mandatory group. O. Reg. 1/67, s. 10 (1); O. Reg. 407/68, s. 1.

(2) The payment of a premium under subsection 1 entitles the member for whom it is paid to a benefit period for the month that is the third month after the month in which the premium is due. O. Reg. 1/67, s. 10 (2).

10.—(1) Notwithstanding the provisions of any contract or arrangement, each member of a mandatory group is primarily liable to pay the premiums required of him by this Regulation, but remittance of the premiums by an employer discharges the liability.

(2) In the absence of any special contract, arrangement or terms of a collective agreement applicable thereto, the employer shall deduct and withhold the required premium from the remuneration of an employee. O. Reg. 1/67, s. 11.

11. No person shall make any charge for acting in his capacity as the employer of a mandatory group. O. Reg. 1/67, s. 12.

NEW EMPLOYEE

12. When an employer of a mandatory group hires a new employee, he shall determine whether the employee,

(*a*) qualifies as a member of the mandatory group in accordance with section 5; and

(*b*) is an insured person. O. Reg. 1/67, s. 13.

13.—(1) When a new employee becomes a member of a mandatory group and is an insured person, the employee shall deliver to the employer his most recent certificate of payment or receipt for pay-direct payment.

(2) Where a new employee is an insured person, the employer shall,

(*a*) ascertain the hospital insurance number of the employee;

(*b*) determine the benefit period for which the employee is paid up;

(*c*) submit to the Commission the certificate of payment or receipt for pay-direct payment delivered by the employee under subsection 1;

(*d*) enter the name of the new employee and the details of his insurable status on the group reconciliation form and the group remittance summary form; and

(*e*) remit to the Commission, with the group remittance summary and group reconciliation forms to be processed with the next payroll, a premium for or on behalf of the new employee sufficient to make his benefit period coincide with the benefit period of the mandatory group. O. Reg. 1/67, s. 14.

14. Where a new employee is a resident but not an insured person, the employer shall,

(*a*) enter the name of the new employee and the details of his insurable status on the group reconciliation and group remittance summary forms to be processed with the payroll next following the date on which the employee was hired by the employer; and

(*b*) with his next monthly payment to the Commission, and monthly thereafter, remit the prescribed premium on behalf of the new employee sufficient to provide the employee with a benefit period of the third month after the month in which the payment is due. O. Reg. 1/67, s. 15.

DESIGNATION OF SPECIAL GROUPS AS MANDATORY GROUPS

15.—(1) The Commission may approve as a mandatory group any special group designated for that purpose by the Government of Canada, and for whom or on whose behalf the Government of Canada undertakes to remit premiums and information on the prescribed forms to the Commission.

(2) The Government of Canada may by undertaking specify a time limit beyond which the Government of Canada ceases to be responsible for the payment of hospital insurance premiums for the members of a special group designated under subsection 1. O. Reg. 1/67, s. 16.

16. Upon application made by a representative of a country other than Canada, the Commission may approve as a mandatory group any group of residents employed by that country in a permanent office in Ontario officially maintained by the said country. O. Reg. 1/67, s. 17.

17. Any group approved by the Commission under subsection 1 of section 15 or section 16 shall be deemed to be a mandatory group. O. Reg. 1/67, s. 18.

DEDUCTIONS

18. Failure by an employer to remit a premium on behalf of a member of a mandatory group does not disentitle the member to receive insured services for a benefit period in respect of which the premium withheld is payable, not exceeding one month. O. Reg. 1/67, s. 19.

19.—(1) Every person who receives, retains or withholds any amount for the purpose of paying a premium on behalf of an insured person shall be deemed to have received and to be holding the

amount in trust for the Commission and all accounts of such amounts shall be kept separate and apart from his own money.

(2) Where an employer becomes a bankrupt as defined in the *Bankruptcy Act* (Canada), an employee of the employer is entitled to a benefit period equal to the benefit period to which he would have been entitled if the premiums held by the employer for the Commission on behalf of the employee under subsection 1 had been paid over to the Commission. O. Reg. 1/67, s. 20.

REFUNDS

20. Where an insured person becomes a member of a mandatory group, the insured person is, on application to the Commission, entitled to the refund from the Commission of an amount equal to any premium paid in respect of that part of his benefit period in excess of the benefit period of the mandatory group. O. Reg. 1/67, s. 21.

21.—(1) Upon application therefor in the prescribed form and with the approval of the Commission, the employer shall refund to a member of a mandatory group any amount that is deducted from the salary or wages of the member and remitted to the Commission and that is not required to be paid under this Regulation.

(2) Upon application therefor in the prescribed form and with the approval of the Commission, the Commission shall refund to an employer any amount that is paid by the employer as a premium on behalf of any member of the group and that is not required to be paid under this Regulation.

(3) An employer may deduct the amount of a refund under subsection 1 or 2 from the amount remitted to the Commission in the month next succeeding that in which the refund is approved. O. Reg. 1/67, s. 22.

22. No refund shall be made for a fraction of a month, but the amount of a refund shall be calculated from and including the first day of the month next following the occurrence that makes the refund necessary. O. Reg. 1/67, s. 23.

CERTIFICATE OF PAYMENT

23.—(1) Where a member of a mandatory group leaves the group or where a mandatory group is terminated by order of the Commission, or where the member is given a leave of absence without pay for longer than three months, or where the member's pay is stopped because of an extended period of illness or for any other reason, the employer shall forthwith furnish the member, or each member, as the case may be, with a certificate of payment in the prescribed form.

(2) Where a member of a mandatory group ceases to work because of a strike or lock-out, as defined in *The Labour Relations Act*, the employer shall,

(*a*) notify the Commission of the fact within three days after the first day of the strike or lockout; and

(*b*) furnish the member with a certificate of payment in the prescribed form, on or before the first day of the last month of the benefit period for the mandatory group. O. Reg. 1/67, s. 24.

HOSPITAL INSURANCE CERTIFICATE

24.—(1) The Commission shall issue a hospital insurance certificate in the prescribed form to each insured person other than a dependant of an insured person. O. Reg. 1/67, s. 25 (1); O. Reg. 407/68, s. 2.

(2) All hospital insurance certificates issued to insured persons who are members of mandatory groups shall be delivered by the Commission to the employer of the group and shall be distributed by him to the members named on the certificates.

(3) A hospital insurance certificate is non-transferable.

(4) An insured person shall present his hospital insurance certificate upon admission to hospital. O. Reg. 1/67, s. 25 (2-4).

25. An employer shall retain and produce at the request of any member or former member of his group a record of the hospital insurance number that was assigned by the Commission to the member, and the record shall be maintained for a period of six months from the time the member ceased to be a member or the group was terminated. O. Reg. 1/67, s. 26.

COLLECTOR'S GROUP

26.—(1) Any organized group of persons may apply to the Commission for an order designating some or all of its members who are residents as a collector's group and designating one of them or another person as a collector.

(2) A group shall have fifteen or more members qualified and willing to participate in the hospital insurance plan before it may be designated as a collector's group. O. Reg. 1/67, s. 27.

27. Upon the designation of a collector's group by the Commission, sections 7 to 11, sections 13 and 14, and sections 18 to 25 apply *mutatis mutandis* to the collector and to the designated members of the collector's group. O. Reg. 1/67, s. 28.

28.—(1) The designation of a collector's group by the Commission may be made upon such terms and conditions as the Commission considers proper and may be withdrawn if, in the opinion of the Commission, the collector is not giving proper and efficient service to the members of the group or is not complying with the Act or this Regulation.

(2) Where the designation of a collector's group is withdrawn under subsection 1, the Commission may terminate the group upon such terms and conditions as the Commission determines. O. Reg. 1/67, s. 29, *revised*.

29. Notwithstanding section 18, a member of a collector's group is not entitled to insured services for a benefit period in respect of which he has failed to pay the premium as required by this Regulation. O. Reg. 1/67, s. 30.

PAY-DIRECT PARTICIPATION

30.—(1) A resident who is not otherwise an insured person may become an insured person as a pay-direct participant by submitting an application in the prescribed form to the Commission together with the prescribed premium for a benefit period of three months.

(2) The payment of the premium under subsection 1 entitles the applicant to insured services for three months commencing on the first day of the third month next following that in which the premium is due and paid, and thereafter for each three-month period in respect of which the premium is due and paid. O. Reg. 1/67, s. 31.

31. If a member of a mandatory group or of a collector's group ceases to be a member of the group, or if the group is terminated or its designation as a group withdrawn by order of the Commission, and if the member does not become a member of another mandatory group or collector's group but wishes to remain entitled to receive insured services, he shall make application to become a pay-direct participant by submitting to the Commission his certificate of payment forthwith after ceasing to be a member of the group. O. Reg. 1/67, s. 32.

32.—(1) Every pay-direct participant shall notify the Commission of any change in his insurable status or residence within thirty days of the change and shall concurrently pay any additional premium required by reason of the change.

(2) The payment of an additional premium under subsection 1 entitles an insured person qualified by the payment to a benefit period commencing on the first day of the third month after the month in which the payment is due and paid.

(3) Where a pay-direct participant pays to the Commission more than he is required to pay under this Regulation and applies in the prescribed form for a refund of the excess, the Commission shall refund the excess, but no refund shall be made in respect of a fraction of a month. O. Reg. 1/67, s. 33.

RECIPIENT OF PUBLIC ASSISTANCE

33. Where the Director of the Family Benefits Branch of the Department of Social and Family Services considers that a person who receives a benefit listed in subclause i or iii of clause *c* of subsection 1 of section 1 should, because of needy circumstances, be provided with a hospital insurance certificate at the expense of Ontario, he may approve the person for the purpose. O. Reg. 1/67, s. 34; O. Reg. 229/67, s. 2; O. Reg. 57/68, s. 2.

34.—(1) When the person responsible for administering the public assistance notifies the Commission that a resident is a recipient of public assistance, the Commission shall issue a hospital insurance certificate in the name of the recipient of public assistance without payment of any premium and shall deliver it to the Department of Social and Family Services and the recipient thereupon becomes an insured person entitled to receive insured services.

(2) Where a person has ceased to be a recipient of public assistance, the person responsible for administering the public assistance shall immediately notify the Commission.

(3) Where a person becomes an insured person because of the payment of a premium within thirty days after he ceases to be a recipient of public assistance, his benefit period commences on the date upon which he ceased to be a recipient of public assistance. O. Reg. 1/67, s. 35, *revised*.

35.—(1) A municipality may apply to the Commission for an order designating any or all of those residents who receive municipal relief from that municipality as a group of recipients of municipal unemployment relief and designating the municipality as the collector for the group.

(2) A municipality may apply to the Commission for an order designating any or all of those residents for whom the municipality is or might be responsible, because they are or may become hospital indigents under section 36, as a group of municipal hospital indigents and designating the municipality as the collector for the group.

(3) A municipality that is designated as a collector under subsection 1 or 2 shall pay to the Commission the premiums prescribed by section 1 of Regulation 447 of Revised Regulations of Ontario, 1970 for each member of the group.

(4) There is no minimum number of members required to constitute a group designated under subsection 1 or 2.

(5) A municipality shall not make any charge for acting in the capacity of collector for its group of recipients of municipal unemployment relief or its group of municipal hospital indigents.

(6) Upon the designation by the Commission of a municipality as a collector under subsection 1 or 2, sections 7 to 9, sections 13 and 14, sections 23 to 25 and section 28 apply *mutatis mutandis* to the muni-

cipality as a collector and to the recipients of municipal unemployment relief or to the municipal hospital indigents as members of the group.

(7) Where a municipality adds a person who is not an insured person to its designated group of recipients of municipal unemployment relief or to its designated group of municipal hospital indigents and that person requires any of the insured services before the date on which his benefit period is to begin, he shall be deemed to be a hospital indigent under section 36 until his benefit period begins.

(8) Upon application therefor in the prescribed form and with the approval of the Commission, the Commission may refund to a municipality any amount paid by the municipality as a premium on behalf of any member of its group of recipients of municipal unemployment relief, or its group of municipal hospital indigents, that is not required to be paid under this Regulation. O. Reg. 1/67, s. 36.

HOSPITAL INDIGENT

36.—(1) Where a resident who is not an insured person is admitted to a hospital and is at the time of admission, or later becomes, a person for whom a municipality or Ontario is responsible under *The Public Hospitals Act*, the Commission shall pay to the hospital an amount in respect of insured services received by the hospital indigent equal to the difference between the statutory rate payable under that Act and the per day rate established for the hospital by the Commission and if ambulance services have been provided for the hospital indigent by an ambulance operator listed in Schedule 12 the Commission shall pay to the operator an amount equal to 100 per cent of the contract ambulance service charges for insured persons. O. Reg. 1/67, s. 37 (1); O. Reg. 231/68, s. 2 (1).

(2) Where a resident who resides in a territorial district of Ontario without municipal organization is not an insured person and is not,

(*a*) an Indian registered as an Indian or entitled to be registered as an Indian under the *Indian Affairs and Northern Development Act* (Canada); or

(*b*) an Eskimo for whose hospital care and treatment the Government of Canada is responsible,

and is at the time of admission to a hospital listed in Schedule 6, or later becomes, unable to pay for his care and treatment, the Commission shall pay the hospital in respect of insured services received by the hospital indigent the per day rate established for the hospital by the Commission and if ambulance services have been provided for the hospital indigent by an ambulance operator listed in Schedule 12, the Commission shall pay to the operator an amount equal to 100 per cent of the contract ambulance service charges for insured persons. O. Reg. 1/67, s. 37 (2); O. Reg. 218/67, s. 2; O. Reg. 231/68, s. 2 (2).

(3) A person who is a hospital indigent referred to in subsection 1 or 2 is entitled to receive insured services. O. Reg. 1/67, s. 37 (3), *revised*.

MISCELLANEOUS COVERAGE

37. Where a resident becomes an insured person because of the payment of a premium within thirty days after he ceases to be,

(*a*) a member of the Royal Canadian Mounted Police;

(*b*) a member of the Regular Forces of the Canadian Armed Forces;

(*c*) a patient in a hospital that is approved under section 29 of the Act for the treatment of tuberculosis or mental illness; or

(*d*) a dependant because he has attained the age of twenty-one years,

his benefit period commences on the date upon which he ceased to be such member, patient, inmate, or dependant. O. Reg. 1/67, s. 38; O. Reg. 229/67, s. 3.

HOSPITALS

38. In sections 39 to 51, "hospital" includes an institution designated in Part II of Schedule 7. O. Reg. 1/67, s. 39.

39.—(1) The hospitals listed in Schedules 2, 3, 4 and 6 are approved for the purpose of the plan of hospital care insurance.

(2) Each hospital listed in Schedule 5 is approved for the purpose of providing such services to insured persons as are provided for by the terms of the contract entered into by the hospital with the Commission.

(3) Each hospital listed in Schedule 7 is approved for the purpose of providing such services to insured persons as are provided for by the terms of the contract entered into by the hospital with the Commission, towards which Canada makes no contribu-

(4) Each hospital listed in Schedule 8 is approved until the 30th day of June, 1971 for the purpose of providing such services to insured persons as are provided for in the regulations governing nursing homes approved by the Commission as health facilities for the provision of care to chronically ill patients. O. Reg. 1/67, s. 40(4); O. Reg. 356/70, s. 1.

(5) Each hospital listed in Schedule 9 is approved for the purpose of providing the type of care and treatment designated in the Schedule for that hospital. O. Reg. 121/67, s. 1.

40.—(1) The standard ward accommodation in a hospital listed in Schedule 2, 3 or 4 shall not be less than 50 per cent of the total bed capacity, unless the Commission otherwise orders. O. Reg. 1/67, s. 41(1).

(2) The standard ward accommodation in a hospital listed in Schedule 5, 7 or 9 shall not be less than the percentage of the total bed capacity of that hospital as is determined from time to time by the Commission. O. Reg. 1/67, s. 41(2); O. Reg. 121/67, s. 2.

41. Every approved hospital in Ontario shall forward to the Commission,

(*a*) within twenty-four hours after an in-patient is admitted, a notification of admission in the prescribed form and if ambulance service has been required, a notification of the name of the ambulance operator listed in Schedule 12 who provided such service, together with the amount of the contract ambulance service charges to be paid to the operator by the Commission;

(*b*) within ninety-six hours after an in-patient is discharged from or dies in the hospital, a notification of the discharge or death in the prescribed form and if ambulance service was required when the patient was discharged, a notification of the name of the ambulance operator listed in Schedule 12 who provided such service, together with the amount of the contract ambulance service charges to be paid to the operator by the Commission;

(*c*) when requested by the Commission, a long-stay report in the prescribed form;

(*d*) a list of out-patients in the prescribed form, in duplicate, when the form is filled in, or not later than the 25th day of each month, whichever is the sooner; and

(*e*) monthly operating statements and financial and statistical returns in the prescribed forms as required by the Commission. O. Reg. 1/67, s. 42; O. Reg. 231/68, s. 3.

42. (1) An approved hospital may make a direct charge in respect of a patient who is an insured person only for the difference between,

(*a*) the per day rate of providing insured services; and

(*b*) the hospital charges approved by the Commission for the private or semi-private accommodation and for any other services that are not insured services and that are requested by or on behalf of the patient.

(2) Where the attending physician certifies in writing that an insured person's condition is such that he requires immediate admission as an in-patient and standard-ward accommodation in an approved hospital is not available because all such accommodation is occupied, or where the attending physician certifies in writing that an insured person's condition is such that for his own good or for the good of other patients it is necessary that he be supplied with private or semi-private accommodation, the hospital shall provide the insured person with private or semi-private accommodation and the Commission shall not pay the hospital more than the per day rate.

(3) No approved hospital shall charge an insured person for any private or semi-private accommodation provided under subsection 2. O. Reg. 1/67, s. 43, *amended*.

43.—(1) The rates that are charged by a hospital listed in Schedule 2, 3, 4, 5, 7 or 9 for services, other than insured services, that are rendered to any person whether an insured person or not shall be the rates approved for that hospital by the Commission. O. Reg. 1/67, s. 44(1); O. Reg. 121/67, s. 3(1).

(2) A patient who is not an insured person and who pays a hospital listed in Schedule 2, 3, 4, 5, 7 or 9 an amount equivalent to the per day rate for that hospital is entitled to all in-patient services without the payment of any additional amount. O. Reg. 1/67, s. 44(2); O. Reg. 121/67, s. 3(2).

44.—(1) The Commission shall pay an approved hospital for insured services provided to an insured person on the day of the person's admission to the hospital but not on the day of the person's discharge from the hospital.

(2) The Commission shall not make and a hospital shall not accept duplicate payments for any insured services provided by the hospital. O. Reg. 1/67, s. 45.

INSURED SERVICES IN ONTARIO

45.—(1) Subject to subsection 4 or 5, an insured person is entitled to receive insured services in a hospital listed in Schedule 2, 3, 4 or 6 without paying any charge to the hospital for such services. O. Reg. 1/67, s. 46(1); O. Reg. 231/68, s. 4(1).

(2) Subject to subsection 4 an insured person is entitled to receive in a hospital listed in Schedule 5 or 7 those insured services that are in accordance with the terms of the contract entered into by that

hospital with the Commission, without paying any charge to the hospital for such services. O. Reg. 1/67, s. 46(2).

(3) Subject to subsection 4, an insured person is entitled to receive in a hospital listed in Schedule 9 those insured services that are in accordance with the type of care and treatment designated in the Schedule for that hospital. O. Reg. 121/67, s. 4.

(4) An insured person is not entitled to insured services unless,

(*a*) he has been admitted as an in-patient on the order of a legally qualified medical practitioner; or

(*b*) he has been received in the hospital and examined as an out-patient by a legally qualified medical practitioner and treated as an out-patient, if necessary. O. Reg. 1/67, s. 46(3), *revised*.

(5) An insured person is entitled to receive ambulance services from an ambulance operator listed in Schedule 12 by paying to the hospital listed in Schedule 2, 3, 4, 5, 7 or 9 to or from which the ambulance services are required, the sum of $5 plus an amount of 15 cents per mile beyond the first twenty-five miles up to a total amount not greater than $25. O. Reg. 231/68, s. 4(2).

46.—(1) Subject to subsection 2, an insured person is entitled to receive as an out-patient in a rehabilitation centre or crippled children's centre listed in Schedule 11 the insured services indicated in the Schedule without paying any charge to the centre for such services.

(2) An insured person is not entitled to receive insured services in a centre listed in Schedule 11 unless he has been received in the centre and examined as an out-patient by a legally qualified medical practitioner. O. Reg. 57/68, s. 3, *revised*.

47. Where ambulance service is provided on land,

(*a*) the total charges made by the ambulance operator for such service shall not exceed $25 for each patient carried in the same ambulance for the first twenty-five miles over which the patient or patients are transported, and an additional 60 cents per mile beyond the first twenty-five miles; and

(*b*) a person who is not an insured person shall not pay or have paid on his behalf an amount greater than $25 for the first twenty-five miles plus an amount of 60 cents per mile beyond the first twenty-five miles. O. Reg. 231/68, s. 5.

48. Where ambulance service is provided by air, including, where applicable, any ambulance services provided on land required to connect with the ambulance service provided by air,

(*a*) the use of such services shall be authorized in advance by the Director of Emergency Health Services of the Commission or some person designated for this purpose by the Director;

(*b*) the total charge for such services shall not exceed an amount approved therefor by the Commission; and

(*c*) an insured person shall not pay or have paid on his behalf, as his share of the ambulance charges, an amount greater than $100 per trip. O. Reg. 231/68, s. 5.

49. The new-born child of an insured person is entitled to insured services during the three months following the date of birth without payment of any additional premium. O. Reg. 1/67, s. 47.

50.—(1) Notwithstanding clause *h* of subsection 3 of section 1, in-patient services do not include diagnostic procedures that are not required in the diagnosis and treatment of the injury, illness or disability that makes it necessary for an insured person to be an in-patient.

(2) An insured person is entitled to insured services only for the period of time following admission during which such services are, in the opinion of the Commission, medically necessary.

(3) The Commission may at any time and from time to time require a hospital to obtain from the insured person's attending physician and forward to the Commission a written statement that the attending physician shall provide regarding the condition of the insured person and stating the reasons showing the necessity for the insured services or other treatment provided during all or any part of his stay in hospital.

(4) Where a patient receives any out-patient services, the attending physician shall prepare, within twenty-four hours after the services are provided, a medical record for the patient in the prescribed form. O. Reg. 1/67, s. 48.

(5) The Commission may require a hospital to obtain from the insured person's attending physician and forward to the Commission a written statement that the attending physician shall provide regarding the condition of the insured person and stating the reasons showing the necessity for any ambulance services authorized for such insured person. O. Reg. 231/68, s. 6.

(6) No medical practitioner shall give his approval for the use of an ambulance for any patient unless he is of the opinion that it is medically necessary for the patient to be transported by ambulance. O. Reg. 231/68, s. 6.

51.—(1) No medical practitioner shall admit or order to be admitted to a hospital any patient unless he is of the opinion that it is medically necessary for the patient to be admitted to the hospital as an in-patient.

(2) As soon as the attending physician is of the opinion that an insured person under his care no longer requires to remain in hospital for medical reasons, the physician shall order the patient to be discharged from the hospital forthwith. O. Reg. 1/67, s. 49.

INSURED SERVICES OUTSIDE ONTARIO

52.—(1) An insured person who receives treatment in a hospital outside Ontario may be reimbursed by the Commission for all or part of the cost of insured services received, on presentation to the Commission of a detailed receipt from the hospital for payment made to the hospital by him, or the Commission may make payment directly to the hospital for insured services received by the insured person, where,

(*a*) the hospital that supplied the care and treatment is approved by the Commission for the purposes of the plan of hospital care insurance;

(*b*) the hospital that supplied the care and treatment is licensed or approved as a hospital by the governmental hospital licensing authority in whose jurisdiction the hospital is situated;

(*c*) the hospital certifies to the Commission,

(i) that the insured person was admitted, with the date of admission,

(ii) the diagnosis of the condition for which the insured person was admitted,

(iii) the date of discharge or death of the insured person,

(iv) the nature of any complication, complications or *sequelae*, if any, that would explain a longer than average stay in hospital of a person with the disease or condition from which the insured person was suffering,

(v) the kind and number of any laboratory, radiological or other special diagnostic tests performed on or for the insured person,

(vi) the nature of any special treatment procedures or surgery that were performed on the insured person,

(vii) the discharge diagnosis or cause of death, as the case may be, and

(viii) such other information as is required or requested by the Commission; and

(*d*) the accommodation and services received do not constitute, in the opinion of the Commission, the custodial type of care provided in a home for the aged, an infirmary or other institution of a similar character.

(2) Where a person receives treatment in a hospital outside Canada, the cost of the insured services paid by the Commission shall be the amount determined by the Commission for that hospital.

(3) Where an insured person receives treatment in a hospital outside Ontario for an acute attack of mental illness or tuberculosis, the Commission may reimburse the insured person for the cost thereof for a period not exceeding sixty days, and subsections 1 and 2 apply as if the treatment were an insured service.

(4) The Commission may enter into a reciprocal agreement with any other province in Canada to pay the full per day rate of that other province for treatment received by an insured person in a hospital that is in that province and that is approved for participation in the plan of hospital care insurance for that province. O. Reg. 1/67, s. 50.

53. Where an insured person receives ambulance services outside Ontario, the Commission may pay to or on behalf of such insured person 75 per cent of the charges for such services,

(*a*) if the insured person presents to the Commission a detailed receipt for the ambulance services, showing the number of miles that the person was transported; and

(*b*) if the insured person presents to the Commission a certificate signed by a medical practitioner stating that the ambulance services were justified on medical grounds,

provided that the Commission shall not pay an amount greater than it would be required to pay for the same or similar ambulance services over the same traversed distance in Ontario. O. Reg. 231/68, s. 7, *revised*.

54.—(1) Where a resident takes up residence elsewhere, his benefit period extends for the period for which he has paid premiums in advance but not to exceed three months from the date of taking up such residence.

(2) Notwithstanding subsection 1, the benefit period of a resident leaving Ontario shall not extend so as to overlap any hospitalization insurance plan coverage. O. Reg. 1/67, s. 51.

THIRD PARTY LIABILITY

55.—(1) In this section, "notice" means notice in writing by personal delivery or mailed by registered mail addressed to the latest post office address of the person to whom the notice is sent as shown on the records of the Commission or, where no address is shown for him on the records of the Commission, then addressed to him at his post office address as shown on the records of the hospital that provided the insured services.

(2) The Commission is subrogated to any right of an insured person to recover all or part of the cost of insured services from any other person, incuding future insured services, and the Commission may bring action in the name of the insured person to enforce such rights.

(3) An insured person shall not release any right to which the Commission is subrogated without the consent of the Commission.

(4) An insured person, who commences an action to recover for loss or damages arising out of the negligence or other wrongful act of a third party to which the injury or disability in respect of which insured services have been provided is related, shall include a claim on behalf of the Commission for the cost of the insured services.

(5) Where an insured person commences an action referred to in subsection 4, his solicitor shall so inform the Commission forthwith after issuing the writ and shall act as solicitor for the Commission for the purpose of this section unless notified by the Commission that another solicitor is appointed by the Commission for the purpose.

(6) Subject to subsection 8, where an insured person obtains a final judgment in an action in which he includes a claim on behalf of the Commission, the Commission shall bear the same proportion of the taxable costs otherwise payable by the insured person, whether on a party and party basis or on a solicitor and client basis, as the recovery made on behalf of the Commission bears to the total recovery of the insured person in the action or, where no recovery is made, as the assessed claim of the Commission bears to the total damages of the insured person assessed by the court.

(7) Where a claim is settled, the Commission shall bear the same proportion of the taxable costs otherwise payable by the insured person as is set out in subsection 6 in respect of a recovery made.

(8) The costs for which the Commission may be liable to bear a portion under subsection 6 are the costs of bringing the action to the conclusion of the trial only and do not include the costs of any other proceeding without the written consent of the Commission.

(9) If no action has been commenced by an insured person for the recovery of damages arising out of injury or disability within eleven months of the last act or omission that caused or contributed to the injury or disability, or before thirty days before the expiration of the limitation period for the action, whichever occurs first, the Commission,

(*a*) after notice thereof to the insured person, may commence an action in his name for the recovery of the cost of insured services; and

(*b*) may effect settlement of its claim without prejudice to the right of the insured person to commence an action to recover for his injuries or other damages.

(10) The insured person, at any time prior to the trial of an action commenced by the Commission under subsection 9, may, subject to the rules of court, join in such action any additional claims arising out of the same occurrence and thereafter the insured person shall have the conduct of the action as if he had commenced it under subsection 4.

(11) Where the insured person is an infant or under other disability or has died, the Commission may commence an action in its own name for the recovery of the cost of insured services rendered to him and, in that event, shall forthwith give notice of the institution of such action to the parent or guardian of the infant, or to the committee or guardian of the person under disability, or to the personal representative, if any, of the deceased person, and subsections 9 and 10 apply *mutatis mutandis* to such action.

(12) An insurer shall pay to the Commission any amount referable to a claim for recovery of the cost of insured services that would otherwise be payable, and the payment discharges the liability of the insurer to pay that amount to the insured person. O. Reg. 1/67, s. 52.

THE HOSPITAL SERVICES COMMISSION FUND

56.—(1) The Commission shall establish a Fund to be known as The Ontario Hospital Services Commission Fund.

(2) All money received by the Commission shall be deposited to the credit of the Fund in a chartered bank or the Province of Ontario Savings Office.

(3) All administrative expenses of the Commission shall be paid out of the Fund.

(4) All money required by the Commission shall be disbursed from the Fund bank account by cheque signed by two officers of the Commission who shall be designated by resolution of the Commission.

(5) The signature of the officers designated under subsection 4 may be by facsimile in accordance with a resolution of the Commission.

(6) The Commission may, by resolution, invest in the Fund any surplus money that is not necessary for the current requirements of the Commission, by means of the purchase of bonds, debentures, notes or bills issued by or guaranteed by the Government of Canada or of Ontario. O. Reg. 1/67, s. 53, *revised*.

SUPPLEMENTARY INSURANCE

57.—(1) In this section,

(*a*) "contract" means a contract made with a subscriber under *The Prepaid Hospital and Medical Services Act* or a contract of accident insurance or sickness insurance as defined in *The Insurance Act* other than insurance provided under section 231 of that Act;

(*b*) "group contract" means a contract of insurance whereby two or more persons other than members of the same family are insured severally under a single contract of insurance;

(*c*) "insurer" means an insurer licensed under *The Insurance Act* or an association registered under *The Prepaid Hospital and Medical Services Act*.

(2) Subject to subsections 3 and 4, an insurer shall not make or renew, or make a payment under, a contract or a group contract under which,

(*a*) a resident is to be provided with or to be reimbursed or indemnified for the cost of any hospital service that is an insured service;

(*b*) payment is conditional upon the hospitalization of a resident; or

(*c*) payment is dependent upon the length of time the resident is a patient in a hospital.

(3) Subsections 2 and 6 do not apply for the first three months after a person takes up residence in Ontario.

(4) Notwithstanding subsections 2 and 6, an insurer may make or renew, or make a payment under, a contract or a group contract under which a resident is to be provided with or reimbursed or indemnified for,

(*a*) the cost of any hospital service other than an insured service;

(*b*) the cost of fees for professional services, whether or not the services are rendered in hospital; or

(*c*) loss of time because of disability, if the rate of payment is not increased by the hospitalization of the resident.

(5) A resident insured under one or more contracts referred to in clause *a* of subsection 4 shall not receive a total sum from all payments under such contract or contracts in respect of the cost of any hospital service that is not an insured service that is in excess of the actual charges made for the service by the hospital.

(6) A resident shall not accept or receive any benefit under any contract or agreement, other than a policy of insurance under section 231 of *The Insurance Act*, whereby he or his dependants may be provided with or reimbursed for the cost of any hospital service that is an insured service.

(7) Notwithstanding anything in this section, where the regular place of principal employment of a resident is in the United States of America and he is entitled, by virtue of his employment, to enter into an agreement for hospitalization insurance, the resident may enter into the agreement and he and his dependants may accept and receive any benefits under the agreement.

(8) When a payment is made to or on behalf of an insured person under an agreement referred to in subsection 7, the Commission may pay the difference between the amount paid under the agreement and the per day rate established by the Commission for the hospital concerned. O. Reg. 1/67, s. 54, *revised*.

GENERAL

58. No home or institution in Ontario providing for the care and treatment of the sick, injured or disabled, other than a hospital approved under the Act and this Regulation, is entitled to payment out of the Fund in respect of services provided to an insured person in such home or institution. O. Reg. 1/67, s. 55.

59. The Commission shall not, by reason of any payments made by it to a hospital, be deemed to be the employer of any hospital official or of any person on the medical, nursing or other professional staff of the hospital or of any person employed by the hospital. O. Reg. 1/67, s. 56; O. Reg. 462/70, s. 1.

REGIONAL SCHOOLS OF NURSING

60.—(1) The board of directors, governors or trustees of a regional school of nursing shall pass by-laws that provide for,

(*a*) the admission of persons as members of the corporation and the qualification for and conditions of membership in the corporation;

(*b*) the suspension and termination of membership in the corporation by the corporation and by the members;

(*c*) the constitution of the board and the qualifications of the directors, governors or trustees who compose the board;

(*d*) the time for and the manner of election of directors, governors or trustees;

(*e*) the appointment by the Lieutenant Governor in Council of one or more representatives on the board of directors, governors or trustees with all the rights and responsibilities of a board member;

(*f*) the appointment, functions, duties and removal of officers, employees and agents of the corporation and the security, if any, to be given by them to it; and

(*g*) the notice to be given for the holding of meetings of the members of the corporation and of the board, the quorum and the requirement as to proxies at meetings of the members and the quorum at meetings of the board.

(2) A board of a regional school of nursing that has not passed by-laws shall pass such by-laws as are required by the Commission in a written notice to the school, and submit them to the Commission not later than four months after the notice is received by the school.

(3) A board of a regional school of nursing shall amend or revise its by-laws as required by the Commission in a written notice to the school and submit to the Commission the amendment or revision not later than three months after the notice is received by the school. O. Reg. 351/68, s. 1.

Schedule 1

1. Acts of the Parliament of Canada:
   i. *Aeronautics Act*
   ii. *Civilian War Pensions and Allowances Act*
   iii. *Government Employees Compensation Act*
   iv. *Merchant Seamen Compensation Act*
   v. *National Defence Act*
   vi. *Pension Act*
   vii. *Royal Canadian Mounted Police Act*
   viii. *Veterans Rehabilitation Act*
2. Acts of the Legislature of Ontario:
   i. *The Workmen's Compensation Act*
   ii. *The Blind Workmen's Compensation Act*
3. Acts of Other Jurisdictions:

Any statute or law enacted by any provincial legislature or other competent jurisdiction other than Canada or Ontario under which a person who receives insured services is eligible for and entitled to such services or to reimbursement in whole or in part of the cost of such services. O. Reg. 1/67, Sched. 1, *revised*.

Schedule 2

ACTIVE TREATMENT HOSPITALS

PART I

Public General Hospitals:

Item	Location	Name of Hospital
1.	Ajax	Ajax and Pickering General Hospital
2.	Alexandria	Glengarry Memorial Hospital
3.	Alliston	The Stevenson Memorial Hospital
4.	Almonte	Almonte General Hospital
5.	Arnprior	Arnprior and District Memorial Hospital
6.	Atikokan	Atikokan General Hospital
7.	Barrie	Royal Victoria Hospital of Barrie
8.	Barry's Bay	St. Francis Memorial Hospital
9.	Belleville	Belleville General Hospital
10.	Blind River	St. Joseph's General Hospital
11.	Bowmanville	Memorial Hospital, Bowmanville
12.	Bracebridge	South Muskoka Memorial Hospital
13.	Brampton	Peel Memorial Hospital
14.	Brantford	The Brantford General Hospital
15.	Brantford	St. Joseph's Hospital
16.	Brockville	Brockville General Hospital

Item	Location	Name of Hospital
17.	Brockville	St. Vincent de Paul Hospital
18.	Burlington	Joseph Brant Memorial Hospital
19.	Campbellford	Campbellford Memorial Hospital
20.	Carleton Place	The Carleton Place and District Memorial Hospital
21.	Chapleau	The Lady Minto Hospital at Chapleau
22.	Chatham	Public General Hospital
23.	Chatham	St. Joseph's Hospital
24.	Chesley	The Chesley and District Memorial Hospital
25.	Clinton	Clinton Public Hospital
26.	Cobourg	Cobourg District General Hospital Association
27.	Cochenour	Margaret Cochenour Memorial Hospital
28.	Cochrane	The Lady Minto Hospital at Cochrane
29.	Collingwood	The Collingwood General and Marine Hospital
30.	Cornwall	Cornwall General Hospital
31.	Cornwall	Hotel Dieu Hospital
32.	Downsview	York-Finch General Hospital
33.	Dryden	Dryden District General Hospital
34.	Dunnville	Haldimand War Memorial Hospital
35.	Durham	Durham Memorial Hospital
36.	Elliot Lake	St. Joseph's General Hospital
37.	Englehart	Englehart and District Hospital
38.	Espanola	Espanola General Hospital
39.	Exeter	South Huron Hospital
40.	Fergus	Groves Memorial Community Hospital
41.	Fort Erie	Douglas Memorial Hospital
42.	Fort Frances	LaVerendrye Hospital
43.	Galt	South Waterloo Memorial Hospital
44.	Georgetown	Georgetown District Memorial Hospital
45.	Geraldton	Geraldton District Hospital
46.	Goderich	Alexandra Marine and General Hospital
47.	Grimsby	West Lincoln Memorial Hospital
48.	Guelph	Guelph General Hospital
49.	Guelph	St. Joseph's Hospital
50.	Hagersville	West Haldimand General Hospital
51.	Haileybury	Misericordia Hospital
52.	Hamilton	Chedoke General and Children's Hospital
53.	Hamilton	Hamilton Civic Hospitals
54.	Hamilton	Ontario Cancer Treatment and Research Foundation Clinic
55.	Hamilton	St. Joseph's Hospital
56.	Hamilton	University Hospital
57.	Hanover	Hanover Memorial Hospital
58.	Hawkesbury	Notre-Dame Hospital
59.	Hawkesbury	St. Coeur de Marie Hospital
60.	Hearst	Notre Dame Hospital
61.	Hornepayne	Hornepayne Community Hospital
62.	Huntsville	Huntsville District Memorial Hospital
63.	Ingersoll	Alexandra Hospital
64.	Iroquois Falls	Anson General Hospital
65.	Kapuskasing	Sensenbrenner Hospital
66.	Kemptville	Kemptville District Hospital
67.	Kenora	Lake of The Woods District Hospital
68.	Kincardine	Kincardine General Hospital
69.	Kingston	Kingston General Hospital
70.	Kingston	Hotel Dieu Hospital
71.	Kingston	Ontario Cancer Treatment and Research Foundation Clinic
72.	Kirkland Lake	Kirkland and District Hospital
73.	Kitchener	Kitchener-Waterloo Hospital
74.	Kitchener	St. Mary's General Hospital
75.	Leamington	Leamington District Memorial Hospital
76.	Lindsay	The Ross Memorial Hospital
77.	Listowel	The Listowel Memorial Hospital

Item	Location	Name of Hospital
78.	Little Current	St. Joseph's General Hospital
79.	London	London Health Association (Rheumatic and Arthritic Disease Unit)
80.	London	London Health Association (Sir Adam Beck Memorial Sanatorium—Chest Disease Unit)
81.	London	Ontario Cancer Treatment and Research Foundation Clinic
82.	London	St. Joseph's Hospital
83.	London	Victoria Hospital
84.	Manitouwadge	Manitouwadge General Hospital
85.	Marathon	Wilson Memorial General Hospital
86.	Markdale	Centre Grey General Hospital
87.	Matheson	Bingham Memorial Hospital
88.	Mattawa	Mattawa General Hospital
89.	Meaford	Meaford General Hospital
90.	Midland	St. Andrew's Hospital
91.	Milton	Milton District Hospital
92.	Mississauga	The Mississauga Hospital
93.	Mount Forest	The Louise Marshall Hospital
94.	Napanee	Lennox and Addington County General Hospital
95.	Newbury	Four Counties General Hospital
96.	New Liskeard	New Liskeard and District Hospital
97.	Newmarket	York County Hospital
98.	Niagara Falls	The Greater Niagara General Hospital
99.	Niagara (Lincoln County)	The Niagara Hospital
100.	Nipigon	Nipigon District Memorial Hospital
101.	North Bay	North Bay Civic Hospital
102.	North Bay	St. Joseph's General Hospital
103.	Oakville	Oakville-Trafalgar Memorial Hospital
104.	Orangeville	Dufferin Area Hospital
105.	Orillia	Orillia Soldiers' Memorial Hospital
106.	Oshawa	Oshawa General Hospital
107.	Ottawa	Ontario Cancer Treatment and Research Foundation Clinic (located in Ottawa Civic Hospital)
108.	Ottawa	Ontario Cancer Treatment and Research Foundation Clinic (located in Ottawa General Hospital)
109.	Ottawa	Ottawa Civic Hospital
110.	Ottawa	Ottawa General Hospital
111.	Ottawa	Riverside Hospital
112.	Ottawa	St. Louis-Marie de Montfort Hospital
113.	Ottawa	The Salvation Army Grace Hospital
114.	Owen Sound	The Owen Sound General and Marine Hospital
115.	Palmerston	Palmerston General Hospital
116.	Paris	The Willett Hospital
117.	Parry Sound	The Parry Sound General Hospital
118.	Parry Sound	St. Joseph's Hospital
119.	Pembroke	Pembroke Civic Hospital
120.	Pembroke	General Hospital
121.	Penetanguishene	Penetanguishene General Hospital
122.	Perth	The Great War Memorial Hospital of Perth District
123.	Peterborough	The Peterborough Civic Hospital
124.	Peterborough	St. Joseph's Hospital
125.	Petrolia	Charlotte Eleanor Englehart Hospital
126.	Picton	Prince Edward County Memorial Hospital
127.	Port Colborne	Port Colborne General Hospital
128.	Port Hope	The Port Hope and District Hospital
129.	Port Perry	Community Memorial Hospital, Port Perry
130.	Renfrew	The Renfrew Victoria Hospital
131.	Richmond Hill	York Central Hospital
132.	St. Catharines	The St. Catharines General Hospital
133.	St. Catharines	Hotel Dieu Hospital
134.	St. Catharines	Niagara Peninsula Sanatorium Association
135.	St. Marys	St. Marys Memorial Hospital
136.	St. Thomas	St. Thomas-Elgin General Hospital

Item	Location	Name of Hospital
137.	Sarnia	St. Joseph's Hospital
138.	Sarnia	Sarnia General Hospital
139.	Sault Ste. Marie	The Plummer Memorial Public Hospital
140.	Sault Ste. Marie	The General Hospital
141.	Scarborough	Scarborough Centenary Hospital Association
142.	Scarborough	Scarborough General Hospital
143.	Seaforth	Seaforth Community Hospital
144.	Shelburne	Shelburne District Hospital
145.	Simcoe	Norfolk General Hospital
146.	Sioux Lookout	Sioux Lookout General Hospital
147.	Smiths Falls	St. Francis General Hospital
148.	Smiths Falls	The Smiths Falls Public Hospital
149.	Smooth Rock Falls	Smooth Rock Falls Hospital
150.	Southampton	Saugeen Memorial Hospital
151.	South Porcupine	Pocupine General Hospital
152.	Stratford	Stratford General Hospital
153.	Strathroy	Strathroy Middlesex General Hospital
154.	Sturgeon Falls	St. Jean de Brebeuf Hospital
155.	Sudbury	St. Joseph's Hospital
156.	Sudbury	Sudbury General Hospital of the Immaculate Heart of Mary
157.	Sudbury	Sudbury Memorial Hospital
158.	Thunder Bay	McKellar General Hospital
159.	Thunder Bay	Ontario Cancer Treatment and Research Foundation
160.	Thunder Bay	The General Hospital of Port Arthur
161.	Thunder Bay	St. Joseph's General Hospital
162.	Tillsonburg	Tillsonburg District Memorial Hospital
163.	Timmins	St. Mary's Hospital
164.	Toronto	Central Hospital
165.	Toronto	The Hospital for Sick Children
166.	Toronto	Lockwood Clinic
167.	Toronto	New Mount Sinai Hospital
168.	Toronto	Northwestern General Hospital
169.	Toronto	Orthopaedic and Arthritic Hospital
170.	Toronto	The Princess Margaret Hospital
171.	Toronto	Queensway General Hospital
172.	Toronto	St. Joseph's Hospital
173.	Toronto	St. Michael's Hospital
174.	Toronto	Salvation Army Grace Hospital
175.	Toronto	Sunnybrook Hospital
176.	Toronto	The Doctors Hospital
177.	Toronto	Toronto East General and Orthopaedic Hospital
178.	Toronto	Toronto General Hospital
179.	Toronto	Toronto Western Hospital
180.	Toronto	The Wellesley Hospital
181.	Toronto	Women's College Hospital
182.	Trenton	Trenton Memorial Hospital
183.	Uxbridge	The Cottage Hospital (Uxbridge)
184.	Walkerton	County of Bruce General Hospital
185.	Wallaceburg	Sydenham District Hospital
186.	Wawa	The Lady Dunn General Hospital
187.	Welland	Welland County General Hospital
188.	Weston	Humber Memorial Hospital
189.	Whitby	The Doctor Joseph O Rudy General Hospital
190.	Wiarton	Bruce Peninsula and District Memorial Hospital
191.	Willowdale	North York Branson Hospital
192.	Willowdale	North York General Hospital
193.	Winchester	Winchester District Memorial Hospital
194.	Windsor	Hotel Dieu of St. Joseph's
195.	Windsor	I.O.D.E. Memorial Hospital
196.	Windsor	Metropolitan General Hospital
197.	Windsor	Ontario Cancer Treatment and Research Foundation Clinic
198.	Windsor	Salvation Army Grace Hospital

Item	Location	Name of Hospital
199.	Wingham	Wingham and District Hospital
200.	Woodstock	Woodstock General Hospital

O. Reg. 1/67, Sched. 2, Part I; O. Reg. 121/67, s. 5; O. Reg. 447/67, s. 1; O. Reg. 137/68, s. 1; O. Reg. 199/68, s. 1; O. Reg. 262/68, s. 1; O. Reg. 37/69, s. 1; O. Reg. 90/69, s. 1; O. Reg. 204/69, s. 1; O. Reg. 373/69, s. 1; O. Reg. 135/70, s. 1; O. Reg. 195/70, s. 1.

PART II

Red Cross Outpost Hospitals:

Item	Location	Name of Hospital
1.	Bancroft	Red Cross Outpost Hospital
2.	Beardmore	Red Cross Outpost Hospital
3.	Burk's Falls	Burk's Falls and District Red Cross Hospital
4.	Emo	Red Cross Outpost Hospital
5.	Haliburton	Red Cross Outpost Hospital
6.	Lion's Head	Red Cross Outpost Hospital
7.	Mindemoya	Red Cross Outpost Hospital
8.	Minden	Red Cross Outpost Hospital
9.	Port Loring	Red Cross Outpost Hospital
10.	Rainy River	Red Cross Outpost Hospital
11.	Red Lake	Red Cross Outpost Hospital
12.	Richard's Landing	Red Cross Outpost Hospital
13.	Thessalon	Red Cross Outpost Hospital
14.	Whitney	Red Cross Outpost Hospital

O. Reg. 1/67, Sched. 2, Part II.

Schedule 3

HOSPITALS FOR CONVALESCENT PATIENTS

Item	Location	Name of Hospital
1.	Hamilton	Hamilton Civic Hospitals (Convalescent Unit)
2.	Hamilton	The Hamilton Health Association (Brown Infirmary)
3.	Kitchener	Freeport Hospital (Convalescent Unit)
4.	Kitchener	Kitchener-Waterloo Hospital (Convalescent Unit)
5.	Ottawa	St. Vincent Hospital (Convalescent Unit)
6.	Scarborough	Providence Hospital
7.	Thunder Bay	Westmount Hospital
8.	Toronto	Hillcrest Convalescent Hospital
9.	Toronto	Lyndhurst Lodge
10.	Toronto	Ontario Crippled Children's Centre (excluding the Research and Training Unit)
11.	Toronto	Queen Elizabeth Hospital (Convalescent Unit)
12.	Toronto	Riverdale Hospital
13.	Willowdale	St. Bernard's Convalescent Hospital
14.	Willowdale	St. John's Convalescent Hospital
15.	Windsor	I.O.D.E. Memorial Hospital (Convalescent Unit)

O. Reg. 1/67, Form 3; O. Reg. 299/69, s. 2; O. Reg. 135/70, s. 2.

Schedule 4

HOSPITALS FOR CHRONICALLY ILL PATIENTS

PART I

Public Hospitals:

Item	Location	Name of Hospital
1.	Cornwall	Macdonell Memorial Hospital
2.	Hamilton	St. Peter's Infirmary
3.	Kingston	St. Mary's-of-the-Lake
4.	London	Parkwood Hospital
5.	London	St. Mary's Hospital
6.	Ottawa	The Perley Hospital
7.	Ottawa	St. Vincent Hospital
8.	Scarborough	Providence Hospital
9.	Thunder Bay	Westmount Hospital
10.	Toronto	Baycrest Hospital
11.	Toronto	Bloorview Children's Hospital
12.	Toronto	Our Lady of Mercy Hospital

Item	Location	Name of Hospital
13.	Toronto	The Queen Elizabeth Hospital
14.	Toronto	Riverdale Hospital
15.	Toronto	The Runnymede Hospital
16.	Windsor	Riverview Hospital

O. Reg. 1/67, Sched. 4, Part I; O. Reg. 135/70, s. 3 (1).

PART II

Chronic Units Attached to General or Convalescent Hospitals or Tuberculosis Sanatoria:

Item	Location	Name of Hospital
1.	Ajax	Ajax and Pickering General Hospital
2.	Alliston	The Stevenson Memorial Hospital
3.	Barrie	Royal Victoria Hospital of Barrie
4.	Belleville	Belleville General Hospital
5.	Bowmanville	Bowmanville Memorial Hospital
6.	Bracebridge	South Muskoka Memorial Hospital
7.	Brampton	Peel Memorial Hospital
8.	Brantford	Brant Sanatorium (Hospital Division)
9.	Brantford	Brantford General Hospital
10.	Brockville	Brockville General Hospital
11.	Burlington	Joseph Brant Memorial Hospital
12.	Campbellford	Campbellford Memorial Hospital
13.	Chatham	Public General Hospital
14.	Clinton	Clinton Public Hospital
15.	Cobourg	Cobourg District General Hospital Association
16.	Cochrane	The Lady Minto Hospital at Cochrane
17.	Collingwood	The Collingwood General and Marine Hospital
18.	Cornwall	Cornwall General Hospital
19.	Dryden	Dryden District General Hospital
20.	Durham	Durham Memorial Hospital
21.	Exeter	South Huron Hospital
22.	Fergus	Groves Memorial Community Hospital
23.	Fort Erie	Douglas Memorial Hospital
24.	Goderich	Alexandra Marine and General Hospital
25.	Guelph	St. Joseph's Hospital
26.	Hagersville	West Haldimand General Hospital
27.	Haileybury	Misericordia Hospital
28.	Hamilton	Hamilton Civic Hospitals (Henderson General Hospital)
29.	Hamilton	The Hamilton Health Association (Brow Infirmary)
30.	Hanover	Hanover Memorial Hospital
31.	Huntsville	Huntsville District Memorial Hospital
32.	Ingersoll	Alexandra Hospital
33.	Kapuskasing	Sensenbrenner Hospital
34.	Kemptville	Kemptville District Hospital
35.	Kincardine	Kincardine General Hospital
36.	Kingston	Ongwanada Sanatorium (Chronic Patients Unit)
37.	Kirkland Lake	Kirkland and District Hospital
38.	Kitchener	Freeport Hospital (Coutts Wing)
39.	Kitchener	Kitchener-Waterloo Hospital
40.	Leamington	Leamington District Memorial Hospital
41.	Listowel	Listowel Memorial Hospital
42.	Little Current	St. Joseph's General Hospital
43.	Markdale	Centre Grey General Hospital
44.	Midland	St. Andrew's Hospital
45.	Milton	Milton District Hospital
46.	Mississauga	The Mississauga Hospital
47.	Mount Forest	Louise Marshall Hospital Limited
48.	Niagara Falls	The Greater Niagara General Hospital
49.	North Bay	North Bay Civic Hospital
50.	Orangeville	Dufferin Area Hospital
51.	Orillia	Orillia Soldiers' Memorial Hospital
52.	Oshawa	Oshawa General Hospital
53.	Owen Sound	The Owen Sound General and Marine Hospital

Item	Location	Name of Hospital
54.	Parry Sound	St. Joseph's Hospital
55.	Pembroke	Pembroke Civic Hospital
56.	Peterborough	Peterborough Civic Hospital
57.	Picton	Prince Edward County Memorial Hospital
58.	Port Hope	The Port Hope and District Hospital
59.	Port Perry	Community Memorial Hospital
60.	Renfrew	The Renfrew Victoria Hospital
61.	St. Catharines	Niagara Peninsula Sanatorium
62.	St. Catharines	The St. Catharines General Hospital
63.	St. Thomas	St. Thomas-Elgin General Hospital
64.	Sarnia	Sarnia General Hospital
65.	Sault Ste. Marie	Plummer Memorial Public Hospital
66.	Sault Ste. Marie	The General Hospital
67.	Seaforth	Seaforth Community Hospital
68.	Shelburne	Shelburne District Hospital
69.	Simcoe	Norfolk General Hospital
70.	Smiths Falls	St. Francis General Hospital
71.	Southampton	Saugeen Memorial Hospital
72.	Stratford	Stratford General Hospital
73.	Strathroy	Strathroy-Middlesex General Hospital
74.	Sudbury	Sudbury Memorial Hospital
75.	Tillsonburg	Tillsonburg District Memorial Hospital
76.	Toronto	Sunnybrook Hospital
77.	Uxbridge	The Cottage Hospital (Uxbridge)
78.	Walkerton	County of Bruce General Hospital
79.	Wallaceburg	Sydenham District Hospital
80.	Welland	Welland County General Hospital (Riverside Annex)
81.	Weston	Toronto Hospital (Chronic Illness Unit)
82.	Winchester	Winchester District Memorial Hospital
83.	Wingham	Wingham General Hospital
84.	Woodstock	Woodstock General Hospital

O. Reg. 1/67, Sched. 4, Part II; O. Reg. 301/67, s. 1; O. Reg. 262/68, s. 2; O. Reg. 204/69, s. 2; O. Reg. 299/69, s. 3; O. Reg. 135/70, s. 3 (2).

Schedule 5

CONTRACT HOSPITALS

PART I

Active Treatment Hospitals:

Item	Location	Name of Hospital
1.	Attawapiskat	Saint Mary's Hospital
2.	Bobcaygeon	Hillcroft Private Hospital
3.	Copper Cliff	International Nickel Company Private Hospital
4.	Deep River	Deep River Hospital
5.	Don Mills	One Medical Place
6.	Fort Albany	St. Anne's Hospital
7.	Hawkesbury	The Smith Hospital
8.	Kemptville	Oxford Private Hospital
9.	London	Bethesda Hospital
10.	Moosonee	Assumption Private Hospital
11.	Terrace Bay	Terrace Bay Private Hospital
12.	Thornhill	Shouldice Surgery
13.	Toronto	Institute of Traumatic, Plastic and Restorative Surgery
14.	Virgil	Virgil Medical Centre Hospital Limited

O. Reg. 1/67, Sched. 5, Part I; O. Reg. 133/67, s. 1 (1); O. Reg. 137/68, s. 3 (1); O. Reg. 261/68, s. 2; O. Reg. 11/69, s. 1; O. Reg. 373/69, s. 2; O. Reg. 370/70, s. 1.

PART II

Chronic Care Hospitals:

Item	Location	Name of Hospital
1.	Burford	Bellview Private Hospital
2.	Cobourg	Sidbrook Private Hospital
3.	Elmira	Elmira Private Hospital

Item	Location	Name of Hospital
4.	Hamilton	Rest Haven Private Hospital
5.	Lakefield	Lakefield Private Hospital
6.	Lindsay	Douglas Waterman Private Hospital
7.	Lindsay	Lindsay Private Hospital
8.	Lindsay	Spruce Lawn Private Hospital
9.	London	Egerton Private Hospital
10.	London	Mason Villa Private Hospital
11.	Ottawa	Hartington Private Hospital
12.	Penetanguishene	Beechwood Private Hospital
13.	Perth	Four Winds Private Hospital
14.	Perth	Wiseman's Private Hospital
15.	Stouffville	Brierbush Private Hospital
16.	Thornhill	The Villa
17.	Thorold	Maple Hurst Hospital
18.	Toronto	Beverley Private Hospital
19.	Toronto	Dewson Private Hospital
20.	Willowdale	St. Joseph's Infirmary
21.	Woodstock	Woodstock Private Hospital

O. Reg. 1/67, Sched. 5, Part II; O. Reg. 133/67, s. 1 (2); O. Reg. 137/68, s. 3 (2); O. Reg. 37/69, s. 2.

Schedule 6

FEDERAL HOSPITALS

PART I

Active Treatment Hospitals:

Item	Location	Name of Hosptial
1.	Big Trout Lake	Nursing Station
2.	Lac Seul	Nursing Station
3.	Lansdowne House	Nursing Station
4.	London	Westminster Hospital
5.	Manitowaning	Manitowaning Hospital
6.	Moose Factory	Moose Factory General Hospital
7.	Moosonee	R.C.A.F. Hospital
8.	Ohsweken	Lady Willingdon Hospital
9.	Ottawa	National Defence Medical Centre
10.	Pikangikum	Nursing Station
11.	Sandy Lake	Nursing Station
12.	Sioux Lookout	Sioux Lookout Indian Hospital

O. Reg. 1/67, Sched. 6, Part I; O. Reg. 137/68, s. 4 (1).

PART II

Chronic Care Hospitals:

Item	Location	Name of Hospital
1.	London	Westminster Hospital (Chronic Unit)
2.	Ottawa	Rideau Veterans Home (Chronic Unit)

O. Reg. 1/67, Sched. 6, Part II; O. Reg. 137/68, s. 4 (2).

Schedule 7

INSTITUTIONS FOR NERVOUS AILMENTS

PART I

Private Hospitals:

Item	Location	Name of Hospital
1.	Kingston	Institute of Psychotherapy Limited
2.	Toronto	Sunnyside Private Hospital

O. Reg. 1/67, Sched. 7, Part I.

PART II

Federal Hospitals:

Item	Location	Name of Hospital
1.	London	Westminster Hospital (Psychiatric Wing)

O. Reg. 1/67, Sched. 7, Part II.

PART III

Other Facilities:

Item	Location	Name of Hospital
1.	Brantford	The Annex—Brant Sanatorium
2.	Hamilton	Dr. Rygiel's Home for Children
3.	Hamilton	Mount St. Joseph Centre
4.	Kingston	Ongwanada Sanatorium (Wing 'E'—upper and lower floors)
5.	London	Madame Vanier Children's Services
6.	Pickering	The Christopher Robin Home for Children
7.	Plainfield	Ontario Home for Mentally Retarded Infants
8.	Scarborough	Sacred Heart Children's Village
9.	Thunder Bay	Fort William Sanatorium (2nd Floor, East Wing)
10.	Toronto	West End Creche
11.	Waterloo	Sunbeam Home

O. Reg. 112/69, s. 1; O. Reg. 135/70, s. 4.

Schedule 8

NURSING HOMES TEMPORARILY APPROVED FOR CHRONIC CARE

Item	Location	Name of Nursing Home
1.	Aurora	Aurora Resthaven Nursing Home
2.	Aurora	Cobblestone House
3.	Aurora	The Willows Estate Nursing Home
4.	Brampton	Bertram Nursing Home
5.	Brampton	Hodgins Rest Home Limited
6.	Cannington	Bon-Air Nursing Home
7.	Chesley	Parkview Manor Nursing Home Limited
8.	Columbus	Glencedar Nursing Home Limited
9.	Elmira	Elmira Nursing Home
10.	Grimsby	Kilean Lodge
11.	Hanover	Densmore Faith Nursing Home Limited
12.	Mount Albert	Cooper Nursing Home Limited
13.	Pickering	Rosebank Convalescent Home Limited
14.	Pine Gove	Pine Grove Nursing Home Limited
15.	Port Perry	Community Nursing Home Limited
16.	Ridgetown	Barnwell Nursing Home
17.	Scarborough	Birchcliff Limited
18.	Thamesville	Clayton Nursing Home
19.	Thornbury	Errinrung Limited
20.	Toronto	Anderson Nursing Home
21.	Toronto	Maynard Nursing Home Limited
22.	Toronto	Norwood Nursing Home Limited
23.	Toronto	Red Wing Convalescent Home
24.	Toronto	Roulet Nursing Home
25.	Toronto	St. Raphael's Nursing Home (Springhurst)
26.	Toronto	Tyndall Nursing Home
27.	Toronto	The Village Nursing Home
28.	Toronto	White Eagle Nursing Home
29.	Trout Creek	Stonehouse Nursing Home
30.	Wallaceburg	LaPointe-Fisher Nursing Home
31.	West Hill	Open Gate Nursing Home Limited

O. Reg. 356/70, s. 2.

Schedule 9

HOSPITALS FOR PSYCHIATRIC ILLNESSES, AND ALCOHOLISM AND DRUG ADDICTION

PART I

Public Hospitals for Psychiatric Illnesses:

Item	Location	Name of Hospital
1.	Toronto	Clarke Institute of Psychiatry

PART II

Public Hospitals for Alcoholism and Drug Addiction:

Item	Location	Name of Hospital
1.	Toronto	The Donwood Foundation

O. Reg. 121/67, s. 6.

Schedule 10

APPROVED PHYSIOTHERAPY FACILITIES

PART I

Physiotherapy Facilities approved to provide Office and Home Treatment:

Item	Location	Name
1.	Aurora	Mrs. Fred Tegtmeyer
2.	Barrie	Mrs. G. A. Murgatroyd
3.	Bramalea	Evans Physiotherapy Clinic
4.	Brampton	The Pearce Clinic
5.	Brantford	Scott Physiotherapy Clinic
6.	Brantford	Dr. J. G. Stubbs
7.	Burlington	Mr. A. Bailey
8.	Burlington	Brant Arts Physiotherapy
9.	Cornwall	Cornwall Physiotherapy Clinic
10.	Don Mills	Physiotherapy Associates
11.	Don Mills	Mrs. M. Martin
12.	Downsview	Mrs. H. Markezinis
13.	Durham	Mr. D. J. MacGillivray
14.	Galt	Mr. W. J. Bond
15.	Guelph	Everest House
16.	Hamilton	Miss Jean M. Fagan
17.	Hamilton	Dr. G. Jeremias
18.	Hamilton	Upper Ottawa Physiotherapy
19.	Hamilton	Main East Physiotherapy
20.	Hamilton	McGregor Clinic
21.	Hamilton	Park Physical Therapy
22.	Hamilton	Physiotherapy Services
23.	Hamilton	East Physiotherapy
24.	Hamilton	Mountain Physiotherapy
25.	Hamilton	Miss G. Ruland
26.	Hamilton	68 Charlton Ave. West Ltd.
27.	Hawkesbury	Smith Clinic
28.	Islington	Etobicoke Medical Centre
29.	Islington	Toronto Orthopaedic Services Ltd.
30.	Kingston	Mr. H. W. Blaser
31.	Kitchener	Dr. D. A. Cameron
32.	Leamington	Mr. J. Coggans
33.	Lindsay	Mr. J. S. Hunter
34.	London	Mrs. C. Kimmins
35.	London	Mr. J. Salo
36.	London	Miss F. Taylor
37.	Long Lac	Mrs. J. McPherson
38.	Midland	Mrs. M. Thompson
39.	Millbrook	Mrs. H. Kennedy
40.	Minden	Mrs. E. Griffiths
41.	Oakville	Physiotherapy Clinic
42.	Oshawa	Mrs. M. Buchanan
43.	Oshawa	Oshawa Clinic
44.	Oshawa	Mr. G. F. Monckton
45.	Ottawa	Mrs. A. G. Arnold
46.	Ottawa	Mrs. Hariette Brottman
47.	Ottawa	Dr. Ian Jeffrey
48.	Ottawa	Mr. S. K. Verma
49.	Pembroke	Mr. F. Hanatschek
50.	Peterborough	Mrs. J. M. Cornwall
51.	Peterborough	Mr. B. MacIntyre
52.	Peterborough	Peterborough Clinic
53.	Peterborough	Mr. J. Prendiville
54.	Sarnia	Mr. G. Heskins
55.	Sarnia	Mr. J. Howden
56.	Sault Ste. Marie	Mr. Ronald Fraser
57.	Sault Ste. Marie	Sault Ste. Marie and District Group Health Association
58.	Scarborough	Mr. and Mrs. W. T. Robertson

Item	Location	Name
59.	Scarborough	Miss M. W. Seaver
60.	Simcoe	Miss J. E. Boyd
61.	Stevensville	Mr. G. Andrew
62.	Stoney Creek	Queenston Physiotherapy
63.	Stouffville	Mr. K. B. Filer
64.	Sudbury	Mrs. Noreen Winicki
65.	Thorold	Thorold Medical Clinic
66.	Tillsonburg	Mr. J. Versnick
67.	Toronto	Albany Medical Clinic
68.	Toronto	Bloor Medical Clinic
69.	Toronto	Mrs. E. Brett
70.	Toronto	Mr. R. Cumming
71.	Toronto	Davisville Physiotherapy Centre
72.	Toronto	Mr. C. Dees
73.	Toronto	Mr. H. Deyo
74.	Toronto	Mr. Karl Elieff
75.	Toronto	Mrs. M. Gacich
76.	Toronto	Mr. Charles Godfrey
77.	Toronto	Physical Therapy Services
78.	Toronto	Mr. K. J. Holmes
79.	Toronto	Kingsway Physiotherapy
80.	Toronto	Mr. W. M. Labow
81.	Toronto	Miss G. Lewis
82.	Toronto	Mrs. H. Leyss
83.	Toronto	Mr. B. Lukasewycz
84.	Toronto	Miss D. Madgett
85.	Toronto	Medical Dental Physiotherapy Associates
86.	Toronto	Parkdale Medical Clinic
87.	Toronto	Mrs. Marjorie Platt
88.	Toronto	Queen Medical Centre
89.	Toronto	Raxlen Clinic
90.	Toronto	Mr. F. A. Roberts
91.	Toronto	St. Clair-Dufferin Medical Centre
92.	Toronto	Mrs. Ruth L. Shelton
93.	Toronto	Mrs. Samuel Sugar
94.	Toronto	Mr. H. Tomlin
95.	Weston	Mr. J. Carlson
96.	Weston	The Clark Clinic of Physiotherapy
97.	Weston	Humber Physiotherapy Services
98.	Weston	Weston Physiotherapy Centre
99.	Willowdale	Mr. E. Choryhanna
100.	Willowdale	Mrs. E. A. Fricker
101.	Willowdale	Mr. Peter Hamley
102.	Willowdale	Mr. and Mrs. Tomlin
103.	Willowdale	Willowdale Physiotherapy Clinic
104.	Windsor	Joseph Berkeley Ltd.
105.	Windsor	Mr. F. J. Farrell

PART II

Physiotherapy Facilities approved to provide Home Treatment Only:

Item	Location	Name
1.	Ajax	Mrs. E. Boyes
2.	Almonte	Mrs. P. Ploughman
3.	Ancaster	Mrs. E. Herman
4.	Ancaster	Mrs. M. Meehan
5.	Ariss	Mr. J. Flavell
6.	Bala	Miss J. Esplen
7.	Belleville	Mr. I. Wright
8.	Bracebridge	Mrs. P. Wells
9.	Brampton	Mrs. J. Parkinson
10.	Caledon	Mrs. C. M. Howard
11.	Cherrywood	Mrs. B. Pemberton-Pigott
12.	Chippawa	Mr. C. Fernandes
13.	Coldwater	Mrs. J. Legard

Item	Location	Name
14.	Collingwood	Mrs. C. McCarl
15.	Cornwall	Mr. C. M. T. Smith
16.	Cornwall	Mrs. L. Sansoucy
17.	Deep River	Mrs. C. Williams
18.	Don Mills	Mrs. H. Biebrach
19.	Don Mills	Mrs. A. Glasner
20.	Downsview	Mrs. I. Vickery
21.	Dundas	Mrs. J. Peterson
22.	Fenelon Falls	Mrs. N. Harrison
23.	Fort Erie	Mrs. M. Eggleton
24.	Fort Frances	Mrs. G. E. Polenske
25.	Georgetown	Mrs. J. Davis
26.	Glen Williams	Mrs. B. Duncan
27.	Grimsby	Mrs. V. Boyle
28.	Guelph	Mrs. I. Juknys
29.	Hamilton	Mr. B. Cooper
30.	Hamilton	Mr. P. Tamboli
31.	Hamilton	Mr. M. Vaz
32.	Islington	Mrs. D. Lackey
33.	Islington	Mrs. M. Howell
34.	King	Mrs. C. Hissink
35.	Kingston	Mrs. H. Kiwala
36.	Kirkland Lake	Mrs. D. P. Reese
37.	Listowel	Mr. J. Down
38.	London	Miss J. Gilroy
39.	Malton	Mrs. M. Clarkson
40.	Maple	Mr. D. Creighton
41.	Midland	Miss M. Webb
42.	Newcastle	Mrs. M. O'Neail
43.	Newmarket	Mrs. J. H. Dobson
44.	Niagara Falls	Mr. L. Hounsell
45.	North Bay	Mr. B. Farish
46.	North Bay	Mr. C. Fowler
47.	North Bay	Mrs. P. Heron
48.	Oshawa	Mrs. Jean Wilson
49.	Ottawa	Mrs. R. Komaromi
50.	Ottawa	Mrs. A. Kopp
51.	Ottawa	Miss M. Mayo
52.	Ottawa	Mobile Physiotherapy
53.	Ottawa	Mrs. J. F. Shaw
54.	Owen Sound	Mr. G. Nystrom
55.	Owen Sound	Mrs. C. Todd
56.	Paris	Miss M. Collins
57.	Parry Sound	Mr. Weerasooriya
58.	Port Colborne	Miss A. Cow
59.	Port Credit	Mrs. J. Houston
60.	Port Credit	Mrs. E. Mills
61.	Port Credit	Mrs. G. Quesnell
62.	Rexdale	Mrs. G. Tetanka
63.	Rexdale	Mr. Thomas P. Wells
64.	St. Catharines	Mr. R. Culbert
65.	Stratford	Mr. W. Naumenko
66.	Thamesford	Mrs. R. Whiting
67.	Thedford	Mrs. B. Sercombe
68.	Thornhill	Mrs. F. Hilton
69.	Thornhill	Mrs. D. M. Kizik
70.	Thornhill	Mrs. C. McDonald
71.	Thornhill	Mrs. R. Robinson
72.	Timmins	Mr. J. A. Oldham
73.	Toronto	Miss D. Brown
74.	Toronto	Mrs. E. Burnett
75.	Toronto	Miss J. Burt
76.	Toronto	Mrs. A. Englander
77.	Toronto	Miss P. Faris

Item	Location	Name
78.	Toronto	Mrs. M. Fowler
79.	Toronto	Mrs. H. Hargraft
80.	Toronto	Miss L. Haslam
81.	Toronto	Mrs. M. Kerr
82.	Toronto	Miss M. Leslie
83.	Toronto	Mrs. P. MacKinnon
84.	Toronto	Miss M. MacTaggart
85.	Toronto	Mrs. O. K. Pester
86.	Toronto	Mrs. V. H. Richardson
87.	Toronto	Mrs. Hanna Scheutze
88.	Toronto	Mrs. D. Soo
89.	Toronto	Miss M. White
90.	Toronto	Miss M. Winter
91.	Trenton	Mrs. E. Cathro
92.	Uxbridge	Mrs. P. Williamson
93.	Wallaceburg	Mrs. H. Metcalfe
94.	West Hill	Mrs. M. Marsh
95.	Willowdale	Mrs. H. Blythe
96.	Willowdale	Mrs. D. Daniel
97.	Willowdale	Mrs. G. Reeves
98.	Windsor	Mr. A. Belke
99.	Wingham	Mr. P. K. Ahuja
100.	Woodstock	Mr. C. M. Desai

O. Reg. 89/69, s. 1.

Schedule 11

REHABILITATION AND CRIPPLED CHILDREN'S CENTRES

PART I

Centres providing Occupational Therapy:

Item	Location	Name of Centre
1.	Hamilton	Hamilton District Society for Crippled Children
2.	Kingston	Frontenac & District Rehabilitation Centre
3.	Kingston	Kingston & District Cerebral Palsy Council
4.	Kitchener	Kitchener-Waterloo Rotary Children's Centre
5.	London	London District Crippled Children's Treatment Centre
6.	Oshawa	Simcoe Hall Crippled Children's School and Medical Centre
7.	Ottawa	The Ottawa Crippled Children's Treatment Centre
8.	Ottawa	Rehabilitation Institute of Ottawa
9.	St. Catharines	Niagara Peninsula Crippled Children's Society
10.	Sudbury	Sudbury & District Crippled Children's Treatment Centre
11.	Thunder Bay	The Lakehead Rehabilitation Centre
12.	Toronto	Ontario Crippled Children's Centre
13.	Toronto	Toronto Rehabilitation Centre
14.	Windsor	Windsor Red Cross Society

O. Reg. 1/67, Sched. 11, Part I; O. Reg. 135/70, s. 5 (1).

PART II

Centres providing Physiotherapy:

Item	Location	Name of Centre
1.	Chatham	Kent County Children's Treatment Centre
2.	Hamilton	Hamilton District Society for Crippled Children
3.	Kingston	Frontenac & District Rehabilitation Centre
4.	Kingston	Kingston & District Cerebral Palsy Council
5.	Kitchener	Kitchener-Waterloo Rotary Children's Centre
6.	London	London District Crippled Children's Treatment Centre
7.	Oshawa	Simcoe Hall Crippled Children's School and Medical Centre
8.	Ottawa	The Ottawa Crippled Children's Treatment Centre
9.	Ottawa	Rehabilitation Institute of Ottawa
10.	St. Catharines	Niagara Peninsula Crippled Children's Society
11.	Sarnia	The Lambton County Association for Cerebral Palsy

Item	Location	Name of Centre
12.	Sault Ste. Marie	Sault Ste. Marie Children's Rehabilitation Centre
13.	Sudbury	Sudbury & District Crippled Children's Treatment Centre
14.	Thunder Bay	The Lakehead Rehabilitation Centre
15.	Thunder Bay	Northwestern Ontario Crippled Children's Centre
16.	Toronto	The Canadian Arthritis and Rheumatism Society
17.	Toronto	Ontario Crippled Children's Centre
18.	Toronto	Toronto Rehabilitation Centre
19.	Windsor	Cerebral Palsy Association of Windsor and Essex County
20.	Windsor	Windsor Red Cross Society

O. Reg. 1/67, Sched. 11, Part II; O. Reg. 135/70, s. 5 (2).

PART III

Centres providing Speech Therapy:

Item	Location	Name of Centre
1.	Hamilton	Hamiton District Society for Crippled Children
2.	Kingston	Frontenac & District Rehabilitation Centre
3.	Kingston	Kingston & District Cerebral Palsy Council
4.	Kitchener	Kitchener-Waterloo Rotary Children's Centre
5.	London	London District Crippled Children's Treatment Centre
6.	Oshawa	Simcoe Hall Crippled Children's School and Medical Centre
7.	Ottawa	The Ottawa Crippled Children's Treatment Centre
8.	Ottawa	Rehabilitation Institute of Ottawa
9.	St. Catharines	Niagara Peninsula Crippled Children's Centre
10.	Sault Ste. Marie	Sault Ste. Marie Children's Rehabilitation Centre
11.	Sudbury	Sudbury & District Crippled Children's Treatment Centre
12.	Toronto	Ontario Crippled Children's Centre
13.	Toronto	Toronto Rehabilitation Centre
14.	Windsor	Cerebral Palsy Association of Windsor and Essex County
15.	Windsor	Remedial Speech Association of Essex County
16.	Windsor	Windsor Red Cross Society

O. Reg. 57/68, s. 4.

Schedule 12

CONTRACT AMBULANCE SERVICE OPERATORS

PART I

Hospital Ambulance Services:

Item	Location	Name of Operator
1.	Alexandria	Glengarry Memorial Hospital
2.	Alliston	The Stevenson Memorial Hospital
3.	Almonte	Almonte General Hospital
4.	Arnprior	Arnprior and District Memorial Hospital
5.	Atikokan	Atikokan General Hospital
6.	Barrie	The Royal Victoria Hospital of Barrie
7.	Beardmore	Red Cross Outpost
8.	Blind River	St. Joseph's General Hospital
9.	Bowmanville	Bowmanville Memorial Hospital
10.	Brampton	Peel Memorial Hospital
11.	Brockville	Brockville General Hospital
12.	Burk's Falls	Burk's Falls and District Red Cross Hospital
13.	Chapleau	The Lady Minto Hospital
14.	Chesley	Chesley and District Memorial Hospital
15.	Cochrane	The Lady Minto Hospital
16.	Dryden	Dryden District General Hospital
17.	Dunnville	Haldimand War Memorial Hospital
18.	Durham	Durham Memorial Hospital
19.	Elliot Lake	St. Joseph's General Hospital
20.	Englehart	Englehart and District Hospital
21.	Espanola	Espanola General Hospital
22.	Fergus	The Groves Memorial Community Hospital
23.	Fort Erie	Douglas Memorial Hospital

Item	Location	Name of Operator
24.	Fort Frances	LaVerendrye Hospital
25.	Galt	South Waterloo Memorial Hospital
26.	Goderich	Alexandra Marine and General Hospital
27.	Hagersville	West Haldimand General Hospital
28.	Hanover	Hanover Memorial Hospital
29.	Hearst	Notre-Dame Hospital
30.	Hornepayne	Hornepayne Community Hospital
31.	Huntsville	Huntsville District Memorial Hospital
32.	Ingersoll	Alexandra Hospital
33.	Iroquois Falls	Anson General Hospital
34.	Kapuskasing	Sensenbrenner Hospital
35.	Kemptville	Kemptville District Hospital
36.	Kenora	Lake of the Woods District Hospital
37.	Kincardine	Kincardine General Hospital
38.	Kingston	Hotel Dieu Hospital
39.	Kirkland Lake	Kirkland and District Hospital
40.	Kitchener	Kitchener-Waterloo Hospital
41.	Listowel	Listowel Memorial Hospital
42.	Little Current	St. Joseph's General Hospital
43.	Manitouwadge	Manitouwadge General Hospital
44.	Markdale	Centre Grey General Hospital
45.	Matheson	Bingham Memorial Hospital
46.	Mattawa	Mattawa General Hospital
47.	Meaford	Meaford General Hospital
48.	Milton	Milton and District Hospital
49.	Nipigon	Nipigon District Memorial Hospital
50.	North Bay	North Bay Civic Hospital
51.	Orangeville	Dufferin Area Hospital
52.	Owen Sound	Owen Sound General and Marine Hospital
53.	Paris	The Willett Hospital
54.	Parry Sound	The Parry Sound General Hospital
55.	Pembroke	Pembroke General Hospital
56.	Perth	The Great War Memorial Hospital of Perth District
57.	Peterborough	Peterborough Civic Hospital
58.	Renfrew	Renfrew Victoria Hospital
59.	Rainy River	Red Cross Outpost
60.	Richard's Landing	Red Cross Outpost
61.	St. Catharines	Hotel Dieu Hospital
62.	St. Marys	St. Marys Memorial Hospital
63.	Shelburne	Shelburne District Hospital
64.	Sioux Lookout	Sioux Lookout General Hospital
65.	Smooth Rock Falls	Smooth Rock Falls General Hospital
66.	Southampton	Saugeen Memorial Hospital
67.	Stratford	Stratford General Hospital
68.	Sturgeon Falls	St. Jean de Brebeuf Hospital
69.	Sudbury	Sudbury General Hospital
70.	Thessalon	Red Cross Outpost
71.	Thunder Bay	McKellar General Hospital
72.	Thunder Bay	St. Joseph's General Hospital
73.	Tillsonburg	Tillsonburg District Memorial Hospital
74.	Uxbridge	The Cottage Hospital (Uxbridge)
75.	Walkerton	County of Bruce General Hospital
76.	Wawa	The Lady Dunn General Hospital
77.	Wiarton	Bruce Peninsula and District Memorial Hospital
78.	Wingham	Wingham and District Hospital

PART II

Municipal Ambulance Services:

Item	Location	Name of Municipality
1.	Ancaster	Township of Ancaster
2.	Brantford	City of Brantford
3.	Georgetown	Georgetown Ambulance Service

Item	Location	Name of Municipality
4.	Haliburton	Township of Dysart et al
5.	Ignace	Township of Ignace
6.	Lindsay	Town of Lindsay
7.	Marathon	Improvement District of Marathon
8.	Minden	Minden Ambulance Service
9.	Oshawa	City of Oshawa
10.	Schreiber	Township of Schreiber
11.	Toronto	The Municipality of Metropolitan Toronto (Department of Emergency Services)
12.	Virginiatown	Township of McGarry
13.	Wasaga Beach	Village of Wasaga Beach Ambulance Service
14.	White River	Improvement District of White River

PART III

Private Ambulance Operators:

Item	Location	Name of Operator
1.	Agincourt	Ogden Ambulance Service
2.	Alexandria	Alexandria Ambulance Service (Marcoux)
3.	Alfred	Lamarre & Son Ambulance Service
4.	Alvinston	Black Ambulance Service
5.	Bancroft	Hattin's Ambulance Service
6.	Barry's Bay	Goulet Ambulance Service
7.	Beaverton	Bullock & Pinkham Ambulance Service
8.	Belle River	County Ambulance Service
9.	Belleville	City Ambulance Service
10.	Belleville	LaSalle Ambulance Service
11.	Bobcaygeon	Bobcaygeon Ambulance Service
12.	Bracebridge	Muskoka Ambulance Service
13.	Bradford	Lewis Ambulance Service
14.	Bridgen	Steadman's Ambulance Service
15.	Burlington	Green's Ambulance Service
16.	Carleton Place	Allan R. Barker Ambulance Service
17.	Casselman	Casselman Ambulance Service
18.	Chatham	Arbour's Chatham Ambulance
19.	Cobourg	Cobourg Ambulance Service
20.	Colborne	Rutherford's Ambulance Service
21.	Collingwood	McKechnie Ambulance Service
22.	Cornwall	Cornwall Exclusive Ambulance Service
23.	Dashwood	Hoffman's Ambulance Service
24.	Delhi	Murphy Ambulance Service
25.	Delhi	Shine Ambulance Service
26.	Drayton	North Wellington Ambulance Service
27.	Fenelon Falls	Fenelon Ambulance Service
28.	Finch	Brownlee Ambulance Service
29.	Fisherville	Yeates Ambulance Service
30.	Forest	Sarnia Ambulance Service
31.	Gananoque	Gananoque Provincial Ambulance Company
32.	Geraldton	Fawcett Ambulance Service
33.	Glencoe	Gough Ambulance Service
34.	Grimsby	West Lincoln Ambulance Service
35.	Guelph	Royal City Ambulance Service
36.	Haileybury	Buffam Ambulance Service
37.	Hamilton	Clark's Ambulance Service
38.	Hamilton	Cooke Ambulance Service
39.	Hamilton	Fleetwood Ambulance Service
40.	Hamilton	Superior Ambulance Service
41.	Harrow	Smith Ambulance Service
42.	Hawkesbury	Noel Ambulance Service
43.	Hawkesbury	Quenneville Ambulance Service
44.	Langton	Verhoeve Ambulance Service
45.	Leamington	Sunparlour Ambulance Service
46.	London	Thames Valley Ambulance Service
47.	Lucan	Lucan and District Ambulance Service

Item	Location	Name of Operator
48.	MacTier	Jordan's Ambulance Service
49.	Madoc	City Ambulance Service
50.	Markham	Vance Ambulance Service
51.	Midland	Midland Penetang Ambulance Service
52.	Mississauga	Fleuty Ambulance Service
53.	Morrisburg	Morrisburg Ambulance Service
54.	Mount Forest	Hiller Ambulance Service
55.	Napanee	City Ambulance Service
56.	Newmarket	Caryl Ambulance Service
57.	Niagara Falls	Hunt's Greater Niagara Ambulance Service
58.	Oakville	Alexander Ambulance Service
59.	Orillia	Orillia Ambulance Service
60.	Ottawa	Exclusive Ambulance Service
61.	Palmerston	Henderson's Ambulance Service
62.	Parham	Goodfellow Ambulance
63.	Parkhill	M. Box Ambulance Service
64.	Petawawa	Earl's Ambulance Service
65.	Petrolia	Jay's Ambulance Service
66.	Pickering	McEachnie Ambulance Service
67.	Picton	Bond's Ambulance Service
68.	Port Colborne	Port Colborne Ambulance Service
69.	Port Credit	Skinner & Middlebrook Ambulance Service
70.	Port Hope	Fawkes Ambulance Service
71.	Port Perry	Brignall's Ambulance Service
72.	Port Rowan	Clark Ambulance Service
73.	Prescott	Locke-Britnell Ambulance Service
74.	Richmond Hill	Scott's Ambulance Service
75.	Ridgeway	Nash Ambulance Service
76.	Rodney	Padfield Ambulance Service
77.	St. Thomas	Golden Acres Ambulance Services
78.	Sarnia	Sarnia Ambulance Service
79.	Sault Ste. Marie	Superior Ambulance Service
80.	Seaforth	R. S. Box Ambulance Service
81.	Simcoe	Green's Ambulance Service
82.	Smiths Falls	Smiths Falls & District Ambulance Service
83.	Smithville	Book's Ambulance Service
84.	South Porcupine	Tisdale-Whitney Ambulance Service
85.	Stayner	Foisie's Ambulance Service
86.	Stratford	Stratford Ambulance Service
87.	Strathroy	Denning Brothers Ambulance Service
88.	Streetsville	Lee Ambulance Service
89.	Sutton	Taylor Ambulance Service
90.	Tecumseh	Suburban Ambulance Service
91.	Thedford	Gilpin Ambulance Service
92.	Tilbury	Masse Ambulance Service
93.	Timmins	Timmins Ambulance Service
94.	Toronto	Bell Ambulance Service (Amalgamated)
95.	Toronto	Hallowell Ambulance Service
96.	Toronto	Kane Ambulance Service
97.	Toronto	Klink Ambulance Service Limited (Amalgamated)
98.	Toronto	Metro Ambulance Service
99.	Toronto	Reliable Ambulance Service Limited (Amalgamated)
100.	Toronto	Watson Ambulance Service
101.	Trenton	Rushnell's Ambulance Service
102.	Vanier	Twin City Ambulance Service
103.	Walford	Champagne's Ambulance Service
104.	Wallaceburg	Arbour's Chatham Ambulance Service
105.	Waterdown	Patton Ambulance Service
106.	Welland	Greater Welland Ambulance Service
107.	Whitby	Town Ambulance Service
108.	Winchester	Vice & Craig Ambulance Service
109.	Windsor	ABC Ambulance Service
110.	Woodbridge	Scott's Ambulance Service
111.	Woodstock	Woodstock Ambulance Service

Item	Location	Name of Operator
112.	Zurich	Westlake Ambulance Service

PART IV

Volunteer Ambulance Operators:

Item	Location	Name of Operator
1.	Amherstburg	Amherstburg, Anderdon, Malden, F.A. Squad
2.	Bolton	Bolton Volunteer Ambulance
3.	Gore Bay	Gore Bay Volunteer Ambulance Service
4.	Hastings	Hastings Ambulance Service
5.	Levack	Royal Canadian Legion Volunteer Ambulance Service-Branch 503
6.	Nestor Falls	Nestor Falls Volunteer Ambulance Service
7.	Niagara-on-the-Lake	Niagara Volunteer Ambulance Service
8.	Nobleton	Nobleton Firefighters & Ambulance Association
9.	Powassan	Powassan & District Volunteer Ambulance Service
10.	Seeley's Bay	Emergency Ambulance Service
11.	Sunderland	Sunderland & District Volunteer Ambulance Service

O. Reg. 370/70, s. 2.

REGULATION 444

under The Hospital Services Commission Act

INSURED SERVICES—COMMUNITY PSYCHIATRIC HOSPITALS

1. In this Regulation,

(*a*) "hospital" means a hospital established or approved under *The Community Psychiatric Hospitals Act*;

(*b*) "in-patient" means a person admitted to and assigned a bed in a hospital;

(*c*) "in-patient services" means all of the following services to an in-patient;

1. Accommodation and meals at the standard or public ward level.

2. Necessary nursing service provided and paid for by the hospital to meet the medical needs of a patient as determined by the attending physician.

3. Laboratory, radiological and other diagnostic procedures, together with the necessary interpretations for the purpose of maintaining health, preventing disease, and assisting in the diagnosis and treatment of any psychiatric disorder.

4. Drugs, biological and related preparations that are prescribed by an attending physician in accordance with accepted practice and sound teaching and administered in a hospital, but not including preparations sold under the *Proprietary or Patent Medicine Act* (Canada).

5. Use of treatment room and anaesthetic facilities, including necessary equipment and supplies.

6. Routine surgical supplies.

7. Use of occupational therapy and physiotherapy facilities where available.

8. Services rendered by persons who receive remuneration from the hospital to provide such services, including physicians;

(*d*) "insured person" means a person who is entitled to insured services under the plan for hospital care insurance established under the Act and who is admitted to a hospital;

(*e*) "insured services" means in-patient and out-patient services to which an insured person is entitled without charge under the plan of hospital care insurance established under the Act;

(*f*) "out-patient" means a person who receives out-patient services;

(*g*) "out-patient services" means all the following services provided to an out-patient by a hospital:

1. Laboratory, radiological and other diagnostic procedures, together with the necessary interpretations for the purpose of maintaining health, preventing disease, and assisting in the diagnosis of any psychiatric disorder.

2. Use of treatment room, and anaesthetic facilities, including necessary equipment and supplies.

3. Routine surgical supplies.

4. Use of occupational therapy and physiotherapy facilities where available.

5. Necessary nursing service and meals.

6. Services rendered by persons who receive remuneration from the hospital to provide such services, including physicians;

(*h*) "per-day rate" means the amount payable, as determined by the Minister, in respect of the provision of in-patient services by the hospital;

(*i*) "standard ward accommodation" means a bed in a hospital area designated by the hospital and approved by the Minister as standard or public ward accommodation. O. Reg. 268/66, s. 1, *revised*.

2. An insured person is entitled to receive insured services in a hospital without paying any charge to the hospital for such service. O. Reg. 268/66, s. 2.

3. An insured person is entitled to insured services only for the period of time following admission

during which such services are considered necessary by the attending physician. O. Reg. 268/66, s. 3.

4. The Minister may at any time and from time to time require a hospital to obtain from the insured person's attending physician and forward to him a written statement that the attending physician shall provide regarding the condition of the insured person and stating the reasons for the insured services provided during all or any part of his stay in hospital. O. Reg. 268/66, s. 4, *revised*.

5.—(1) A hospital may make a direct charge in respect of a patient who is an insured person only for the difference between,

(*a*) the per-day rate of providing insured services; and

(*b*) the hospital charges for private or semi-private accommodation and for any other services that are not insured services and that are requested by or on behalf of the patient.

(2) Where the attending physician certifies in writing that an insured person's condition is such that he requires immediate admission as an in-patient and standard ward accommodation is not available because all such accommodation is occupied, or where the attending physician certifies in writing that an insured person's condition is such that for his own well-being or the well-being of other patients it is necessary that he be supplied with private or semi-private accommodation, the hospital shall provide the insured person with private or semi-private accommodation and the Minister shall not pay the hospital more than the per-day rate.

(3) No hospital shall charge an insured person for any private or semi-private accommodation provided under subsection 2. O. Reg. 268/66, s. 5, *amended*.

6.—(1) The Minister shall determine the number of beds that a hospital shall provide for private or semi-private accommodation.

(2) The standard ward accommodation in a hospital shall be not less than 50 per cent of the total bed capacity of the hospital. O. Reg. 268/66, s. 6.

REGULATION 445

under The Hospital Services Commission Act

LOANS FOR RESIDENCES FOR STUDENT NURSES

1. In this Regulation,

(*a*) "approved cost" means the cost of,

(i) the construction of new buildings or the renovation of existing buildings to be used for a residence,

(ii) fees that are approved by the Commission and paid to an architect for his services and the services of his consulting engineers,

(iii) fees that are approved by the Commission for consultants, other than those paid through the architect,

(iv) necessary equipment and furnishings, including elevators and air-conditioning in areas of the residence approved by the Commission as requiring air-conditioning,

(v) land, demolition of existing buildings and other clearance of the site,

(vi) land surveys and soil tests,

(vii) necessary paving and sodding,

(viii) financing charges, and

(ix) working capital and preopening expenses,

but does not include the cost of,

(x) contingency allowances,

(xi) chapel furnishings,

(xii) landscaping, gardens, works of art, murals, busts, statues and similar decorations, or

(xiii) a swimming pool;

(*b*) "basic equipment" means all equipment approved by the Commission that is necessary and reasonable to enable a residence to commence its function as determined at the time of its completion and includes all such equipment that is installed and ready for use not later than twelve months from the date of completion of the residence;

(*c*) "renovation program" means a program to provide adequate accommodation as a residence in a building or buildings, or any parts thereof, that are obsolete or otherwise inadequate for the purposes of the residence;

(*d*) "residence" means living accommodation for student nurses; and

(*e*) "school" means a school for the education of registered nurses. O. Reg. 280/70, s. 1.

2.—(1) Where the contract for the construction or renovation program to provide a residence for a school was signed on or after the 1st day of April, 1970, the Commission may make a loan for the construction or renovation.

(2) A loan made under subsection 1 shall amount to the approved cost of the residence less the amount of any grants made under Regulation 727 of Revised Regulations of Ontario, 1970 and for new construction shall not exceed $7,000 per bed in the residence. O. Reg. 280/70, s. 2.

3. Where the actual cost of the construction or renovation program differs from the total approved cost as approved by the Commission, the Commission may make any adjustment in the amount of the loan that the Commission considers proper. O. Reg. 280/70, s. 3, *revised*.

4. Where the residence forms part of a building in which a school is located, or a school as defined in Regulation 442 of Revised Regulations of Ontario, 1970, the Commission shall apportion the approved cost between the residence and the school as the Commission considers proper. O. Reg. 280/70, s. 4, *revised*.

5.—(1) Before a loan is made to a school, the school, if it is incorporated, or the hospital that owns and operates the school, as the case may be, shall enter into an agreement with the Commission.

(2) The agreement may provide for the repayment of principal and interest by means of deductions made by the Commission from moneys payable from time to time by the Commission to the school or to the hospital, as the case may be.

(3) The agreement shall provide,

(*a*) the term of the loan, which shall not exceed twenty-five years;

(*b*) the rate of interest on the loan, which shall be the same rate of interest as that charged by the Central Mortgage and Housing Corporation for student housing loans at the time the agreement is signed;

(*c*) for payments of principal and interest to be made monthly; and

(*d*) for the payment at any time, at the option of the school, if it is incorporated, or of the hospital that owns and operates the school, as the case may be, of earned interest and the accelerated repayment of principal, in all or in part, without notice or bonus. O. Reg. 280/70, s. 5.

6. The loan shall be paid to the school, if it is incorporated, or to the hospital that owns and operates the school, as the case may be, in instalments as follows:

1. One-fifth when the Commission has given final approval to the construction of new buildings or to a renovation program.
2. One-tenth when one-eighth of the work is completed.
3. One-tenth when one-quarter of the work is completed.
4. One-tenth when three-eighths of the work is completed.
5. One-tenth when one-half of the work is completed.
6. One-tenth when five-eighths of the work is completed.
7. One-tenth when three-quarters of the work is completed.
8. One-tenth when seven-eighths of the work is completed.
9. The balance when the approved construction of new buildings or renovation program is completed and the buildings and facilities are furnished, equipped and ready to accommodate students. O. Reg. 280/70, s. 6.

REGULATION 446

under The Hospital Services Commission Act

NURSING HOMES FOR CHRONIC CARE

INTERPRETATION

1. In this Regulation,

(*a*) "attending physician" means a legally qualified medical practitioner who attends an in-patient in a nursing home approved for chronic care;

(*b*) "in-patient" means an in-patient as defined in Regulation 443 of Revised Regulations of Ontario, 1970;

(*c*) "insured services" means in-patient services as defined in Regulation 443 of Revised Regulations of Ontario, 1970;

(*d*) "insured services" means in-patient services as defined in Regulation 443 of Revised Regulations of Ontario, 1970;

(*e*) "nursing home approved for chronic care" means a nursing home for the provision of care to chronically ill patients that is approved by the Commission under subsection 4 of section 39 of Regulation 443 of Revised Regulations of Ontario, 1970;

(*f*) "prescribed form" means the form prescribed by the Commission for the purpose;

(*g*) "standard ward accommodation" means standard ward accommodation as defined in Regulation 443 of Revised Regulations of Ontario, 1970;

(*h*) "supervisor" means the person who has for the time being the direct and actual supervision and control of the nursing care and treatment provided to in-patients in a nursing home approved for chronic care. R.R.O. 1960, Reg. 239, s. 1.

APPROVALS

2.—(1) The Commission shall not approve a nursing home as a nursing home approved for chronic care unless,

(*a*) the home, its location with regard to neighbouring premises and its staff, physical plant, furnishings, facilities and equipment are suitable for the purpose;

(*b*) the Commission is satisfied as to the character and fitness of the supervisor and as to the character of the owner;

(*c*) in the opinion of the Commission there is a need for accommodation for chronically ill in-patients in the area served by the nursing home for which approval is sought; and

(*d*) in the opinion of the Commission the granting of approval is in the best interests of the plan for hospital care insurance and the long-range development of a balanced and integrated system of hospitals and related health facilities in Ontario.

(2) A nursing home mentioned in subsection 1 that does not have the facilities for providing the services listed in paragraphs 3 and 4 of clause *h* of subsection 3 of section 1 of Regulation 443 of Revised Regulations of Ontario, 1970 shall make an arrangement, acceptable to the Commission, for the provision of those services to an insured person by or in a hospital.

(3) Every application for approval as a nursing home approved for chronic care shall be made in writing to the Commission in the prescribed form.

(4) Where the Commission approves an application, it shall issue a certificate of approval in the prescribed form. R.R.O. 1960, Reg. 239, s. 2.

3. The standard ward accommodation in a nursing home approved for chronic care shall be not less than such percentage of the total bed capacity of that nursing home as is determined from time to time by the Commission. R.R.O. 1960, Reg. 239, s. 3.

4.—(1) Every nursing home approved for chronic care shall submit to the Commission for its approval any publication, writing, advertising or other material including any letterheads or cards, that is intended or is likely to attract the attention of the public, and the Commission may refuse to approve any material that, in its opinion, is not in the interest of the public.

(2) Any publication, writing, advertising or other material that the Commission refuses to approve under subsection 1 shall not be put to use by the nursing home. R.R.O. 1960, Reg. 239, s. 4.

5.—(1) If, in the opinion of the Commission, the need for accommodation for chronically ill in-

patients still exists in the area served by the nursing home approved for chronic care, and if a standard of patient care and cleanliness acceptable to the Commission is being maintained in the nursing home, the Commission may extend the approval for a further period.

(2) Where an application for the extension of an approval is made, the application shall be made before the 1st day of June in the year in which the approval expires. R.R.O. 1960, Reg. 239. s. 5.

6.—(1) Where the office of supervisor of a nursing home approved for chronic care changes hands, or if the ownership changes hands other than by transmission to the executors or administrators of a deceased owner, the approval lapses unless it is confirmed by the Commission upon application therefor in the prescribed form.

(2) The Commission may refuse to confirm an approval for any grounds upon which an application for approval may be refused under clause *b* of subsection 1 of section 2. R.R.O. 1960, Reg. 239, s. 6.

ADMISSION AND DISCHARGE OF PATIENTS

7. Nursing homes approved for chronic care shall provide insured services to insured persons admitted as in-patients in accordance with this Regulation. R.R.O. 1960, Reg. 239, s. 7.

8. Each nursing home approved for chronic care shall make such reports and returns to the Commission in the prescribed form as are required by the Commission concerning insured persons and insured services provided to insured persons. R.R.O. 1960, Reg. 239, s. 8.

9.—(1) An insured person may be admitted to a nursing home approved for chronic care only on an order signed by a legally qualified medical practitioner, written in the prescribed form, which shall include,

(*a*) the certificate of the medical practitioner that the insured person is chronically ill and the diagnosis of the illness; and

(*b*) the medical practitioner's opinion that it is medically necessary for the insured person to be admitted as an in-patient for chronic care.

(2) The form mentioned in subsection 1 shall be delivered to the supervisor of the nursing home before or at the time of the patient's admission to the nursing home.

(3) The supervisor shall retain the form as a part of the medical case record of the insured person.

(4) A nursing home approved for chronic care shall not admit an insured person without the form mentioned in subsection 1. R.R.O. 1960, Reg. 239, s. 9.

10.—(1) When an insured person is admitted to a nursing home approved for chronic care, he shall give the name and address of a relative or friend to be notified under subsection 2.

(2) The attending physician shall notify the supervisor when he believes that the relative or friend should be present at the nursing home with a patient, and the supervisor shall forthwith so notify the relative or friend. R.R.O. 1960, Reg. 239, s. 10.

11. A nursing home approved for chronic care shall not admit more in-patients than the number for which it is approved. R.R.O. 1960, Reg. 239, s. 11.

12.—(1) As soon as the attending physician is of the opinion that an insured person under his care no longer requires to remain for medical reasons in the nursing home approved for chronic care, the physician shall order the patient to be discharged from the nursing home forthwith.

(2) An insured person shall be deemed to be discharged when the attending physician writes the order under subsection 1 and communicates it to the patient. R.R.O. 1960, Reg. 239, s. 12.

STAFF

13.—(1) Every nursing home approved for chronic care shall have at all times a supervisor who is registered under *The Nurses Act* or a person whose qualifications are acceptable to the Commission.

(2) The staff of a nursing home approved for chronic care shall consist of such nurses, servants and other employees as are necessary, in the opinion of the Commission, to give adequate nursing care to the number of in-patients for which it is approved. R.R.O. 1960, Reg. 239, s. 13, *revised*.

REGISTER OF PATIENTS

14.—(1) A nursing home approved for chronic care shall keep a register of patients in a bound book.

(2) When a patient is admitted to a nursing home approved for chronic care, the patient shall be assigned a register number and the following information shall be entered in the register:

1. Register number.
2. Name.
3. Address.

4. Age.

5. Sex.

6. Attending physician.

7. Admission diagnosis.

8. Date of admission.

9. Date of discharge, transfer to another institution or death.

(3) The register number shall be issued by,

(*a*) assigning the number "one" to the first patient admitted in the year and thereafter assigning numbers in order of admission; and

(*b*) adding after the number given in clause *a* a virgule and the last two digits of the number of the year in which the register number was issued. R.R.O. 1960, Reg. 239, s. 14, *amended*.

15.—(1) An in-patient shall retain the same register number until he is discharged from the nursing home for chronic care.

(2) All records relating to the patient shall bear the register number. R.R.O. 1960, Reg. 239, s. 15.

ORDERS FOR TREATMENT

16.—(1) All orders for treatment shall be,

(*a*) in writing,

(i) on a paper attached to the medical record of the patient, or

(ii) in a book designated for physician's orders; and

(*b*) dated and signed by an attending physician or a medical practitioner authorized by him,

but an attending physician or a medical practitioner authorized by him may dictate by telephone orders for treatment to the supervisor or to a registered nurse designated by the supervisor.

(2) The person to whom the order has been dictated shall transcribe and sign it and endorse thereon the name of the medical practitioner and the date and time of receiving the order.

(3) When a medical practitioner has dictated an order by telephone, he shall sign the order on his first visit to the nursing home thereafter. R.R.O. 1960, Reg. 239, s. 16.

CASE RECORDS

17.—(1) A nursing home approved for chronic care shall maintain a medical case record for each insured person who is an in-patient and the case record shall include,

(*a*) identification;

(*b*) the admitting physician's admission order, certificate and diagnosis;

(*c*) orders of the attending physician for treatment;

(*d*) progress notes;

(*e*) reports of any laboratory or other examinations performed on or for the patient;

(*f*) final diagnosis if the patient is discharged;

(*g*) if the patient died in the nursing home, a copy of the death certificate; and

(*h*) a note indicating where the report of a *post mortem* examination is filed if such an examination was made on the body of the patient.

(2) A person who makes any part of a record listed under subsection 1 shall deliver that part to the supervisor. R.R.O. 1960, Reg. 239, s. 17.

18.—(1) The supervisor is responsible for the safekeeping of all medical case records relating to insured persons who are or have been in-patients in the nursing home approved for chronic care.

(2) The medical case record of an insured person shall be retained by the nursing home for at least four years after the date of discharge of the person from the nursing home or of his death in the nursing home, as the case may be. R.R.O. 1960, Reg. 239, s. 18.

19. When a patient dies, the attending physician shall complete the prescribed form of death certificate and shall deliver a copy of it to the supervisor for the medical record of the patient. R.R.O. 1960, Reg. 239, s. 19.

20. When a medical practitioner performs a *post mortem* examination on the body of a patient who dies in a nursing home, he shall make and sign a report of the examination and inform the supervisor where the report is filed. R.R.O. 1960, Reg. 239, s. 20.

21.—(1) Subject to subsections 2 and 3, the owner or the supervisor shall not permit any person to remove, inspect or receive information from the medical record of an in-patient.

(2) Subsection 1 does not apply to,

(*a*) a person with a process issued out of an Ontario court ordering the removal, the inspection of or the receipt of information from a medical record; or

(*b*) a person authorized under clause *k* of subsection 1 of section 14 of the Act.

(3) The owner or supervisor may permit,

(*a*) the attending physician of a patient;

(*b*) the superintendent of a hospital who makes a written request;

(*c*) a person who presents a written request signed by,

(i) the patient, or

(ii) the personal representative of a former patient, deceased;

(*d*) a person with a written direction from the Deputy Minister of Veterans Affairs (Canada) or some person designated by him when the patient is a member or ex-member of the Canadian Armed Forces; or

(*e*) the Director of the Research and Planning Branch of the Department of Health,

to inspect and obtain information from a medical record. R.R.O. 1960, Reg. 239, s. 21, *revised*.

REGULATION 447

under The Hospital Services Commission Act

PREMIUM RATES

1.—(1) The premium rate payable by a single person is $5.50 for a benefit period of one month.

(2) The premium rate payable by a person with one or more dependants is $11.00 for a benefit period of one month.

(3) The premium rate in the case of dependants of a member of the Royal Canadian Mounted Police or of the regular forces of the Canadian Armed Forces,

(*a*) having one dependant of which the Commission is notified, is $5,500; and

(*b*) having two or more dependants of which the Commission is notified, is $8.80,

for a benefit period of one month.

(4) No premium is payable by a member of the Royal Canadian Mounted Police or of the regular forces of the Canadian Armed Forces otherwise than as provided in subsection 3.

(5) No person shall pay or have paid on his behalf the prescribed premium more than once for the same benefit period.

(6) A premium payable in respect of a benefit period shall be paid upon the due date as determined by the Board. O. Reg. 273/68, s. 1.

REGULATION 448

under The Hotel Fire Safety Act

GENERAL

DRAWINGS AND SPECIFICATIONS

1. No person shall construct, alter or remodel an hotel or an addition to an hotel that is licensed under *The Liquor Licence Act* until complete drawings and specifications thereof have been submitted to the Fire Marshall for review and approval. O. Reg. 249/66, s. 1.

CONSTRUCTION REQUIREMENTS

2.—(1) Doors of rooms used for sleeping accommodation in an hotel shall be of solid wood core construction of 1¾ inches thickness or such other construction as may be approved by the Fire Marshal and no such door shall be undercut more than three-eights of an inch.

(2) No transom or grille shall be installed in or over any door mentioned in subsection 1. O. Reg. 249/66, s. 2.

3.—(1) Subject to subsection 2, every fuel-fired heating applicance or incinerator in an hotel shall be installed in a boiler or furnace room.

(2) Where,

(*a*) an hotel is not more than two storeys in height;

(*b*) each individual room in the hotel is separated from other rooms and corridors by walls and ceilings of incombustible material; and

(*c*) each individual room has direct access to the outdoors,

a sealed combustion chamber heating applicance may be installed in each room. O. Reg. 249/66, s. 3.

4.—(1) Every kitchen in an hotel used in conjunction with a dining room capable of serving more than ten persons shall be separated from the remainder of the hotel by walls of fire-resistive construction.

(2) Where a kitchen in an hotel is connected to an adjacent dining area by means of a pass-through opening, the kitchen and dining area shall be of fire-resistive construction or the pass-through opening shall be protected by a fire door. O. Reg. 249/66, s. 4.

MEANS OF EGRESS

5.—(1) Every means of egress from an hotel shall be constructed so that,

(*a*) it is possible to travel in two directions from any exit from any room or floor area greater than 1,000 square feet in area; and

(*b*) no person is required to travel more than 100 feet from any location in a corridor to an exit.

(2) Every room or floor area greater than 1,000 square feet in area shall have not less than two well-separated exits.

(3) No hotel shall contain any type of construction that creates the appearance of a door or exit where no door or exit exists.

(4) No cupboard shall be constructed under a stairway in an hotel and no space under a stairway shall be used for storage purposes. O. Reg. 249/66, s. 5.

EXTERIOR STAIRWAYS

6.—(1) Every exterior stairway of an hotel shall be,

(*a*) constructed in a strong substantial manner of metal or concrete; and

(*b*) securely fixed to the hotel,

but an exterior stairway that serves only the second storey of an hotel of wood-frame construction may be constructed of wood if,

(*c*) all posts or brackets are not less than four inches in their least nominal dimension; and

(*d*) all other woodwork is not less than two inches in its least nominal dimension.

(2) Stairway headroom shall be not less than six feet four inches plus the height of one riser measured vertically above the nosing of any tread or platform.

(3) Subject to section 3 of the Act, the exposed sides of every exterior stairway, landing runway extending above the third storey level shall be continuously enclosed by a screen,

(*a*) composed of a number twelve gauge or heavier galvanized wire having a chain link or diamond mesh of not more than two inches; and

(*b*) fastened to a substantial metal frame extending from two inches above the stringer and landing to a height of not less than six feet above the tread nosing and the landing floor.

(4) Every balustrade and screen enclosure shall be so constructed that no obstruction interferes with the full use of handrails. O. Reg. 249/66, s. 6.

FIRE ALARMS

7.—(1) Every fire alarm system in an hotel shall be a closed circuit, electrically supervised system having components that have been tested and listed by the Underwriters' Laboratories of Canada or the Canadian Standards Association Testing Laboratories.

(2) Every component in a fire alarm system shall be compatible with the other components in the system according to their listing.

(3) A fire alarm station shall be installed at the telephone switchboard or such other location as may be approved by the Fire Marshal and on all floor levels,

(*a*) at every stairwell; and

(*b*) at every exit to the outdoors,

(i) from a corridor or lobby, and

(ii) from a room that may be occupied by more than sixty persons.

(4) Notwithstanding subsection 3, no manual fire alarm station is required to be closer than thirty feet to any other manual fire alarm station on the same floor level.

(5) Heat actuated detectors shall be installed according to their listing in all areas in an hotel except corridors and washrooms, and for the purposes of this Regulation sprinkler heads may be considered heat actuated detectors.

(6) A fire alarm sounding device shall have a sound that is readily distinguisable from any other sounding device used in the hotel.

(7) An annunciator panel shall be installed at the telephone switchboard or such other location as may be approved by the Fire Marshal in every hotel that is four or more storeys in height or that has a total floor area of more than 40,000 square feet.

(8) Every fire alarm system shall be provided with two independent sources of power and every battery used in a fire alarm system shall be rechargeable.

(9) Power for the fire alarm system shall be taken directly from the line side of the service after transformation and no power for the system shall be taken from secondary distribution panels or lighting panels.

(10) Every fire alarm system shall be equipped with separate circuit breakers or fused switches that serve only the fire alarm system.

(11) Every fire alarm panel shall be equipped with a glowing light that ceases to glow when the system is shut off.

(12) A trouble bell shall be installed in every hotel office.

(13) Every sprinkler system installed in an hotel shall be supervised by the fire alarm system.

(14) No heat actuated detector or sprinkler head shall be painted. O. Reg. 249/66, s. 7.

FIRE PROTECTION EQUIPMENT

8.—(1) Where a hose is permanently attached to a standpipe in an hotel, the hose,

(*a*) shall be not more than seventy-five feet in length and shall have a diameter of not less than 1½ inches; and

(*b*) shall be installed in a fire hose cabinet so located in every storey that all parts of the hotel are protected.

(2) The doors of every fire hose cabinet shall,

(*a*) have a clear glass panel or be conspicuously marked "Fire Hose";

(*b*) be free of any lock; and

(*c*) be constructed to open easily.

(3) Every hose shall be provided with a combination straight stream and fog nozzle.

(4) Every standpipe riser shall have a diameter of at least 2½ inches. O. Reg. 249/66, s. 8.

9.—(1) Where water-type fire extinguishers are installed in an hotel, each extinguisher shall have a capacity of not less than two Imperial gallons, and at least one extinguisher shall be provided,

(*a*) in every room having an area in excess of 2,500 square feet;

(*b*) within 100 feet of travel of every location in a corridor;

(*c*) in every stage area;

(*d*) in every woodworking or carpentry shop; and

(*e*) in every room enclosing a solid fuel-fired heating appliance.

(2) Where fire protection equipment is provided for,

(*a*) a shop;

(*b*) a mechanical room;

(*c*) an electrical room;

(*d*) a kitchen;

(*e*) a laundry; or

(*f*) a boiler room in which other than fuel-fired appliances are used,

each such room or area shall be provided with a fire extinguisher rated at least 8-B, C. by the Underwriters' Laboratories of Canada.

(3) No vaporizing liquid fire extinguisher shall be installed in an hotel. O. Reg. 249/66, s. 9.

10.—(1) No corridor space between the floor or ceiling in an hotel shall be used as a plenum to exhaust air from an enclosed room.

(2) No duct from a hot air heating system or a ventilating system shall consist of combustible material or be lined on the inside or outside with combustible material.

(3) No stairway enclosure shall be breached by ducts.

(4) Every exhaust system, including kitchen hoods, that exhausts or is likely to exhaust flammable vapours shall be separate from any other ventilation system and ducts and enclosed in shafts of fire-resistive construction.

(5) Where the space above a dropped corridor ceiling might be used as part of a ventilation system, the space shall be enclosed in air-tight, incombustible construction and the suspended ceiling shall not be considered as protection for any structural member supporting a floor or roof above the ceiling space.

(6) Ducts shall be equipped with automatic fire dampers where they breach a fire-wall, boiler room, kitchen or floor but fire dampers are not required in any branch duct having a cross-section area of less than thirty square inches or in any kitchen hood duct that breaches a shaft of fire-resistive construction. O. Reg. 249/66, s. 10.

11. Exhaust and supply fans in a ventilation system in an hotel shall be so designed that they shut down automatically when the fire alarm system is actuated. O. Reg. 249/66, s. 11.

PLACES OF PUBLIC ASSEMBLY

12.—(1) Subject to subsection 3, not more persons than the maximum capacity of a place of public assembly in an hotel determined on the basis of,

(*a*) one person for each eight square feet of floor area where rows of movable seats are used;

(*b*) one person for each twelve square feet of floor area in a lounge or public house licensed under *The Liquor Licence Act;*

(*c*) one person for each fifteen square feet of floor area where tables with chairs are used; and

(*d*) one person for each fifteen feet of floor area where dancing is permitted,

shall be permitted at any time in such place of public assembly.

(2) For the purposes of subsection 1, the floor area of any,

(*a*) platform;

(*b*) stage;

(*c*) washroom;

(*d*) kitchen;

(*e*) cloakroom;

(*f*) hallway;

(*g*) entrance;

(*h*) stairway or stairwell; or

(*i*) other room or area,

that is adjacent to or used in connection with a place of public assembly shall not be included in computing the floor area of the place of public assembly.

(3) No person employed in or on any of the floor areas mentioned in subsection 2 shall be included in determining the number of persons that are present in a place of public assembly at any time. O. Reg. 249/66, s. 12.

13.—(1) Every exit from a place of public assembly in an hotel that contains rows of movable seats shall be accessible from any row by aisles.

(2) No centre seating section in a place of public assembly that contains rows of movable seats shall have more than sixteen seats in a row and no seating section running to a side wall shall have more than eight seats in a row.

(3) Where an exit is located at the side of a place of public assembly that contains rows of movable seats or movable chairs and tables, a cross aisle that affords access to such exit shall be provided.

(4) The minimum width of any aisle in a place of public assembly that contains rows of movable seats shall be forty-four inches.

(5) Where the floor in a balcony or gallery is arranged as steps, movable seats shall not be permitted on any step that is less than seven feet in width.

(6) Where the floor in a balcony or gallery is arranged as steps and a riser of a step exceeds eight inches, the side of such step adjacent to the step or floor below shall be protected by a fixed guard or balustrade that is not less than three feet in height.

(7) No person shall,

(*a*) stand in the aisles; or

(*b*) place additional seats, chairs or tables,

in a place of public assembly in such a manner that the minimum aisle space required by this Regulation is reduced. O. Reg. 249/66, s. 13.

EXITS FROM A PLACE OF PUBLIC ASSEMBLY

14.—(1) Every place of public assembly in an hotel shall be provided with not less than,

(*a*) two independent, well-separated exits when its maximum capacity is more than sixty persons;

(*b*) three independent, well-separated exits when its maximum capacity is more than 600 persons; and

(*c*) four independent, well-separated exits when its maximum capacity is more than 1,000 persons.

(2) The distance to any exit from any point in the floor area of a place of public assembly shall not exceed 100 feet, measured along the line of exit travel, but where this is not practicable because of the size of the place of public assembly, exits shall be provided at intervals not more than 200 feet apart, measured along the perimeter of the place of public assembly.

(3) Every exit from a place of public assembly shall have a width of not less than three feet.

(4) Where the maximum capacity of a place of public assembly exceeds 180 persons, additional exit width shall be provided on the basis of not less than one unit of exit width for every sixty persons or fraction thereof in excess of 180 persons.

(5) In subsection 4, a "unit of exit width" means an exit width of twenty-two inches and twelve or more inches of width added to one or more units of exit width is considered to be half a unit.

(6) Every balcony or gallery in a place of public assembly shall have not less than two independent exits to the outdoors or to the main floor of the place of public assembly.

(7) Where two or more exits are required for a place of public assembly, the exits shall be constructed so that the total exit width is not reduced by more than fifty per cent where an exit becomes inaccessible.

(8) Every rug, carpet or other floor covering shall be secured and maintained so that it does not crease or wrinkle or in any way impede egress from the place of public assembly.

(9) Every mat located at the entrance to a place of public assembly shall be level with the floor or shall have chamfered or bevelled edges. O. Reg. 249/66, s. 14.

EXIT DOORS AND STAIRWAYS FROM A PLACE OF PUBLIC ASSEMBLY

15. Every exit door from a place of public assembly in an hotel including the main entrance door shall be equipped with panic-type hardware that enables a person to open the door by application from the inside of downward pressure, but such hardware is not required on a door that opens readily and is not equipped with a lock or latching device. O. Reg. 249/66, s. 15.

16.—(1) The width of every exit stairway from a place of public assembly in an hotel shall be not less than the width of the exit or exit leading to it and the treads on such stairway shall be of a material that prevents slipping.

(2) Where, in a place of public assembly, the difference in floor levels or the height of any exit door from ground level is not more than ten feet, an inclined ramp may be permitted in lieu of a stairway if such ramp does not have an incline greater than one foot for each ten feet of ramp.

(3) Every stairway enclosure from a place of public assembly shall be so constructed that a person may reach an exit door without leaving the stairway enclosure. O. Reg. 249/66, s. 16.

17. When a place of public assembly in an hotel is in use, every stairway and passageway used in connection therewith shall be adequately lighted and every source of light that is within seven feet of the level of the floor shall be protected with a metal guard sufficient to prevent breakage or removal. O. Reg. 249/66, s. 17.

DECORATIONS IN PLACES OF PUBLIC ASSEMBLY

18.—(1) No decoration, drape, curtain or stage property made from cloth, paper or other flammable material shall be present in a place of public assembly in an hotel unless such material is treated with a flame retardant and the treatment is repeated at least once every year.

(2) Notwithstanding that a decoration made from flammable material is treated with a flame retardant, no such decoration shall be placed on an electric fixture or within three feet of an electric light or any stove or heating appliance or any pipe used in connection therewith. O. Reg. 249/66, s. 18.

HOUSEKEEPING

19.—(1) Every hotel shall be kept clean and free of rubbish or other debris.

(2) Containers constructed of incombustible material and having self-closing covers shall be provided at convenient places throughout every hotel for the deposit of used paper towels, rubbish or other debris.

(3) The contents of containers mentioned in subsection 2 shall be removed from the hotel at least once every twenty-four hours. O. Reg. 249/66, s. 19.

FIRE-FIGHTING TRAINING

20. Training in fire-fighting provided for hotel employees shall include,

(*a*) the method to be used in sounding a fire alarm;

(*b*) the procedure to be followed to evacuate occupants of the hotel when a fire alarm is sounded; and

(*c*) the use and maintenance of fire fighting equipment, including portable fire extinguishers and standpipe hose. O. Reg. 249/66, s. 20.

REGULATION 449

under The Hunter Damage Compensation Act

GENERAL

1. In this Regulation "owner" means a person who would have a cause of action against a hunter in respect of the death of or injury to live stock, or damage to a class of property designated in section 5. O. Reg. 190/63, s. 1.

2.—(1) Where an owner of live stock or of a class of property designated in section 5 discovers that any of his live stock has been killed or injured or a class of property designated in section 5 has been damaged, and to the best of his knowledge and belief such killing, injury or damage has been occasioned by a hunter, he shall immediately notify a valuer for the county or district, or as the case may be, in which he resides, and such valuer shall immediately make a full investigation. O. Reg. 190/63, s. 2 (1), *amended*.

(2) The owner of the live stock or of a class of property designated in section 5 shall complete an application in Form 1 and shall deliver it to the valuer on or before the completion of the investigation. O. Reg. 190/63, s. 2 (2).

3. Where an owner of live stock discovers that any of his live stock has been killed, he shall retain the carcass thereof until such time as is required by the valuer to make his investigation. O. Reg. 190/63, s. 3.

4. The valuer shall, within ten days after the completion of his investigation, prepare a report in Form 2 in quadruplicate and shall,

(*a*) send the original and one copy, together with the application of the owner in Form 1, to the Live Stock Commissioner, Department of Agriculture and Food, Parliament Buildings, Toronto;

(*b*) send one copy of the report to the owner of live stock or other property; and

(*c*) retain one copy of the report for his records. O. Reg. 190/63, s. 4. *amended*.

5. Farm machinery is designated a class of property to which section 3 of the Act applies. O. Reg. 190/63, s. 5.

Form 1

The Hunter Damage Compensation Act

APPLICATION FOR COMPENSATION

I, ...
(name of applicant)

of .....
(address)

apply to the Minister of Agriculture and Food for compensation as determined under *The Hunter Damage Compensation Act*, and the regulations, and in support of this application declare as follows:

*1. That on the .....day of....., 19..,

at .....
(lot, concession, township, county, etc. or district)

I discovered that:

(*a*) death or injury to .....
(description of live stock)

and/or

(*b*) damage to .....
(description of property other than live stock)

had been occasioned.

*2. That I am the owner of such live stock and/or other property described in paragraph 1.

*3. That such live stock and/or other property is (is not) insured.

*4. That I verily believe that such death, injury or damage was occasioned by a hunter: (Here state reasons for belief. If space not sufficient, attach

separate sheet).....

.....

*5. That I verily believe that the hunter was.....

.....
(name and address of hunter(s))

(Here state reasons for belief. If space not sufficient, attach separate sheet.)

.....

.....

*6. That the identity of the hunter is unknown to me.

I certify that the foregoing information is true.

.....
(signature of applicant)

*Strike out words and paragraphs not applicable.

Dated at , this day of , 19 .

O. Reg. 190/63, Form 1.

Form 2

The Hunter Damage Compensation Act

REPORT OF VALUER

1. Name of Valuer.....

2. Address of Valuer.....
(town, township, village, county, etc.)

3. Name of Owner.....

4. Date and place of investigation.....

.....

5. Details of investigation (nature of damage, type of property, etc.).....

.....

(if space not sufficient, attach separate sheet)

6. Estimated market value of live stock immediately prior to injury or death, or other property immediately prior to damage $.....

7. Estimated salvage value (if any) $.....

8. Amount of compensation recommended.....

9. Other remarks.....

.....

.....
(signature of valuer)

Dated at , this day of , 19 .

O. Reg. 190/63, Form 2.

REGULATION 450

under The Hypnosis Act

APPLICATION OF SECTION 2 OF ACT

1. In addition to the persons mentioned in section 3 of the Act, section 2 of the Act does not apply to a person,

(*a*) who has practised hypnosis for a period of five years before the 1st day of January, 1961;

(*b*) who has earned an average of $2500 a year from the performance of hypnosis during the five-year period; and

(*c*) who does not perform hypnosis,

(i) for the purpose of providing public entertainment, or

(ii) in the practice of medicine or of dentistry. O. Reg. 353/61, s. 1.

REGULATION 451

under The Income Tax Act

CANADIAN ARMED FORCES

1.—(1) In this Regulation,

(*a*) "Federal Regulations" means the Income Tax Regulations made under the *Income Tax Act* (Canada) by virtue of the powers conferred by section 117 thereof;

(*b*) "income earned in the taxation year in Ontario from civilian sources" means income earned in the taxation year in Ontario from sources other than employment as a member of the Canadian Forces as defined in clause *a* of subsection 3 of section 4 of the Act;

(*c*) "income from civilian sources" means income from sources other than employment as a member of the Canadian Forces;

(*d*) "individual" means an individual who, during a taxation year, was a member of the Canadian Forces;

(*e*) "member of the Canadian Forces" means a member as defined for the purposes of Part XXIII of the Federal Regulations;

(*f*) "pay officer" means a pay officer as defined for the purposes of Part XXIII of the Federal Regulations;

(*g*) "provincial taxation month in the case of the individual" means a taxation month on the first day of which the individual performed his normal duties as a member of the Canadian Forces (or would have performed his normal duties as a member of the Canadian Forces if he was not on temporary duty or temporary attachment) at a place located in Ontario or on board a seagoing ship the home port of which is located in Ontario;

(*h*) "taxation month" means a taxation month as defined for the purposes of Part XXIII of the Federal Regulations;

(*i*) "taxation year" means a calendar year.

(2) In this Regulation, a reference to,

(*a*) the amount of taxable service income for a taxation month of an individual means the amount of taxable service income for a taxation month of the individual as a member of the Canadian Forces as defined in subsection (2) of section 2302 of the Federal Regulations;

(*b*) a taxable amount to which an individual becomes entitled in a taxation month means an amount that is referred to in section 2307 of the Federal Regulations as a taxable amount; and

(*c*) a single payment deemed to have been paid to an individual in his last taxation month as a member of the Canadian Forces means a single payment made to the individual on his ceasing to be a member of the Canadian Forces that is, by virtue of section 2308 of the Federal Regulations, deemed to have been made to the individual in his last taxation month of the taxation year in which he ceased to be a member of the Canadian Forces. O. Reg. 33/63, s. 1, *amended*.

2. The amount of tax payable for a taxation year by an individual is an amount equal to the sum of,

(*a*) the amount of tax payable for the taxation year by the individual on income from employment as a member of the Canadian Forces, as defined in section 3; and

(*b*) the amount of tax payable for the taxation year by the individual on income from civilian sources, as defined in section 7. O. Reg. 33/63, s. 2.

3.—(1) The amount of tax payable for a taxation year on income from employment as a member of the Canadian Forces by an individual is an amount equal to the sum of,

(*a*) the amount of tax payable for a taxation month by the individual, as defined in subsection 2, in respect of each taxation month in the taxation year that is a provincial taxation month in the case of the individual; and

(*b*) the amount of tax payable by the individual on a single payment deemed to have been made to him in his last taxation month as a member of the Canadian Forces if that taxation month is in the taxation year and is provincial taxation month in the case of the individual.

(2) The amount of tax payable for a taxation month by an individual is an amount equal to the sum of,

(*a*) the amount of tax payable by the individual on the amount of his taxable service income for a taxation month, determined at the time

and in the manner provided in subsection 3 or as redetermined at the time and in the manner provided in subsection 4; and

(*b*) the amount of tax payable by the individual on a taxable amount to which he becomes entitled in a taxation month, if any, determined at the time and in the manner provided in subsection 5.

(3) Subject to subsection 4, the amount of tax payable by an individual on the amount of his taxable service income for a taxation month shall be determined at the time he becomes entitled to the income on which the tax is payable and shall be the amount that is the product of,

(*a*) the basic tax used for the purpose of computing the amount of tax payable by the individual on the amount of his taxable service income for the taxation month under subsection (2) of section 2305 of the Federal Regulations; and

(*b*) the percentage indicated in Table I of this Regulation.

(4) Where, upon a recomputation made by the pay officer of the amounts of the service income, taxable service income and tax for a month of an individual as required by subsection 3 of section 2306 of the Federal Regulations, the basic tax used for the purpose of recomputing the amount of tax payable by an individual on the amount of his taxable service income for a taxation month under subsection (2) of section 2305 of the Federal Regulations is greater than the basic tax used for the purpose of making the original computation of that amount of tax payable by the individual for that taxation month, then the amount of tax payable by the individual on the amount of his taxable service income for that taxation month shall be redetermined forthwith having regard to the increased basic tax and the amount of tax as so redetermined shall be the amount of tax payable by the individual on the amount of his taxable service income for that taxation month.

(5) The amount of tax payable by an individual on a taxable amount to which he becomes entitled in a taxation month shall be determined at the time the individual becomes entitled to the taxable amount and shall be the amount that is the product of,

(*a*) the taxable amount to which the individual is entitled; and

(*b*) the applicable factor indicated in Table II (A) of this Regulation.

(6) The amount of tax payable by an individual on a single payment deemed to have been made to him in his last taxation month as a member of the Canadian Forces shall be determined at the time the individual becomes entitled to the single payment and shall be the amount that bears the same relation to the amount of tax payable on the amount of the single payment by the individual under section 2308 of the Federal Regulations that the amount of tax payable by the individual under this Regulation on the amount of his taxable service income for his last taxation month as a member of the Canadian Forces bears to the amount of tax payable by the individual under the Federal Regulations on the amount of his taxable service income for his last taxation month as a member of the Canadian Forces. O. Reg. 33/63, s. 3.

4.—(1) Where, upon a recomputation made pursuant to an election made under subsection 1 or 2 of section 2306 of the Federal Regulations, the basic tax used for the purpose of recomputing the amount of tax payable by an individual on the amount of his taxable service income for a taxation month under subsection 2 of section 2305 of the Federal Regulations is less than the basic tax used for the purpose of making the original computation of that amount of tax payable by the individual for that taxation month, the amount of tax payable by the individual on the amount of his taxable service income for that taxation month shall be redetermined forthwith and, if that taxation month was a provincial taxation month in the case of the individual, the individual is entitled to a tax credit equal in amount to the amount by which the amount of tax payable by the individual on the amount of his taxable service income for that taxation month is decreased on its redetermination.

(2) Where, in a taxation month that is a provincial taxation month in the case of an individual an amount described in subsection 1 of section 2310 of the Federal Regulations is recovered from the pay and allowances of the individual by his pay officer, the individual is entitled to a tax credit equal in amount to the amount that is the product of,

(*a*) the amount recovered from the pay and allowances of the individual; and

(*b*) the applicable factor indicated in Table II (B) of this Regulation.

(3) Where an individual is entitled to a tax credit under section 2311 of the Federal Regulations on the last day of his last taxation month in a taxation year, and if an amount of tax was payable under this Regulation by the individual for the taxation year on the amount of his income from employment as a member of the Canadian Forces, the individual is entitled to a tax credit equal in amount to that portion of the tax credit to which the individual was entitled under the Federal Regulations that,

(*a*) the amount that results when there is deducted from the amount of tax payable by the individual for the taxation year under this Regulation on his income from employment as a member of the Canadian Forces the sum of all amounts of tax credit to which the

individual was entitled in the taxation year under this Regulation other than under this subsection,

if of,

(*b*) the amount that results when there is deducted from the sum of all amounts of tax payable by the individual under Division B of Part XXIII of the Federal Regulations in the taxation year the sum of all amounts of tax credit to which the individual was entitled in the taxation year under that Division other than under section 2311 thereof. O. Reg. 33/63, s. 4.

5.—(1) Each amount of tax that is to be determined or redetermined for the purpose of arriving at the amount of tax payable by an individual for a taxation year on income from employment as a member of the Canadian Forces shall be so determined or redetermined by the pay officer of the individual in the manner provided by this Regulation.

(2) Each amount of tax that is to be included in the computation of the amount of tax payable by an individual for a taxation year on income from employment as a member of the Canadian Forces is due and payable by the individual at the time the amount of tax is determined and, where an amount of tax is redetermined as required by subsection 4 of section 3, the amount by which the amount of tax as redetermined exceeds the amount of tax as originally determined is due and payable by the individual at the time the amount of tax is redetermined.

(3) An amount of tax that is due and payable by an individual shall be paid by means of offset against any amount of tax credit to which the individual is entitled under this Regulation at the time the amount of tax becomes due and payable or by deduction from any amount to which the individual is entitled by reason of his employment as a member of the Canadian Forces, or by reason of his cessation of such employment, at the time the amount of tax becomes due and payable.

(4) Each amount of tax credit to which an individual is entitled shall be determined by the pay officer of the individual and shall be available to the individual for offset against any amount of tax that may be due and owing by the individual under this Regulation from the time the amount of the tax credit is determined.

(5) Any amount of tax credit to which an individual has become entitled under this Regulation that has not been offset against an amount of tax that is due and owing by the individual and remains available to the individual at the end of a taxation year or at the time when the individual ceases to be a member of the Canadian Forces shall be paid to the individual as a refund of an overpayment of tax by the individual. O. Reg. 33/63, s. 5.

6. All amounts of tax payable under this Regulation by an individual on income from employment as a member of the Canadian Forces shall be collected by the pay officer of the individual and shall be remitted to the Receiver General of Canada on behalf of the Treasurer through the Ottawa District Office of the Department of National Revenue (Taxation Division). O. Reg. 33/63, s. 6.

7.—(1) The amount of tax payable for a taxation year on income from civilian sources by an individual who resided in Ontario on the last day of the taxation year and had no income from civilian sources other than income earned in the taxation year in Ontario from civilian sources during that taxation year is an amount that is the product of,

(*a*) the amount of tax that would be payable by the individual under section 2319 of the Federal Regulations on the amount of his taxable income from sources other than employment as a member of the Canadian Forces for the taxation year as defined in section 2318 of the Federal Regulations if subsection 4 of section 10 of the *Old Age Security Act* (Canada) had not been enacted and if the individual was not entitled to any deduction from tax under either of sections 33 and 41 of the Federal Act; and

(*b*) the applicable percentage indicated in Table I of this Regulation.

(2) The amount of tax payable for a taxation year on income from civilian sources by an individual who resided in Ontario on the last day of the taxation year and had income from civilian sources other than income earned in the taxation year in Ontario from civilian sources during that taxation year or by an individual who did not reside in Ontario on the last day of the taxation year but had income earned in the taxation year in Ontario from civilian sources during that taxation year is the amount that bears the same relation to the amount that is the product of,

(*a*) the applicable percentage referred to in Table I of this Regulation; and

(*b*) the amount of tax described in clause *a* of subsection 1,

that the amount of the individual's income earned in the taxation year in Ontario from civilian sources during that taxation year bears to the amount of the individual's income from civilian sources during that taxation year. O. Reg. 33/63, s. 7.

8. A return of income from civilian sources for a taxation year shall be filed with the Minister of National Revenue by an individual in the circumstances and at the time that he would be required under Part XXIII of the Federal Regulations to file with the Minister of National Revenue a return of income from

civilian sources for the taxation year and the amount of his income and taxable income from civilian sources for the taxation year shall be computed in the manner and in accordance with the rules provided under section 2318 of the Federal Regulations for the computation of the amount of income and taxable income of an individual from sources other than employment as a member of the Canadian Forces for a taxation year. O. Reg. 33/63, s. 8.

TABLE I

The percentage referred to in clause *b* of subsection 3 of section 3 and in clause *b* of subsection 1 and clause *a* of subsection 2 of section 7 is 16 per cent. O. Reg. 33/63, Table I.

TABLE II

(A) When, in the computation of the amount of tax payable under the Federal Regulations on the amount referred to in clause *a* of subsection 5 of section 3, the appropriate factor shown in column 2 of the Table set out in Schedule F to the Federal Regulations was a particular factor shown in column 1 below, then the factor shown in column 2 below opposite to that particular factor is the applicable factor indicated for the purposes of clause *b* of subsection 5 of section 3.

(B) When the particular factor shown in column 1 below was the appropriate factor shown in column 2 of the Table set out in Schedule F to the Federal Regulations that was used in the computation of the amount of the tax credit of the individual under section 2307 of the Federal Regulations, then the amount of the tax credit of the individual under subsection 2 of section 4 is that portion of the amount of the tax credit of the individual under section 2307 of the Federal Regulations that the factor shown in column 2 below opposite to the particular factor is of that particular factor.

1962

Column 1	Column 2 (16% rate)
.0000	.0000
.1224	.0176
.1476	.0224
.1728	.0272
.1596	.0304
.1848	.0352
.2184	.0416
.2520	.0480
.2940	.0560
.3360	.0640
.3780	.0720

1963

Column 1	Column 2 (17% rate)
.0000	.0000
.1213	.0187
.1462	.0238
.1711	.0289
.1577	.0323
.1826	.0374
.2158	.0442
.2490	.0510
.2905	.0595
.3320	.0680
.3735	.0765

1964

	(18% rate)
.0000	.0000
.1202	.0198
.1448	.0252
.1694	.0306
.1558	.0342
.1804	.0396
.2132	.0468
.2460	.0540
.2870	.0630
.3280	.0720
.3690	.0810

1965

	(19% rate)
.0000	.0000
.1191	.0209
.1434	.0266
.1677	.0323
.1539	.0361
.1782	.0418
.2106	.0494
.2430	.0570
.2835	.0665
.3240	.0760
.3645	.0855

1966	
Column 1	Column 2 (20% rate)
.0000	.0000
.1180	.0220
.1420	.0280
.1660	.0340

1967	
Column 1	Column 2 (16% rate)
.1520	.0380
.1760	.0440
.2080	.0520
.2400	.0600
.2800	.0700
.3200	.0800
.3600	.0900

O. Reg. 33/63, Table II.

REGULATION 452

under The Income Tax Act

GENERAL

1. In this Regulation,

(*a*) "employee" means any person receiving remuneration who reports for work at an establishment of the employer in Ontario;

(*b*) "employer", "exemptions", "remuneration" and "pay" have the meaning given those expressions in section 100 of the *Federal Regulations*;

(*c*) "*Federal Regulations*" means the Income Tax Regulations made under the *Income Tax Act* (Canada) by virtue of the powers conferred by section 117 thereof. O. Reg. 77/62, s. 1.

2. Any person who makes a payment described in subsection 1 of section 10 of the Act shall deduct and withhold therefrom, and remit to the Receiver General of Canada, such amount, if any, as is hereinafter prescribed. O. Reg. 77/62, s. 2.

3.—(1) Except as otherwise provided in this Regulation, the amount to be deducted is 28/100 of the amount determined in accordance with Table 155 as set forth in Schedule A to the *Federal Regulations*, having regard to the amount of remuneration paid to the employee, the length of the pay period and the employee's exemptions.

(2) Where the amount of remuneration for the pay period is not provided for in Table 155, the amount to be deducted is 28/100 of the amount indicated in column 2, 3 or 4 of Table 155A as set forth in Schedule A to the *Federal Regulations*, having regard to the length of the pay period, the pay per year and the employee's exemptions. O. Reg. 49/69, s. 1.

4.—(1) Where a payment in respect of a bonus or retroactive increase in remuneration is made to an employee whose total remuneration, including the bonus or retroactive increase, will not exceed $5,000 in the calendar year, the employer may deduct 28/100 of 15 per cent of such payment in lieu of the amount determined under section 3. O. Reg. 77/62, s. 4 (1); O. Reg. 47/67, s. 2 (1).

(2) Where a payment in respect of a bonus is made to an employee whose total remuneration, including the bonus, will exceed $5,000 in the calendar year, the amount to be deducted is,

(*a*) the amount determined under section 3 in respect of an assumed remuneration equal to the aggregate of,

(i) the regular remuneration, and

(ii) an amount equal to the bonus payment divided by the number of pay periods in the year,

minus,

(*b*) the amount determined under section 3 in respect of regular remuneration,

multiplied by,

(*c*) the number of pay periods in the year.

(3) Where a payment in respect of a retroactive increase in remuneration is made to an employee whose total remuneration, including the retroactive increase, will exceed $5,000 in the calendar year, the amount to be deducted is,

(*a*) the amount determined under section 3 in respect of the new rate of remuneration,

minus,

(*b*) the amount determined under section 3 in respect of the previous rate of remuneration,

multiplied by,

(*c*) the number of pay periods in respect of which the increase in remuneration is retroactive. O. Reg. 77/62, s. 4 (2, 3).

(4) In respect of a payment described in section 36 of the *Income Tax Act* (Canada) to an employee who is a resident of Canada, the employer shall deduct 28/100 of,

(*a*) 10 per cent, where the payment does not exceed $5,000; or

(*b*) 15 per cent, where the payment exceeds $5,000,

of such payment in lieu of an amount determined under section 3. O. Reg. 77/62, s. 4 (4); O. Reg. 47/67, s. 2 (2).

(5) Subsection 5 of section 103 of the *Federal Regulations* applies *mutatis mutandis* for the purpose of this section. O. Reg. 77/62, s. 4 (5).

5.—(1) No deduction shall be made in accordance with section 3 or 4 where, because of section 104 of the *Federal Regulations*, no deduction is required to be made under section 102 or 103 of those regulations.

(2) Subject to subsection 1, subsections 3 and 4 of section 100, subsections 3, 4 and 5 of section 102, section 106 and subsections 1, 2 and 3 of section 108 of the *Federal Regulations* apply *mutatis mutandis* to this Regulation. O. Reg. 77/62, s. 5.

6. This Regulation does not apply in respect of remuneration on which tax is paid under section 4 of the Act. O. Reg. 77/62, s. 6.

REGULATION 453

under The Industrial Safety Act

FOUNDRIES

INTERPRETATION

1. In this Regulation,

(*a*) "cleaning a casting" means the act of removing any adhering scale, moulding or core material from the surface of the casting;

(*b*) "die casting" means a casting process in which the molten metal is forced into the mould cavity of a metal die;

(*c*) "foundry" means the part of a building, or premises, or the workshop, structure, room or place in which base metals or their alloys are cast in moulds or where core-making, shake-out or cleaning of any casting or other dust-causing operation ancillary to the casting process is carried on;

(*d*) "gangway" means a defined passageway between a metal melting unit and a metal pouring area;

(*e*) "general ventilation" means the replacement of a part of the contaminated air by uncontaminated air in the working space of the foundry by fans, or by fans and other means, and includes both the exhausting and supplying of air from and to the working space;

(*f*) "inoculation process" means the adding of any material to molten metal to control the crystalline structure of the molten metal;

(*g*) "local exhaust" means exhaust ventilation so designed that the air contaminant is picked up by the ventilation system at or near its point of origin and removed in such a manner that it does not enter the breathing zone of a worker or the working space;

(*h*) "pouring aisle" means a passageway leading from a gangway and where metal is poured into a mould or box;

(*i*) "shaking-out" means the removal of the casting from its mould and the core material from the casting;

(*j*) "working space" means any space where workers are actively engaged in the performance of their duties within a foundry, but does not include offices, lunch-rooms, locker-rooms, change-rooms, rest-rooms, washrooms, shower rooms, toilet rooms, pattern shop, maintenance shops, laboratories, shipping areas, the storage space occupied by equipment or materials not regularly in use, or the enclosed space where core sands and moulding sands are stored. O. Reg. 197/64, s. 1.

2.—(1) Every employer is responsible to ensure compliance with this Regulation, unless otherwise provided.

(2) Every person employed in a foundry shall use anything provided under this Regulation for the purpose for which it is provided and shall follow any procedure required by this Regulation. O. Reg. 197/64, s. 2.

3. This Regulation does not apply to,

(*a*) die casting;

(*b*) any premises or part thereof where steel ingots only are cast;

(*c*) the printing industry; or

(*d*) metal refineries. O. Reg. 197/64, s. 3.

4.—(1) No foundry,

(*a*) in which any part of the lowest floor level of any working space is below the adjacent ground level shall be established or put into operation for the first time; or

(*b*) where established or put into operation for the first time before the 31st day of July, 1964 and in which any part of the lowest floor level of any working space is below the adjacent ground level, shall continue to operate,

after this Regulation comes into force unless otherwise authorized in writing by the chief inspector.

(2) No foundry or any addition to any foundry shall be established or put into operation for the first time or constructed unless the ceiling height above the floor of every working space is at least sixteen feet. O. Reg. 197/64, s. 4.

PARTING MATERIALS

5. No parting material shall contain more than 2 per cent free silica, unless approved in writing by the chief inspector. O. Reg. 197/64, s. 5.

MELTING UNITS

6.—(1) A clear space adequate for safe operating and maintenance purposes shall be provided between the outer shell of any cupola or other melting unit and any wall, structure, equipment or any operation.

(2) The width of any passageway or aisle adjacent to a melting unit shall not be less than four feet where the melting unit is installed after the 31st day of July, 1964.

(3) The firing portion and fuel supply controls of each melting unit shall be accessible from an aisle or be in a location remote from a melting unit.

(4) The dimensions of the working space at any melting unit installed after the 31st day of July, 1964 shall not be less than six feet measured horizontally from the furnace shell or pouring spout, or such additional clearance as is required for safe working. O. Reg. 197/64, s. 6.

CARE OF PREMISES, EQUIPMENT AND MATERIALS

7. In every foundry all equipment and materials shall be kept in such a place and in such a manner so as not to interfere with free movement of persons or materials, and so as not to constitute a safety, health, fire or explosion hazard therein. O. Reg. 197/64, s. 7.

8.—(1) Any waste material shall be removed from the working space of a foundry at least daily.

(2) Any sand, of no further use, shall be removed from the foundry at a time and in a manner so as not to create a hazard to the employees. O. Reg. 197/64, s. 8.

9. Every pouring aisle, cleaning room floor or other area where dust is likely to accumulate and the surface of any sand pile shall be kept sufficiently damp with water at all times to prevent the dissemination of dust into the general air of the foundry but not dampened to such an extent that molten metal in contact with such dampened sand or water is a hazard to persons in the vicinity. O. Reg. 197/64, s. 9.

10. Every gangway and pouring aisle shall be kept clear of obstruction at all times. O. Reg. 197/64, s. 10

11. Any accumulation of dust shall be removed from equipment, material and the interior of the foundry in a manner so as not to create a hazard to persons employed therein. O. Reg. 197/64, s. 11.

SANITATION

12.—(1) In every foundry the employer shall provide a shower room having not less than one shower bath connected to sources of hot and cold water for every ten foundry employees leaving at the end of any shift.

(2) One or more locker rooms shall be provided in every foundry adjacent to a shower room and washroom and any such locker room shall be equipped with a locker or other suitable facilities for the working and street clothes of each employee in the foundry.

(3) Adequate drying facilities shall be provided in every foundry for the work clothing of all employees engaged in duties where perspiration or the type of work may cause the employees' clothing to become damp or wet.

(4) Where a locker room, change room, washroom or shower room is established after the 31st day of July, 1964, in a building separated from the foundry, the building shall be connected to the foundry by an enclosed, heated passageway.

(5) The walls and ceilings of any locker room, change room, washroom or shower room shall be finished in a light colour and the floor shall have a smooth surface impervious to any liquid and the room shall be maintained by the employer in a clean and sanitary condition. O. Reg. 197/64, s. 12.

GENERAL FLOOR CONDITIONS

13. The floor and any water system immediately surrounding any melting unit shall be so constructed as to prevent any accumulation of moisture under or near the melting unit. O. Reg. 197/64, s. 13.

14. All moulding floors, gangways, passageways and aisles shall have a firm surface without holes or depressions and without slopes having a gradient of more than one in sixteen. O. Reg. 197/64, s. 14.

15. Permanent gangways shall be clearly marked. O. Reg. 197/64, s. 15.

16. Where tracks are laid at or about floor level within the foundry building, the floor adjoining and between them shall be firm and level with the top of the rails. O. Reg. 197/64, s. 16.

17.—(1) When molten metal is handled on a gallery or other area having any working space below it, the gallery or area shall have a solid floor that will prevent molten metal from leaking or burning through it and the gallery shall have a solid barrier of not less than three feet, six inches in height on all exposed sides to prevent metal spillage from the gallery.

(2) A cupola charging floor shall be solid to prevent any material or object passing through it. O. Reg. 197/64, s. 17.

18. Any gangways not used for carrying molten metal shall be three feet or more in width. O. Reg. 197/64, s. 18.

19.—(1) Subject to subsections 2 and 3, the minimum width of a gangway for one-way traffic only over which molten metal is conveyed shall be as follows:

TABLE

Type of Metal Container	Number of workers conveying metal	Minimum width
Hand shank ladles and crucibles	2 or less	3 feet
Hand shank ladles and crucibles	More than 2	4 feet
Ladle or crucible on truck, buggy, or overhead track		2 feet wider than greatest width of ladle, crucible, truck, buggy or container support

(2) Where a gangway is used for traffic in both directions but molten metal is conveyed in one direction only, the width required by subsection 1 shall be increased by three or more feet.

(3) Where a gangway is used for carrying molten metal in both directions, the width required by subsection 1 shall be doubled.

(4) Where any ladle is carried by an overhead crane, adequate warning shall be given before the ladle is moved and all employees shall forthwith vacate the area over which the ladle is to be transported. O. Reg. 197/64, s. 19.

20. The minimum width of any pouring aisle where a hand ladle or crucible is used to pour metal shall be as follows:

TABLE

Height of mould above aisle level	Number of workers allocated to the pouring operation	Minimum width of a pouring aisle
Less than 20 ins.	Not more than 2	15 ins.
20 ins. or greater	Not more than 2	2 feet
Any height	More than 2	3 feet

O. Reg. 197/64, s. 20.

21. Where any molten metal is poured from a crane, trolley or truck ladle, the minimum width of any pouring aisle shall not be less than one foot greater than the greatest width of the ladle equipment, except where a bottom-pour ladle is used in which case the aisle width shall be three feet or more. O. Reg. 197/64, s. 21.

22. Any pit exceeding twenty-four inches in depth shall have its internal walls reinforced with brick, concrete, steel plate or other non-combustible material capable of resisting cave-in. O. Reg. 197/64, s. 22.

23.—(1) When in use every pit shall be securely protected with railings or chains secured to stanchions or with a solid wall and the top of the railing, chain or wall shall not be less than three feet six inches above the surrounding floor.

(2) When not in use every pit shall be kept securely covered with substantial material or protected in the manner set out in subsection 1. O. Reg. 197/64, s. 23.

LADLES

24. Every ladle shall be dried,

(*a*) before use; and

(*b*) in a location having ventilation so as to prevent the entry of any smoke or gas into the working space. O. Reg. 197/64, s. 24.

25. Every single-shank foundry ladle shall be fitted with a metal shield to protect the person carrying the ladle. O. Reg. 197/64, s. 25.

26. Every tilting ladle of a capacity of 500 or more pounds shall be gear-operated or the equivalent. O. Reg. 197/64, s. 26.

27.—(1) Every gear-operated foundry ladle and every mechanically or electrically operated ladle shall be so designed and constructed as to prevent its overturning and shall be fitted with a safety lock approved by an inspector.

(2) Every gearing or tilting mechanism on a ladle shall be enclosed with machinery guards of solid material. O. Reg. 197/64, s. 27.

PERSONAL PROTECTIVE EQUIPMENT

28.—(1) Every employer for a foundry shall,

(*a*) furnish any employee, whose eyes are exposed to injury from dust, flying chips or molten metal, with a protective device or equipment manufactured for the purpose of protecting persons from such injury;

(*b*) furnish any employee engaged in the handling of molten metal with leggings manufactured for the purpose of protecting per-

sons from injury due to molten metal, or more adequate protective clothing if required in writing by an inspector;

(*c*) furnish any employee who is subject to direct or reflected arcs or radiation from electric arc furnaces, welding operations or similar sources of harmful radiation with stationary or moveable guards, goggles or eye shields manufactured for the purpose of protecting persons from such arcs and radiation; and

(*d*) where persons are engaged in occasional or infrequent operations that produce noxious dusts, gases, vapours or fumes, and where an inspector is satisfied that the operations do not lend themselves to the installation of permanent mechanical ventilation equipment, furnish proper respiratory equipment manufactured for the purpose of protecting persons from such dusts, gases, vapours or fumes;

(*e*) ensure that no person shall normally work between a source of dust or fumes and the inlet of the local exhaust system that removes the dust or fumes from that source unless the person is wearing a suitable air-supplied breathing apparatus.

(2) Every employee in a foundry who handles molten metal shall wear gaiter-type boots that are designed to prevent injury from molten metal.

(3) Every employee in a foundry who is engaged in the handling of heavy objects shall wear boots or shoes with protective toe boxes or steel toes.

(4) Every employer in a foundry shall,

(*a*) ensure that no person employed by him works and no person so employed shall work in connection with any operation requiring the protective equipment or clothing prescribed in clauses *a*, *b*, *c* and *d* of subsection 1 and in subsections 2 and 3 unless such person is using or wearing such protective equipment and clothing; and

(*b*) before requiring or permitting any person in his employ to perform such work, notify such person of the requirements of this section. O. Reg. 197/64, s. 28.

GENERAL SAFETY

29.—(1) Every employer for a foundry shall ensure that,

(*a*) the legs and supports of every cupola are protected from damage by molten metal;

(*b*) any coke, slag and unmelted metal from the dropping of the cupola bottoms is removed by a mechanical rake or other mechanical means as soon as is practicable after the cupola is emptied;

(*c*) before the bottom of a cupola is dropped, a visual and audible signal is given for at least three minutes, after which the prop or props are removed by a winch or similar device operated from outside a wall or shield at the cupola or from another safe location;

(*d*) no material containing ice or moisture, or to which ice or moisture is adhering is charged into any furnace containing molten metal except a cupola;

(*e*) no completely enclosed vessel is knowingly charged into any furnace without first being broken open;

(*f*) care sufficient to ensure the safety of persons is taken of chains, slings, wire-ropes and other hoisting equipment having regard to the temperatures to which such hoisting equipment is exposed and the uses to which it may be put;

(*g*) the bottom of every cupola is supported by one or more adequate metal props with metal bases and wedges supported on concrete or other solid footing;

(*h*) shields or solid screens are provided to protect employees at the slag-holes, spouts and tap-holes of every cupola or furnace;

(*i*) every cupola with a closed top has doors on the top of the cupola hinged to act as explosion vents to the outdoors;

(*j*) every wheel moving on tracks at floor level is shielded so as to prevent injury to the feet of employees;

(*k*) every skylight is fitted with wired or shatterproof glass or non-shatterable translucent material or with protective wire netting attached to its underside;

(*l*) where metal castings or scrap are broken by means of a dropping device or similar device, a permanent shield of wood planking two inches thick or equivalent protection, adequately supported, is provided to protect persons from flying metal fragments;

(*m*) every tumbling mill is equipped with a positive locking device to prevent any movement of the mill when being loaded or unloaded, and every moving part of the mill is either fully enclosed or guarded to a height of six feet or more above the adjacent walking surface;

(*n*) when work is performed in a cupola or similar place an overhead protective wooden or metal cover or screen satisfactory to an inspector and that is supported by props or overhead slings is used for the purpose of protecting persons from falling objects;

(*o*) every cupola is provided with a blast gate or automatic damper in the air supply pipe to the cupola, or with other positive means of preventing the accumulation of combustible gases in the air supply system when the air supply fails;

(*p*) a continuous open flame or other positive means of ignition is maintained above the charging level of the cupola while the cupola is in operation and until all combustible material in the cupola is consumed; and

(*q*) all buildings, equipment and machinery are maintained in safe working condition and are inspected by the employer or any person designated by him, regularly and with such frequency as will ensure safe working conditions for persons in the foundry.

(2) Every employee in a foundry is responsible equally with the employer for compliance with clauses *a* to *f* of subsection 1. O. Reg. 197/64, s. 29.

VENTILATION

30.—(1) Every foundry shall be ventilated by a local exhaust system or by a general ventilation system or both, so designed, fabricated, installed and maintained as to remove, as far as is practicable, every gas, vapour, dust, fume, mist or other impurity produced by the operations in the foundry that may be injurious to the health or safety of persons in the foundry.

(2) Every ventilation system shall discharge the air outside the building so that it does not re-enter the building. O. Reg. 197/64, s. 30.

31.—(1) Every employer for a foundry shall ensure that adequate provision is made for the entry of air into the foundry to replace the air discharged from the building and that this air,

(*a*) is heated when necessary to maintain in each working space at least the minimum temperature required by the Act and this Regulation;

(*b*) is taken from a region not contaminated with silica or other noxious dust, fumes, gas, smoke or mist;

(*c*) enters the foundry in such a manner as not to create a dusty condition in the atmosphere of the foundry; and

(*d*) subject to subsection 2, enters the working space through air inlets of sufficient number and area, and so arranged, located, and equipped, as to give a reasonably uniform airflow across the working space without subjecting workers to air velocities exceeding 200 feet per minute.

(2) Where the velocity of the incoming air is adequately controlled so as to not adversely affect the health or comfort of an employee, in the opinion of an inspector, it may exceed 200 feet per minute. O. Reg. 197/64, s. 31.

LOCAL EXHAUST VENTILATION

32. Subject to sections 33 to 44, where any machine or process is operated so as to form a localized source of dust, fume, gas, smoke or mist, the machine or process shall be provided with local exhaust, where practicable, so that the noxious material does not enter the general atmosphere of the building. O. Reg. 197/64, s. 32.

33.—(1) The rate of local exhaust of every power shake-out shall conform with the following provisions:

1. Where a power shake-out is completely enclosed except for inlet and outlet openings, at least 200 cubic feet of air per minute per square foot of grate or shake-out area shall be exhausted and the minimum air velocity into the enclosure shall be 200 feet per minute.

2. Where a power shake-out has a side draft hood, at least 500 cubic feet of air per minute per square foot of grate or shake-out area shall be exhausted.

3. Where a power shake-out has a double side hood at least 400 cubic feet of air per minute per square foot of grate or shake-out area shall be exhausted.

4. Where a power shake-out has a hood enclosing at least two adjoining sides and at least one-third of the top area, at least 300 cubic feet of air per minute per square foot of grate or shake-out area shall be exhausted.

5. Where none of the methods of exhausting the power shake-out in paragraphs 1 to 4 is feasible, a down draft exhaust of at least 600 cubic feet of air per minute per square foot of grate or shake-out area shall be provided, and the length and width of the grate or shake-out shall be greater than the length and width of the largest flask used.

6. The minimum height for a side exhaust hood above the surface of the grate or shake-out shall be equivalent to the grate or shake-out

length or 50 per cent higher than the height of any casting, whichever is greater, and the minimum length of the exhaust hood shall be 50 per cent greater than the grate or shake-out length.

7. The minimum quantities of air prescribed by this section shall be increased upon the direction of an inspector if castings are abnormally hot when shaken out, the sand to metal ratio is low, or external cross drafts at the power shake-out are present.

(2) Every flat deck or cylindrical screen shall be enclosed, so far as is practicable, and shall be locally exhausted,

(*a*) in the case of a flat deck screen, with a minimum inward air velocity of 200 feet per minute through all openings in the screen enclosure and in any case, with a minimum of 50 cubic feet of air per minute per square foot of gross screen area; and

(*b*) in the case of a cylindrical screen, with a minimum inward air velocity of 400 feet per minute through all openings in the screen enclosure and in any case, with a minimum of 100 cubic feet of air per minute per square foot of the cylinder's end.

(3) Every bucket elevator shall be enclosed and exhausted so as to provide,

(*a*) an inward air velocity of at least 150 feet per minute at every opening of its enclosure where the maximum bucket speed does not exceed 200 feet per minute; and

(*b*) an inward air velocity of at least 200 feet per minute at every opening of its enclosure where the bucket speed exceeds 200 feet per minute.

(4) Subject to subsection 8, every conveyor belt shall be provided with exhaust hoods which shall enclose every loading point, discharge point and every other point at which dust may be produced.

(5) Subject to subsection 8, every exhaust hood referred to in subsection 4 shall be ventilated as follows:

1. Where the maximum speed of the belt does not exceed 200 feet per minute, the rate of ventilation shall not be less than 350 cubic feet per minute for each foot of the width of the belt and there shall be an inward air velocity through the net open area of each exhaust hood of not less than 150 feet per minute.

2. Where the speed of the belt exceeds 200 feet per minute, the rate of ventilation shall not be less than 500 cubic feet per minute for each foot, or fraction thereof, of the width of the belt and there shall be an inward air velocity through the net open area of each exhaust hood of not less than 200 feet per minute.

(6) Subject to subsection 8, every sand muller shall be enclosed, so far as is practicable, and shall be exhausted at a velocity of not less than 150 feet per minute through every opening in the enclosure, including the loading and inspection openings, and there shall be not less than 150 cubic feet of air per minute for each foot of the horizontal diameter of the muller.

(7) Subject to subsection 8, every sand storage bin shall be enclosed and exhausted to cause an inward air velocity of at least 200 feet per minute through the net open area of every opening to the bin when sand is being supplied to the bin.

(8) Subsections 4 to 7 do not apply to any conveyor belt, sand muller or sand storage bin transporting or containing sand that contains moisture in sufficient quantity to prevent the dissemination of dust, but in no case shall the moisture content be less than 2 per cent of the total weight of sand and moisture.

(9) Every tumbling mill having an inside length not exceeding seventy inches shall be ventilated so as to exhaust at least the volume of air shown for that type and size of mill in the following Table:

TABLE

Round Mill inside diameter (inches)	Square Mill inside width of side (inches)	Minimum volumes of exhaust air	
		Hollow-trunion (cfm)	Stave type (cfm)
Up to 24	.....	430	800
Over 24 to 30	Up to 24	680	900
Over 30 to 36	Over 24 to 30	980	980
Over 36 to 42	Over 30 to 36	1330	1330
Over 42 to 48	Over 36 to 42	1750	1750
Over 48 to 54	Over 42 to 48	2200	2200
Over 54 to 60	Over 48 to 54	2730	2730
Over 60 to 66	Over 54 to 60	3300	3300
Over 66 to 72	Over 60 to 66	3920	3920
.....	Over 66 to 72	4600	4600

(10) Every tumbling mill having an inside length exceeding 70 inches shall be ventilated at a rate equivalent to the quotient of the inside length of the mill in inches divided by seventy, multiplied by the minimum volume of exhaust air specified in the Table in subsection 9 for a mill of the same type and the same inside diameter or inside width of side.

(11) Every tumbling mill having an inside diameter or width of side exceeding seventy-two inches shall be ventilated at a rate of exhaust satisfactory to an inspector.

(12) Every stave-type tumbling mill shall be enclosed with solid material when operating and shall, in addition to the minimum volume specified in subsections 9, 10, 11 have an inward air velocity of 400 feet per minute through every opening in the enclosure. O. Reg. 197/64, s. 33.

34.—(1) Any dry, abrasive blasting shall be done,

(*a*) in a room enclosed with suitable solid materials and ventilated to provide a downdraft air supply and exhaust at a velocity of not less than eighty feet per minute over the gross floor area, or to provide a horizontal air supply and exhaust at an air velocity of not less than 100 feet per minute normal to the side of the room from which the air is being exhausted, and with the air velocity through all openings from the foundry into the room of not less than 300 feet per minute;

(*b*) in a hand cabinet constructed of suitable solid material and that is exhausted to provide an inward air velocity of not less than 500 feet per minute through all openings; or

(*c*) on a rotary blasting table that is enclosed with solid material with curtains on every opening and ventilated at a rate to provide an inward air velocity that is not less than 200 feet per minute into every opening in the enclosure on which the curtains are installed.

(2) Any abrasive equipment not using compressed air shall be enclosed with solid material and exhausted to provide an inward air velocity of not less than 125 feet per minute through all openings including the loading door opening. O. Reg. 197/64, s. 34.

35. Wherever annealing boxes filled or dumped, local exhaust ventilation shall provide an air velocity of 200 feet per minute at the source of dust or fumes and directed away from the breathing zone of any worker. O. Reg. 197/64, s. 35.

36. Ventilation shall be provided at every core and annealing oven at such a rate as will prevent smoke and gas from entering into the working space. O. Reg. 197/64, s. 36.

37.—(1) Every shell moulding and shell core machine shall be provided with as complete an enclosure or canopy as is practicable, and exhausted so that a minimum inward air velocity of,

(*a*) 100 feet per minute is provided through the enclosure openings; or

(*b*) 150 feet per minute is provided into the canopy opening.

(2) Where a canopy but no enclosure is used for a machine, the canopy shall extend five inches laterally on each side beyond the horizontal perimeter of the machine for each foot that the bottom of the canopy is located above the chief source of dust or fumes in the machine. O. Reg. 197/64, s. 37.

38.—(1) Every power driven hand tool such as a brush, portable grinder or chipping tool, used for the cleaning of castings shall be used in a booth or on a downdraft table or grille or shall have an adequate local exhaust system attached to the tool.

(2) Where a booth is used, an inward air velocity of 150 feet per minute shall be provided at every opening of the booth.

(3) Where a downdraft table or grille is used,

(*a*) the horizontal dimensions of the table or grille shall exceed the horizontal dimensions of the casting or that part of the casting being cleaned; and

(*b*) a volume of air of not less than 300 cubic feet per minute per square foot of the gross area of the table or grille shall be exhausted downwardly through its surface. O. Reg. 197/64, s. 38.

39. A local exhaust system shall be provided, where practicable, for any inoculation process or any process where magnesium is mixed with any other metal. O. Reg. 197/64, s. 39.

40.—(1) Subject to subsections 3 and 4, no stationary grinding wheel, abrasive cutting-off wheel or buffing and polishing wheel shall be used unless it is enclosed as completely as is practicable and locally exhausted.

(2) The enclosure for a stationary grinding wheel or abrasive cutting-off wheel shall be of sufficient strength and so located as to prevent bodily injury to any person in the immediate vicinity of the wheel.

(3) Subject to subsections 4 and 5, no stationary grinding wheel, abrasive cutting-off wheel or buffing and polishing wheel shall be used unless it is at least three-quarters enclosed and the clearance between each side of the wheel and its enclosure is not more than 1½ inches in the case of a grinding wheel, abrasive cutting-off wheel or a hand buffing and polishing wheel and three inches in the case of a soft buffing and polishing wheel and it is locally exhausted with not less than the volume of air shown in the following Table:

TABLE

Column 1	Column 2	Column 3
Wheel Diameter (inches)	Wheel Width (inches)	Exhaust Air Volume in cubic feet per minute
to 9	not more than 2	300
Over 9 to 16	not more than 3	500
Over 16 to 19	not more than 4	610
Over 19 to 24	not more than 5	740
Over 24 to 30	not more than 6	1040
Over 30 to 36	not more than 6	1400

(4) Any wheel that is,

(*a*) of a type mentioned in subsection 3;

(*b*) at least three-quarters enclosed; and

(*c*) wider than the maximum width shown in column 2 of the Table in subsection 3 for any diameter of wheel shown in column 1,

shall have a volume of air locally exhausted at least equal to that shown in column 3 of the Table multiplied by the ratio of the wheel's width divided by the maximum width shown in column 2 for that diameter of wheel in column 1.

(5) Any wheel that is,

(*a*) of a type mentioned in subsection 3;

(*b*) not at least three-quarters enclosed;

(*c*) has any clearance between the side of the wheel and its nearest enclosure greater than the clearance specified in subsection 3; or

(*d*) a diameter greater than any diameter shown in column 1 of the Table in section 3,

shall have a volume of air exhausted that will produce an air velocity at the exposed face of the wheel at least equivalent to the velocity produced at the exposed face of a wheel of similar diameter multiplied by the exhaust volume of air shown in column 3 of the Table and, in the case of a wheel mentioned in clause *d* multiplied by 1400 cubic feet of air per minute. O. Reg. 197/64, s. 40.

41.—(1) Every grinding or polishing belt shall be enclosed except at the working area and shall be locally exhausted in accordance with subsections 2 and 3 so that the air movement is in the direction of belt travel at the working area.

(2) Where the clearance between any side of the belt and the enclosure is less than one inch, the volume of air to be locally exhausted shall not be less than that shown in the following Table:

TABLE

Belt Width (inches)	Exhaust Air Volume (cubic feet per minute)
up to 3	220
over 3 to 5	300
over 5 to 7	390
over 7 to 9	500
over 9 to 11	610
over 11 to 13	740

(3) Where the clearance between any side of the belt and the enclosure is one inch or more, the volume of air to be locally exhausted shall be such that the velocity of the air at the working face of the belt is not less than the velocity of the air that results from the exhaust air volume shown in column 2 of the Table in subsection 2 for the width and enclosure of the belt as set forth in subsection 2. O. Reg. 197/64, s. 41.

42.—(1) Every swing grinder shall be provided with mechanical ventilation by means of an exhaust hood or an exhaust booth approved by an inspector.

(2) Every exhaust booth that contains a swing grinder shall be,

(*a*) enclosed at the back, top and sides and with as small an opening at its front as the nature of the grinding operation will permit; and

(*b*) so located that the swing grinding wheel operates inside the booth.

(3) The velocity of the air through the front opening of the booth shall be not less than 150 feet per minute. O. Reg. 197/64, s. 42.

43. Every operation of pouring,

(*a*) brass or other metal having noxious fumes; or

(*b*) any metal into shell moulds,

shall be provided with an adequate system of local exhaust ventilation when directed by an inspector. O. Reg. 197/64, s. 43.

44.—(1) Every melting unit shall be provided with ventilation to remove from the working space all dusts, fumes, gases, smokes and vapours produced by the melting of the metal and the combustion of the fuel.

(2) Where brass or other metals having noxious fumes are melted, an enclosure, canopy hood, baffles or other means for the collection of the fumes, dusts,

gases, smokes or vapours produced in the melting process, shall be provided as directed by an inspector.

(3) Where lead, cadmium or alloys containing beryllium or other metals of similar or greater toxicity are melted, the furnace shall be as completely enclosed as is practicable and the tapping spout shall be locally exhausted. O. Reg. 197/64, s. 44.

GENERAL VENTILATION

45.—(1) The use of general ventilation to ventilate a foundry may be supplementary to but shall not be in substitution for the use of local exhaust ventilation required by this Regulation.

(2) Subject to subsection 6, every foundry,

(*a*) in which iron, steel or aluminum is cast into sand moulds or moulds using sand cores shall be provided with general ventilation equipment that will ventilate the foundry with a volume of at least 2500 cubic feet of air per minute for each ton of the maximum number of tons of metal poured in an eight hour period and 500 cubic feet per minute of air for each person employed in that eight hour period in the working space of the foundry; or

(*b*) in which brass, bronze or magnesium is cast into sand moulds or moulds using sand cores shall be provided with general ventilation equipment that will ventilate the foundry at a rate of at least 5,000 cubic feet of air per minute for each ton of the maximum number of tons of metal poured in an eight hour period and 1,000 cubic feet of air per minute for each person employed in that eight hour period in the working space of the foundry.

(3) Every foundry in which,

(*a*) any metal other than iron, steel, aluminum, brass, bronze or magnesium is cast; and

(*b*) any mould or core of other than sand is used,

shall be ventilated at a rate satisfactory to the chief inspector.

(4) Where in a foundry the provisions of clause *a* or *b* of subsection 2 or subsection 3 apply in any combination, the total rate of ventilation required shall be the sum of the rates applicable under each provision.

(5) Any local exhaust ventilation while in operation may be computed in determining the rate of general ventilation at a value of twice the volume of the local exhaust ventilation.

(6) Every foundry in operation on or before the 31st day of July, 1964, and that has a ceiling height of less than sixteen feet above the working space and in which,

(*a*) iron, steel or aluminum is cast into sand moulds or with the use of sand cores shall be provided with general ventilation at a rate that is,

(i) the rate prescribed in clause *a* of subsection 2, plus

(ii) 5 per cent of the rate prescribed in clause *a* of subsection 2 for each foot or part thereof of the difference between sixteen feet and the ceiling height of the foundry in feet;

(*b*) brass, bronze or magnesium is cast into sand moulds or with the use of sand cores shall be provided with general ventilation at a rate that is,

(i) the rate prescribed in clause *b* of subsection 2, plus

(ii) 5 per cent of the rate prescribed in clause *b* of subsection 2 for each foot or part thereof of the difference between sixteen feet and the ceiling height of the foundry in feet. O. Reg. 197/64, s. 45.

46. Moulding material that adheres to any casting shall not be removed by the use of compressed air or other means whereby dust particles may be disseminated into the air of the working space and are not controlled by local exhaust ventilation. O. Reg. 197/64, s. 46.

47. Subject to section 48, every exhaust or dust collection system, stack or outlet used for the discharge of contaminated air shall be so located, designed and constructed as to prevent the entry or return of contaminated air into any building. O. Reg. 197/64, s. 47.

48. Where a dust or fume of lead, cadmium or other toxic material is exhausted from a foundry, an inspector may require that equipment be installed to remove the toxic material from the air that is being exhausted. O. Reg. 197/64, s. 48.

49.—(1) Subject to subsection 2, no part of any dust collecting system, local exhaust or air cleaning system within any building, except an air-tight discharge duct from a dust collector to the exterior of the building, shall be under positive pressure.

(2) Subsection 1 does not apply to a room in a foundry that is,

(*a*) used solely for the housing of dust-collecting equipment; and

(*b*) separated from the foundry by a dust-tight partition.

(3) Subject to subsection 4, every collector that collects aluminum or magnesium dust shall be located outside the foundry or any other building unless the collector is located in a room,

(*a*) used solely for the housing of dust-collecting equipment; and

(*b*) separated from the rest of the foundry by a dust-tight partition that is so constructed that it is fire resistive for at least one hour; and

(*c*) constructed to provide adequate explosion relief to the outdoors.

(4) Subsection 3 does not apply to any collector using water to collect aluminum or magnesium dust. O. Reg. 197/64, s. 49.

50. The velocity of air in the ducts of every dust collection system shall not be less than 3500 feet per minute except where the air is leaving the dust collector. O. Reg. 197/64, s. 50.

51. While any process producing any noxious dust, fume, gas, smoke, vapour or heat in a foundry is in operation, the exhaust system installed to remove such emanation or emanations shall be operated continuously. O. Reg. 197/64, s. 51.

52. Where, after installation of any foundry ventilation system, the foundry atmosphere or any part thereof is found, upon being tested by any competent person, to contain dangerous amounts of dusts, gases or fumes or to be otherwise unsatisfactory to the chief inspector, the employer, upon direction of the chief inspector, shall make such modification in the ventilation as will eliminate the unsatisfactory condition in the foundry. O. Reg. 197/64, s. 52.

HEATING

53.—(1) Subject to subsection 2, an inspector may authorize in writing a minimum temperature of 50° F. to be maintained in any working space in any foundry in a building but, where the foundry is heated by means of the heat generated from any process, the temperature for one hour at the beginning of the main operating shift may be less than 50° F.

(2) The temperature of every washroom, locker room, change room or shower room for a foundry shall be kept at not less than 70° F. O. Reg. 197/64, s. 53.

54. Any product of combustion from any heating unit for a foundry building shall be directly vented to the outside atmosphere, except where otherwise approved by the chief inspector or by an engineer of the Department. O. Reg. 197/64, s. 54.

55. The flow of air from any unit heater or positive pressure hot-air system that heats a foundry shall be so directed that it will not increase the concentration of dust in the breathing zone of any worker or recirculate dust-laden air in the working space. O. Reg. 197/64, s. 55.

56. The effect of radiant heat upon persons shall be eliminated or reduced by means of heat shields, heat absorbent or heat reflective panels, cooling coils, air cooling or other means. O. Reg. 197/64, s. 56.

57. Any type or arrangement of equipment, method of operation or building construction that does not strictly comply with this Regulation but that provides protection equivalent to that prescribed may be used if its use is approved in writing by the chief inspector. O. Reg. 197/64, s. 57.

58. Where, under special circumstances, strict compliance with this Regulation is not adequate for the protection of persons working in a foundry, the chief inspector may require such modifications of building equipment, material or method as he considers necessary. O. Reg. 197/64, s. 58.

59.—(1) Any equipment, machinery or device in a foundry for local exhaust, general ventilation, the supply of air or the heating of air that is being supplied is designated as equipment, machinery or a device for the purpose of section 16 of the Act.

(2) No person shall install or alter a system for local exhaust, general ventilation, the supply of air or the heating of air that is being supplied except to make any minor repair, adjustment or identical replacement unless the drawings and specifications thereof have been first approved by an engineer of the Department in the same manner as that provided by section 16 of the Act.

(3) The drawings and specifications of anything referred to in subsection 2 shall,

(*a*) contain full particulars of,

(i) any operation producing any dust, fumes, gas, smoke, mists or vapour,

(ii) the location of any source of the dust, fume, gas, smoke, mists or vapour, and

(iii) any method proposed for the control of any dust, fume, gas, smoke, mists or vapour referred to in subclause i; and

(*b*) be prepared by a suitably qualified person.

(4) The installation or alteration may be proceeded with only in accordance with the drawings and specifications as approved. O. Reg. 197/64, s. 59.

60.—(1) Subject to subsection 2, the fees to be paid for the approval by an engineer of the Department of drawings and specifications for a system of local exhaust, general ventilation, the supply of air or the heating of air that is being supplied shall be, where the estimated cost approved by him is,

(*a*) not more than $100, nil;

(*b*) more than $100, but not more than $1,000, $10; and

(*c*) more than $1,000, the sum of,

(i) $10, and

(ii) $2 for each additional $1,000, or fraction thereof in excess of the first $1,000.

(2) No fee greater than $1,000 shall be payable in any event. O. Reg. 197/64, s. 60.

REGULATION 454

under The Industrial Safety Act

GENERAL

INTERPRETATION

1. In this Regulation,

(*a*) "chief inspector" means the person designated by the Minister as the chief inspector;

(*b*) "lifting device" means a device that is used to raise or lower any material or object and includes its rails and other supports but does not include a device to which *The Elevators and Lifts Act* or *The Construction Hoists Act* applies;

(*c*) "prime mover" means an initial source of motive power;

(*d*) "transmission machinery" means any object or objects by which the motion of a prime mover is transmitted to a machine that is capable of utilizing such motion and includes a shaft, pulley, belt, chain, gear, clutch or other device. O. Reg. 196/64, s. 1.

GENERAL

2.—(1) An application under subsection 2 of section 16 of the Act for approval of the drawings and specifications of the construction, reconstruction, addition to or alteration of a building to which the section applies shall be in Form 1.

(2) Subject to subsection 3, the fees to be paid by the applicant for the approval by an engineer of the Department of drawings and specifications submitted to him shall be, where the estimated cost approved by him is,

(*a*) not more than $100, nil;

(*b*) more than $100 but not more than $1,000, $3; and

(*c*) more than $1,000,

(i) $3, and

(ii) $1 for each addtional $1,000, or fraction thereof in excess of the first $1,000.

(3) No fee greater than $5,000 shall be payable in any event. O. Reg. 196/64, s. 2.

3. A notice under subsection 2 of section 11 of the Act shall be in Form 2. O. Reg. 196/64, s. 3.

4. No person in an industrial establishment shall misuse, or without reasonable cause, remove or interfere with anything provided for securing the safety or welfare or any person in or about the industrial establishment. O. Reg. 196/64, s. 4.

5. No person in an industrial establishment shall use anything provided under the Act or this Regulation for a purpose other than the purpose for which the thing is provided. O. Reg. 196/64, s. 5.

6. No person in an industrial establishment shall engage in any contest, feat of strength, unnecessary running or rough or boisterous conduct that is likely to endanger the safety of any person. O. Reg. 196/64, s. 6.

7.—(1) Every employer who is in charge of a factory shall ensure that no person whose faculties are impaired by alcohol or a drug or who has in his possession any alcohol remains in the factory.

(2) No person whose faculties are impaired by alcohol or a drug or who has in his possession any alcohol or drug shall enter or remain in any factory. O. Reg. 196/64, s. 7.

8. No employer shall require a person to lift, carry or move anything so heavy or in such manner as to be likely to endanger his safety or the safety of any other person in an industrial establishment. O. Reg. 196/64, s. 8.

9.—(1) No employer shall knowingly permit any person who is affected with a communicable disease within the meaning of *The Public Health Act* to work in an industrial establishment except in compliance with *The Public Health Act*.

(2) No person who to his knowledge is affected with a communicable disease within the meaning of *The Public Health Act* shall work in an industrial establishment, except in compliance with *The Public Health Act*. O. Reg. 196/64, s. 9.

10. Every employer shall ensure that no part of a factory or shop is kept or used for sleeping without the written consent of the chief inspector. O. Reg. 196/64, s. 10.

DANGEROUS PLACES

11. Every employer shall ensure that,

(*a*) every opening, place or thing that is likely to be a source of danger to any person is securely fenced or guarded;

(*b*) every floor, roof or other part of a building or structure is,

(i) capable of safely supporting or withstanding any load to which it is likely to be subjected, and

(ii) so loaded as to be capable of supporting or withstanding such load, and

(*c*) the maximum safe load that the floor or roof of the building or structure is capable of bearing is conspicuously marked or posted to the satisfaction of an inspector when so directed by him. O. Reg. 196/64, s. 11.

12.—(1) No confined space referred to in this section shall be tested by any person other than a competent person,

(*a*) designated by the employer; and

(*b*) whose name is recorded on the premises and is at all times available to an inspector,

and such person shall record the result of each test conducted by him.

(2) Every employer shall ensure that any tank, vat, chamber, pit, pipe, flue or other confined space that may be entered by any person,

(*a*) has a suitable man-hole or other means of easy egress from all accessible parts of the confined space; and

(*b*) is safe for entry.

(3) Where gases, vapours, mists, fumes or dusts that are likely to be dangerous to a person are present in any of the confined spaces referred to in subsection 2, or there is in the confined space a deficiency of oxygen or a temperature that is likely to be dangerous to a person, the employer shall ensure that no person enters the space unless,

(*a*) every practicable step has been taken to remove from the confined space such gases, vapours, mists, fumes or dusts;

(*b*) effective steps have been taken to prevent entry into the confined space of additional quantities of such gases, vapours, mists, fumes or dusts;

(*c*) the confined space has been competently tested and found safe for entry without the use of a breathing apparatus; and

(*d*) ventilation adequate for the safety of any person therein is provided.

(4) Where any of the confined spaces referred to in subsection 2 has been tested and found,

(*a*) unsafe for entry; or

(*b*) safe for entry but may thereafter become unsafe to remain in or enter,

unless the person is using a suitable breathing apparatus, the employer shall ensure that no person enters or remains in such confined space unless,

(*c*) the person is using a suitable breathing apparatus and a safety harness or other similar equipment to which is securely attached a rope, the free end of which is held by a person equpped with a suitable alarm who is keeping watch outside the confined space and who is capable of pulling such person from the confined space;

(*d*) the safety harness, rope and other equipment mentioned in clause *c* is periodically inspected by the employer and is maintained in good working order at all times;

(*e*) there is conveniently available a person adequately trained in artificial respiration; and

(*f*) the person is using such other equipment necessary to ensure his safety.

(5) Where a confined space has been tested and found safe for entry for a specified time but may thereafter become unsafe unless a person is using a suitable breathing apparatus, the employer shall ensure that any person who enters the space without using a suitable breathing apparatus,

(*a*) leaves the space at the end of the specified time; and

(*b*) does not re-enter or remain in the space except in compliance with clauses *c*, *d*, *e*, and *f* of subsection 4.

(6) Where any confined space contains any dangerous liquid or solid or is at a temperature that endangers the safety of any person, the employer shall ensure that no person enters or remains in the space unless he is using equipment or devices that will ensure his safety. O. Reg. 196/64, s. 12.

13.—(1) No employer shall use any silo, bin, hopper, structure, container or thing for containing or storing any dry bulk material or employ any person

to work in connection therewith, unless the silo, bin, hopper, structure, container or thing is so constructed as to permit the safe removal of the material therefrom.

(2) No employer shall use any silo, bin, hopper, structure, container or thing that is constructed to discharge from the bottom, dry bulk material contained or stored in it, or employ any person to work in connection therewith, unless the top of the silo, bin, hopper, structure, container or thing is,

(*a*) provided with a solid cover;

(*b*) guarded with a metal grating or bars;

(*c*) traversed by a gangway; or

(*d*) encircled or encompassed at its perimeter by a platform having a railing,

satisfactory to an inspector.

(3) Every employer shall ensure that no person enters or remains in and no person shall enter or remain in any silo, bin, hopper, structure, container or thing for containing or storing bulk material unless,

(*a*) it is necessary so to do;

(*b*) all further supply of material thereto is stopped and proper precautions are taken to prevent any further supply;

(*c*) the person is wearing a safety harness or other similar equipment attached to a rope or lifeline that is as short as practicable under the circumstances and one end of which is securely fastened to a fixed object outside the silo, bin, hopper, structure, container or thing; and

(*d*) at least one other person equipped with a suitable alarm and capable of rendering any necessary assistance is keeping watch nearby. O. Reg. 196/64, s. 13.

14. Every employer shall ensure that no person works and no person shall work on or near any bulk material that is so piled or disposed as to be likely to endanger his safety. O. Reg. 196/64, s. 14.

15.—(1) Every employer shall ensure that every tank, vat or other container for holding a liquid, the top edge of which is less than three feet six inches above the highest floor, ground or platform from which a person might fall into it, is securely covered or securely fenced to at least three feet six inches above such floor, ground or platform.

(2) Where, in the opinion of an inspector, the covering or fencing required by subsection 1 is not practicable, the employer shall ensure that all practicable means satsfactory to the inspector are taken to prevent any person from falling into the tank, vat, or other container.

(3) Where the tank, vat, or other container is safe guarded by any means other than covering or fencing under subsection 1, the employer shall ensure that any stair or gangway above, across or inside the container is,

(*a*) at least twenty-two inches wide;

(*b*) provided with an upper rail and either an intermediate rail and toe board or equivalent protection on both sides to a height of not less than three feet six inches; and

(*c*) securely fixed. O. Reg. 196/64, s. 15.

DANGEROUS MATERIAL

16. Where,

(*a*) any grinding, polishing, screening or other process is likely to produce dust or other particles of such size or character and to such an extent as to be capable of producing a flammable mixture; or

(*b*) any mixing, handling, dispensing or storage of any material is likely to produce a gas, vapour or mist of such character and to such extent as to be capable of producing a flammable mixture,

the employer shall ensure that all practicable steps are taken to,

(*c*) enclose the equipment used in the process;

(*d*) prevent or remove any accumulation of dust, vapour, gas or mist that may escape from the enclosure;

(*e*) exclude or effectively enclose all potential sources of ignition of the flammable mixture;

(*f*) restrict the spread and effects of any burning or explosion by the provision of vents, baffles and chokes, or other devices satisfactory to an inspector; and

(*g*) when so directed by an inspector, create and maintain an inert atmosphere in contact with dust or other particles mentioned in clause *a* or mixed with the gas, vapour or mist mentioned in clause *b*. O. Reg. 196/64, s. 16.

17. Where any gas, liquid, vapour or dust is under pressure other than atmospheric pressure, no person shall open its container and every employer shall ensure that the container is not opened unless,

(*a*) before any fastening of the container and of any container connected therewith is loosened, any flow into or out of such container is effectively stopped; and

(*b*) before any fastening of the container is removed, all practicable steps are taken to adjust the pressure of gas, vapour, liquid or dust in the container so that the pressure equals atmospheric pressure,

and if any such fastening has been loosened or removed, every employer and other person shall ensure that no gas, vapour, liquid or dust enters the container until the fastening has been secured or securely replaced. O. Reg. 196/64, s. 17.

18. Every employer shall ensure that no container that is or has been used for any explosive or flammable substance shall be altered or repaired, and no person shall alter or repair the container by welding, brazing, soldering or any operation that involves an open flame or other potential source of ignition, unless all practicable steps have been taken to,

(*a*) remove the substance and any fume, gas, vapour or dust arising from it; or

(*b*) render the substance and any fume, gas, vapour or dust arising from it non-explosive or non-flammable,

and if such container has been subjected to any such alteration or repair the employer and employee shall ensure that no explosive or flammable substance enters the container until the container has cooled sufficiently to prevent any risk of igniting the substance. O. Reg. 196/64, s. 18.

19. Subject to *The Energy Act* and *The Gasoline Handling Act* and the regulations under those Acts, every employer in an industrial establishment shall ensure that any dangerous, flammable or explosive material, substance or thing in a solid, liquid or gaseous state or any combination of them, that is kept, stored or handled,

(*a*) is in a container that is suitable having regard to the nature and state of the material, substance or thing; and

(*b*) is safely apart or insulated from any reasonably foreseeable source of ignition or from temperatures likely to cause combustion,

and where the material, substance or thing is kept, stored or handled for a purpose other than immediate manufacture or immediate use or sale, it shall be kept, stored or handled,

(*c*) outside any building;

(*d*) in a building not used for any other purpose; or

(*e*) in a fire-resistive compartment satisfactory to an inspector as to location and construction. O. Reg. 196/64, s. 19.

VENTILATION AND DUST CONTROL

20. Every employer shall,

(*a*) provide for a supply of fresh air into, and the removal of air from an industrial establishment that is sufficient to keep the air reasonably pure and to render harmless so far as is reasonably practicable all gases, vapours, dusts or other impurities that are likely to endanger the safety of any person therein;

(*b*) where a process is carried on that produces a gas, vapour, dust or other impurity that is likely to be inhaled to an injurious extent by persons in the industrial establishment, provide and use such mechanical means satisfactory to an inspector, as are capable of,

(i) preventing as far as is reasonably practicable such inhalation,

(ii) effectively carrying off and disposing of such gases, vapours or dusts, and

(iii) preventing the recirculation and re-entry into the industrial establishment of air containing such impurities.

(*c*) ensure that air exhausted from any process using silica, benzol, lead, asbestos, beryllium or other toxic or hazardous material is discharged to the outdoors so as not to endanger the safety of any person in the industrial establishment and is not returned to the industrial establishment;

(*d*) ensure that any place where dust may accumulate is regularly cleaned by vacuum, wet sweeping, wet shovelling or other method that reduces the dissemination of dust into the atmosphere;

(*e*) ensure that all ventilation systems, their collection systems and emptying processes used for controlling the dissemination of gases, vapours, dust or other impurities are working effectively and to the satisfaction of an inspector;

(*f*) ensure that dust collectors are not located inside any building of the industrial establishment unless otherwise permitted by an inspector;

(*g*) ensure that all equipment used to control or handle gases, vapours, dusts or other impurities is maintained in good operating condition;

(*h*) ensure that abrasive blasting or other like operation inside a building is conducted in a blasting enclosure so constructed and ventilated as to effectively prevent dust entering the atmosphere of the building;

(*i*) ensure that the system for ventilating the blasting enclosure is in operation while the enclosure is occupied or in use;

(*j*) ensure that all abrasive blasting or other like operation that is likely to expose any person to abrasive material or dust that contains free silica, is performed in accordance with the following provisions:

1. Where the abrasive blasting or other like operation is performed inside a container or blasting enclosure, a sufficient volume of air shall be drawn through the container or enclosure so that dust is rapidly removed after the operation has ceased.

2. Every person who is performing abrasive blasting or other like operation shall wear a helmet of a type satsfactory to an inspector and supplied for the person's individual use.

3. The helmet shall be supplied with air at a temperature satisfactory to an inspector, taken from a clean source and not contaminated with oil or other impurities.

4. Air in a volume sufficient to prevent dust entering from the surrounding atmosphere shall be supplied to the helmet.

(*k*) take such additional steps to prevent the production or dissemination of dust as an inspector deems necessary in the circumstances. O. Reg. 196/64, s. 20.

21.—(1) Where any abrasive material or dust produced by an abrasive blasting or other like operation does not contain free silica, the blasting operation shall be performed in a manner satisfactory to an inspector.

(2) Where, in the opinion of an inspector, any means of dust control prescribed by this Regulation is impracticable, the inspector shall require the employer to provide an employee who is likely to be exposed to dust with respiratory equipment satisfactory to the inspector. O. Reg. 196/64, s. 21.

SUBSTANCES DANGEROUS TO HEALTH

22. Where any person in an industrial establishment is exposed to any substance that is likely to endanger his health, the employer shall, when so required by the chief inspector on advice of the director of the Industrial Hygiene Branch, Department of Health, post in a conspicuous place printed forms approved by the director stating the dangers involved and the precautions necessary for the protection of such person. O. Reg. 196/64, s. 22.

23. Any manufacturer, distributor or other person offering for use in any industrial process any substance that contains any ingredient that is likely to endanger the safety of any employee in an industrial establishment shall provide accurate information regarding the percentage of such ingredient when requested by the chief inspector or by the director of the Industrial Hygiene Branch, Department of Health. O. Reg. 196/64, s. 23.

24.—(1) The chief inspector, on the advice of the director of the Industrial Hygiene Branch, Department of Health may require at specified intervals by qualified physicians and at the expense of the employer a physical examination of any person employed in an industrial establishment having a process that the director considers is likely to endanger such person's safety, and the physician shall forthwith send or cause to be sent to the director, a report of the examination in a form suitable to the director.

(2) The examination required under subsection 1 shall be prescribed by the director and may include an X-ray examination and a blood test or other test. O. Reg. 196/64, s. 24.

25.—(1) Any person who, for use in an industrial establishment, manufactures, distributes or purchases any substance that contains benzol. carbon tetrachloride, lead or other ingredient that is considered dangerous to health by the director of the Industrial Hygiene Branch, Department of Health, shall indicate the presence of such benzol, carbon tetrachloride, lead or other ingredient by a label lettered in legible type, distinctly visible and affixed to each package or container thereof. O. Reg. 196/64, s. 25 (1), *amended*.

(2) Subsection 1 does not apply to lead compounds used only as dryers in the preparation of paint products. O. Reg. 196/64, s. 25 (2).

26. Every legally qualified physician shall report forthwith to the director of the Industrial Hygiene Branch, Department of Health, any case of industrial disease or of suspected industrial disease coming to his attention on report forms to be supplied by the director. O. Reg. 196/64, s. 26, *amended*.

MACHINERY

27. Every employer shall ensure that clearances adequate for the safety of persons in an industrial establishment are maintained between the moving part of any machine or any material carried by the moving part and any other machine, structure or thing. O. Reg. 196/64, s. 27.

28.—(1) Every employer shall ensure that every prime mover, machine, transmission machinery, device, place, matter or thing, or part or parts thereof, that is dangerous to the safety of any person in the industrial establishment is safely fenced or guarded unless,

(*a*) its position, construction or attachment assures the same protection as if it were safely fenced or guarded; or

(*b*) it is provided with a safety device that automatically prevents a person operating it from coming into contact with any dangerous part.

(2) Every set screw, bolt or key on any revolving shaft, spindle, wheel or pinion connected to or forming part of or appurtenant to any machine, transmission machinery or device in an industrial establishment, shall be so recessed, encased, located or otherwise effectively guarded as to prevent injury to any person. O. Reg. 196/64, s. 28.

29.—(1) No person in an industrial establishment shall,

(*a*) clean, oil, adjust, repair or perform maintenance work on any machine, transmission machinery, device, or thing while it or any part of it that is likely to endanger the safety of any person is in motion, except when such work is not practicable while the machine, transmission machinery, device or thing is stopped; or

(*b*) except with the written permission of an inspector, work between any machinery, objects or things one or more of which are likely to move in a manner dangerous to his safety.

(2) Every employer shall ensure that no person works in contravention of subsection 1.

(3) Every employer shall ensure that no person works and no person shall work where the accidental starting of a machine, transmission machinery, device or thing is likely to endanger the safety of any person unless effective precautions to prevent such accidental starting are taken, including the locking-out of control switches or other control mechanisms and the posting of warning signs satisfactory to an inspector. O. Reg. 196/64, s. 29.

30. Every employer shall ensure that no person works without supervision at any machine unless the person,

(*a*) has received adequate training and instruction in the operation of the machine and any dangers connected therewith;

(*b*) has received adequate supervision by a person having thorough knowledge and experience with the machine; and

(*c*) is capable of safely operating the machine without supervision. O. Reg. 196/64, s. 30.

31.—(1) Every employer shall ensure that,

(*a*) the safe working load or loads of every lifting device is plainly marked thereon;

(*b*) no lifting device is loaded beyond its safe working load except for the purpose of a test or when the load is certified as safe by a person satisfactory to an inspector;

(*c*) no cable, chain, rope, sling, ring, hook, shackle, swivel or other part of a lifting device is used unless it is of good construction, sound material and adequate strength to safely support the maximum load to which it is likely to be subjected and is properly maintained;

(*d*) every lifting device is thoroughly examined at least annually by a competent person;

(*e*) all rails on which a lifting device moves are of proper size and properly laid and maintained and have an even running surface;

(*f*) no newly-installed lifting device is used until it has been thoroughly tested and examined by a competent person;

(*g*) where any person is on or near the wheel track of a travelling crane in any place where the safety of such person is likely to be endangered by the crane, the operator of the crane is warned of the presence of such person and the crane or any part thereof does not approach within ten feet of the place; and

(*h*) no overhead crane is moved when any person is in or under the path of the crane or its load until the person is adequately warned of the proposed movement.

(2) The onus of proving compliance with subsection 1 is on the employer. O. Reg. 196/64, s. 31.

32. Every employer shall ensure that steps practicable in the opinion of an inspector are taken to prevent injury to the hearing of a person in an

industrial establishment by reducing or eliminating noise from any machine or device. O. Reg. 196/64, s. 32.

PERSONAL PROTECTIVE DEVICES AND CLOTHING

33.—(1) Every employer shall ensure that no person under his control is in any place or works,

(*a*) where he is likely to be exposed to head injury unless he is wearing a hat manufactured for the purpose of preventing such injury;

(*b*) where he is likely to be exposed to eye injury,

(i) from flying particles,

(ii) from hazardous substances,

(iii) from sharp objects, or

(iv) from harmful light or other rays,

unless he is protected by a screen, clear or coloured eye shields, as appropriate, or other suitable devices manufactured for the purpose of protecting persons from such injury;

(*c*) where he is likely to be exposed to foot injury,

(i) from falling or crushing objects,

(ii) from hot, corrosive or poisonous substances,

(iii) from sharp objects, or

(iv) because of wet locations,

unless he is wearing footwear or other protective device manufactured for the purpose of protecting persons from such injury;

(*d*) where he is likely to be exposed to injury from dangerous gases, vapours, mists, fumes, dust or a deficiency of oxygen, unless he is protected by wearing suitable breathing apparatus manufactured for the purpose of protecting persons from such exposure; or

(*e*) where he is likely to be exposed to any injury not mentioned in clause *a*, *b*, *c*, or *d* unless he is wearing or using such protective clothing or devices as will effectively protect him from injury; or

(*f*) near any rotating shaft, spindle, gear, belt or other possible source of entanglement,

(i) while wearing any rings or loose or dangling clothing or jewellery, or

(ii) in the case of a female while her hair is not confined closely to her head by suitable headgear.

(2) Every employer, before requiring any person under his control to be in any place or work where protective clothing or devices are required by this section, shall notify such person of the requirements of this section and shall ensure that such person is adequately instructed in the use of such protective clothing or devices.

(3) Where, in the opinion of an inspector, compliance with this section will not prevent injury to a person from a harmful substance, the employer shall provide such safety showers, eye wash fountains or other emergency equipment as the inspector directs. O. Reg. 196/64, s. 33.

34. No person shall wear open-toed or high heeled shoes in a factory unless otherwise permitted by an inspector. O. Reg. 196/64, s. 34.

35. No person in an industrial establishment shall fail to use or wear any protective clothing or devices required by this Regulation. O. Reg. 196/64, s. 35.

EXITS

36.—(1) In an industrial establishment the owner shall provide and properly maintain means of egress convenient to and having easy communication with all rooms likely to be occupied by a person including,

(*a*) tower stairs of fire-resistive construction equipped with fire-resistive doors and hardware satisfactory to an inspector at each storey including the basement; and

(*b*) where permitted by an inspector, metal or other non-combustible fire escapes consisting of exterior stairways with railings and with landings at each storey connecting directly with the interior of the building through metal or other fire-resistive doors.

(2) Any drawings and specifications of a fire escape or tower stair for an industrial establishment submitted to an engineer of the Department for approval under section 2 shall show the size and composition of all structural members and enclosures and shall include,

(*a*) floor plans, elevations and sections of the fire escape or tower stairway drawn to a scale of not less than one-quarter of an inch to the foot;

(*b*) details drawn to a scale of not less than one inch to the foot; and

(*c*) a plan showing the location of the fire escape or tower stair on the building in relation to other means of egress to a yard or public street drawn to a scale of not less than one-sixteenth of an inch to the foot.

(3) The owner or employer in charge of the industrial establishment shall provide and properly maintain such equipment and facilities as directed by an inspector for protection from fire and the prevention and extinguishment thereof. O. Reg. 196/64, s. 36.

37.—(1) No person in an industrial establishment shall lock, bolt or bar any door and every person having authority over access to or egress from the building shall ensure that no such door is locked, bolted or barred while any person, except a watchman with suitable keys to all doors, is in the building.

(2) Subsection 1 does not apply to a room that is unoccupied and does not form part of a means of egress from an occupied room or floor area.

(3) Notwithstancing that a door is locked to prevent ingress to a building or room, the door shall be deemed to be not locked, bolted or barred if it is provided with a mechanism for unlocking it quickly from the inside that requires no special skill, effort or previous knowledge for its operation.

(4) Every owner or employer shall ensure that,

(*a*) no means of egress under his control is obstructed; and

(*b*) no door to a fire escape, tower stair or other smoke-proof enclosure under his control is prevented from closing or remaining closed.

(5) Except in the case of a grain elevator, no outside fire escape shall extend above the third floor of a building used as an industrial establishment erected after the first day of July, 1952, and for the purposes of this subsection the ground floor is deemed to be the first floor. O. Reg. 196/64, s. 37.

Employee Facilities

employer's responsibilities

38.—(1) An employer shall,

(*a*) keep the premises in a clean and sanitary condition and free from any effluvia arising from refuse of any kind and remove, at least daily, by a suitable method, all accumulations of oil, grease, dirt and refuse from the floors, work tables, passages and stairways and as far as practicable, keep all windows and skylights clean on both the inner and outer surfaces and free from obstructions, but an employer may shade or tint such windows and skylights for the purpose of mitigating heat or glare;

(*b*) keep all passageways and other walking surfaces used by his employees and under his control in a safe condition and free from obstructions or accumulations of ice or snow;

(*c*) not use on a walking surface any finish or protective material that is likely to make such surface slippery;

(*d*) provide and maintain sufficient and suitable natural or artificial lighting without unnecessary glare or shadows where persons are working or passing in the industrial establishment;

(*e*) keep toilet rooms and washrooms that are under his control adequately lighted, in good repair and in a sanitary condition;

(*f*) keep toilets, urinals and other sanitary conveniences that are under his control in good repair and in a sanitary condition;

(*g*) ensure that the temperature of the industrial establishment is regulated so as to be suitable for the work to be performed therein and so as to be not likely to endanger the safety of any person or cause unnecessary discomfort but in no case shall the temperature be less than 68° Fahrenheit unless permitted by an inspector in writing;

(*h*) ensure that crowding that is likely to endanger the safety of persons therein does not occur;

(*i*) provide and maintain for the use of employees a convenient and sufficient supply of clean towels, soap or other suitable cleansing agent, toilet paper and in each toilet room used by females a suitable covered receptacle;

(*j*) ensure that adequate means are provided for the proper draining of floors that are liable to be wet to such an extent that the safety of any person therein is likely to be endangered;

(*k*) provide a supply of safe drinking water in a place where the tap or outlet is distant from any water closet or urinal and, when the supply is not taken directly from a water pipe, the supply shall be contained in a covered vessel having a drain faucet and shall be renewed at least daily;

(*l*) where the drinking water is not delivered in an upward jet from which the employees can conveniently drink, provide a sufficient supply of individual drinking cups located near the tap or outlet;

(*m*) except where otherwise permitted by an inspector, provide not less than one tap or outlet for drinking water on every floor where work is regularly performed and within 300 feet of every employee's normal work station;

(*n*) provide suitable accommodation for clothing not worn by employees during working hours and for work clothes that must be dried or cleaned or kept separate from street clothes because of the presence of poisonous, irritating or infectious materials;

(*o*) where in the opinion of an inspector the safety of any person is likely to be endangered by the presence of poisonous, irritating or infectious materials or gases or by extremes of temperature or humidity provide such shower baths and additional wash basins supplied with sufficient hot and cold water, as the inspector considers necessary;

(*p*) if thirty-five or more persons are employed or working in the industrial establishment or if an inspector so directs in writing, provide at his own expense a room, area or place for eating purposes together with equipment satisfactory to an inspector;

(*q*) ensure that no person takes food into or eats in a room, area or place where paint, varnish, dye, lead, arsenic or any other poisonous substance is exposed or where deleterious vapours, mists, fumes, dust or gases are known to be present or any other room, area or place designated by an inspector and shall ensure that drinking water in any such room, area or place is taken directly from a water pipe or fully enclosed container;

(*r*) if thirty-five or more females are employed or working in the industrial establishment or if an inspector so directs in writing, provide a female supervisor, matron, nurse or other competent female employee to have charge of the welfare of female employees, and such person may have other duties that do not prevent her from adequately attending to such welfare; and

(*s*) if ten or more females are employed or working in the industrial establishment provide a rest room or other space affording reasonable privacy together with one or more couches or cots and chairs satisfactory to an inspector.

(2) No person shall take food into or eat in a room, area or place referred to in clause *q* of subsection 1. O. Reg. 196/64, s. 38.

39.—(1) Every employer who employs any person having in the course of his employment reasonable opportunities for sitting in safety or without detriment to his work or who employs any person whose work or a substantial portion thereof can be effectively performed while sitting shall provide and maintain a suitable chair or seat for that person at his place of work.

(2) The employer shall not by any contrivance or rule, open or covert threat or initimidation express or implied, prevent any person employed by him from using the chair or seat provided in accordance with subsection 1. O. Reg. 196/64, s. 39.

OWNER'S RESPONSIBLITIES

40. The owner of a building used as an industrial establishment shall,

(*a*) at all times keep it or such parts thereof that are under his control properly lighted, heated and ventilated and in a clean and sanitary condition, so as not to endanger the safety of persons in the building or having access to it;

(*b*) ensure that the cause of any effluvia arising from any defective drain or plumbing is removed and the defect corrected;

(*c*) ensure that any repairs required to keep the building in a safe and habitable condition are made;

(*d*) ensure that all walking surfaces are constructed of materials that are not slippery when dry or wet;

(*e*) arrange for a supply of pure drinking water available for each occupier;

(*f*) provide washrooms and toilet rooms that are conveniently accessible and that,

(i) have legible signs indicating for which sex the room is provided and that are constructed so as to prevent a view of their facilities from outside the room and so as to prevent, as far as practicable accidental entry into the room by a person of the opposite sex, and

(ii) are, where separated, adjacent and connected with a door or doorway,

(iii) have a ceiling height of not less than eight feet with the enclosing walls extending to the ceiling and

constructed of material impervious to liquid to a height of not less than four feet,

(iv) that have mechanical exhaust to the outdoors at a volume of not less than two cubic feet per minute for each square foot of the floor area of the room, or that have windows or skylights so constructed that, for each toilet and for each urinal in the room, not less than two square feet of the window or skylight can be opened,

(v) have an opaque window or skylight where necessary to ensure privacy, and

(vi) have smooth floors of terrazzo, vitrified tile, mastic tile, asphalt or other equally non-absorbent, easily cleaned material; and

(*g*) where the toilet rooms and washrooms are used in common by more than one tenant, provide and maintain for the use of employees a convenient and sufficient supply of clean towels, soap or other cleansing agent, toilet paper and, in each toilet room used by females, a suitable covered receptacle. O. Reg. 196/64, s. 40.

41.—(1) Subject to subsection 2, separate washrooms and toilet rooms for male and female persons shall be provided by the owner of an industrial establishment.

(2) Where less than six persons are employed, the owner may provide a room containing a wash basin and a flush toilet and having a door that has a locking device on the inside. O. Reg. 196/64, s. 41.

42. When directed by an inspector, the owner shall provide for employees washrooms and toilet rooms that are separate from those provided for other persons having access to the industrial establishment. O. Reg. 196/64, s. 42.

43.—(1) Where six or more persons are employed in an industrial establishment, the owner shall provide for the number of employees of each sex in a group itemized in column 1 of the Table not less than the number of separate flush toilets and separate washbasins for each sex set opposite thereto in column 2.

TABLE

Item	Column 1		Column 2	
	No. of male Employees	No. of female Employees	No. of Toilets	No. of Washbasins
1	1 to 9	1 to 9	1	1
2	10 to 24	10 to 24	2	2
3	25 to 49	25 to 49	3	3
4	50 to 74	50 to 74	4	4
5	75 to 100	75 to 100	5	5
6	Over 100	Over 100	Add one toilet and one washbasin for each additional thirty employees or fraction thereof.	

(2) Notwithstanding subsection 1,

(*a*) in toilet rooms for more than nine male employees, urinals shall be substituted for not less than one-quarter and not more than one-half of the number of flush toilets required by subsection 1; or

(*b*) in toilet rooms for more than nine female employees, urinals may be substituted for not more than one-half of the number of flush toilets required by subsection 1.

(3) Subject to subsection 2, urinals or washfountains in straight trough form and wash fountains in circular form may be provided in lieu of toilets or wash basins, as the case may be, and,

(*a*) where a circular washfountain is provided, each twenty inches of its circumference is deemed to be the equivalent of one wash basin; and

(*b*) where a urinal or washbasin in straight trough form is provided, each twenty-four inches of its length is deemed to be the equivalent of one toilet or one washbasin, as the case may be.

(4) Where washfountains or washbasins are provided, they shall be supplied with hot and cold water from taps or outlets that are satisfactory to an inspector.

(5) Where the municipality in which the industrial establishment is located is not serviced by a water or sewage system and flush toilets cannot be provided, privies or other toilets satsfactory to an inspector shall be provided.

(6) Every toilet for employees and every urinal for female employees shall occupy an individual compartment with a suitable door and lock and the compartment shall have a length of not less than four feet six inches and a width of not less than two feet eight inches.

(7) The height of any compartment door, wall or partition between toilets for employees and between urinals for female employees may be less than the height of the room but the top of the door or partition shall be not less than five feet six inches from the floor and the bottom not more than one foot from the floor.

(8) Every compartment shall be supplied with a clothes hook.

(9) Water for washing purposes shall not,

(*a*) exceed 140° Fahrenheit at any outlet; and

(*b*) be directly mixed with steam. O. Reg. 196/64, s. 43.

44.—(1) The employer in charge of a factory or shop shall provide such dressing rooms and shower rooms as an inspector may direct.

(2) Where working clothes require drying the employer shall provide facilities for drying satisfactory to an inspector. O. Reg. 196/64, s. 44.

45.—(1) Where individual showers are installed and no dressing room satisfactory to an inspector is provided adjacent thereto, the employer shall provide on at least one side of each shower stall a cubicle for dressing that is not less than three feet by three feet in size and that is separated from the stall and washroom by suitable draw curtains.

(2) Where the nature of the operations in the industrial establishment requires that an employee take a shower at the end of every shift to ensure his safety, the shower room shall be located between the room provided for clothes not worn by an employee during working hours and the room provided for work clothes. O. Reg. 196/64, s. 45.

46. An inspector may, with respect to an industrial establishment in operation before the 31st day of July, 1964, permit the continued use of such sanitary facilities satisfactory to him that are in use therein notwithstanding that such facilities do not comply with this Regulation. O. Reg. 196/64, s. 46.

EMPLOYMENT OF CHILDREN IN OFFICES AND SHOPS

47. A child of fourteen years of age may be employed in a shop, office or office building if,

(*a*) such employment is not likely to endanger his safety; and

(*b*) the employment is during hours other than the hours during which the child is required under *The Schools Administration Act* to attend school. O. Reg. 196/64, s. 47, *amended*.

REPORTING

48.—(1) Where a fire, accident, or industrial disease in or about an industrial establishment occasions any injury to the body or health of a person employed therein whereby he is prevented or likely to be prevented for more than two calendar days from earning full wages, a notice in writing containing particulars of,

(*a*) name, address and type of business of the employer;

(*b*) the nature and the circumstances of the occurrence and the bodily injury sustained;

(*c*) the machinery or equipment involved;

(*d*) the time and place of the occurrence;

(*e*) the name and address of the injured employee;

(*f*) the name and address of any witness to the occurrence; and

(*g*) the name and address of the physician or surgeon, if any, by whom the workman was or is being attended for the injury,

shall be sent to the chief inspector by the employer during or forthwith upon the termination of such two-day period.

(2) A true copy of the notice mentioned in section 117 of *The Workmen's Compensation Act* may be sent to the chief inspector in lieu of the notice mentioned in subsection 1. O. Reg. 196/64, s. 48.

49. Where, in or about an industrial establishment, a person is killed or critically injured from any cause,

(*a*) the employer shall forthwith notify an inspector of the occurrence by telephone, telegram or other direct means and shall, within forty-eight hours after the occurrence, send the chief inspector a written report of the circumstances of the occurrence, including the particulars required by subsection 1 of section 48; and

(*b*) no person shall, except for the purpose of saving life or relieving human suffering, interfere with, disturb, destroy, carry away or alter any wreckage, article or thing at the scene of or connected with the occurrence until permission so to do is given by an inspector. O. Reg. 196/64, s. 49.

50.—(1) Subject to subsection 2, where an explosion occurs in an industrial establishment, a notice in writing containing particulars of such explosion shall be sent by the employer to the chief inspector within twenty-four hours after the explosion occurred.

(2) A controlled explosion or an explosion of any container being filled in a suitable protective enclosure is deemed not to be an explosion for the purposes of subsection 1, unless such explosion endangers the safety of any person in the industrial establishment or damages any structure therein. O. Reg. 196/64, s. 50.

Form 1

The Industrial Safety Act

APPLICATION FOR APPROVAL OF DRAWINGS AND SPECIFICATIONS

Under the Act and the regulations the undersigned,

as architect ☐, engineer ☐, owner ☐,

contractor ☐, manufacturer ☐, or agent ☐,

applies for the approval of the drawings and specifications, submitted herewith in duplicate, for the

construction ☐, reconstruction ☐, alteration ☐, or addition ☐ of

(*a*) a factory ☐, shop ☐, office ☐, office building ☐

or other (*describe*).....

(*b*) a system for local exhaust ☐, general ventilation ☐, air supply ☐, the heating of air that is being supplied ☐, or other (*describe*).....

in a grain elevator ☐, foundry ☐, or other place ☐.

1. The owner of the industrial establishment is.....

.....

(name of owner) (postal address of owner)

2. The industrial establishment is located at..... (number, street or

.....

road and city, town, village or township)

3. The method of heating the industrial establishment will be by

steam ☐, hot water ☐, warm air ☐, radiant units ☐

or other (*describe*).....

The source of heat will be,

coal ☐, electricity ☐, gas ☐, oil ☐

or other (*describe*).....

Heating Equipment
Floor mounted ☐
ceiling hung ☐
other (*describe*) . . . . .
Is there a stack to outdoors Yes ☐ No ☐

4. The following sprinklers, extinguishers, hoses, and other fire-protection equipment will be provided:

Fire Protection Equipment		
Sprinklers	yes ☐	no ☐
Standpipe and hose	yes ☐	no ☐
Suitable portable extinguishers by owner	yes ☐	no ☐
by each employer	yes ☐	no ☐
Other (*describe*)		

5. Fans for handling of gases, vapours, fumes or dusts will be provided as follows:

General Ventilation	
Name of area to be ventilated	Fan capacity in cu. ft. per min. when installed

Local Ventilation	
Name of operation to be ventilated	Fan capacity in cu. ft. per min. when installed

6. Information in respect of each employer occupying, or proposing to occupy, a part, or all, of the industrial establishment is as follows:

Area No.	Business name of each employer	Description of process or operation (*use separate sheet if necessary and attach*)	Will there be any machinery other than that powered by manual labour	
1			yes ☐	no ☐
2			yes ☐	no ☐
3			yes ☐	no ☐

Maximum number of employees in the area at any time		Design live load in lbs. per sq. ft. (*see note 1*)		Dangerous Materials (*See note 2*)		
				Material	Maximum quantity in each section	
Male	Female	Floor	Roof		stored at any time	used in any period of 8 hours

7. The drawings and specifications were prepared by.....

.....

(name of architect, engineer, owner, contractor, manufacturer)

whose postal address is.....

8. The undersigned estimates that the cost of the proposed,

(*a*) construction, reconstruction or alterations of the building;

(*b*) installation or alteration of equipment, machinery or device designated by the regulations,

will be $.....

(*see note 3*)

9. Enclosed is remittance for $..... to apply upon the fees payable under the Act and the regulations (*see note 4*).

Dated the.....day of....., 19.... .....

(business name of applicant)

of..... ..... By .....

(postal address of applicant) (signature) (official capacity)

NOTE 1: The ground floor is considered to be the first floor.

NOTE 2: "Dangerous material" means any material dangerous to safety or health of persons such as lead, silica, ammonia, benzol, naphtha, paint solvent, any explosive or flammable substance, any source of ionizing radiation, any storage tank for compressed gases or flammable liquids within 50 feet of the construction, and shall be described on a separate sheet attached to this application.

NOTE 3: In the case of building approvals, cost does not include land purchase, landscaping, roads, railway sidings, water mains, sewers and other services outside the exterior walls of the building.

NOTE 4: Deliver or mail this form with all applicable blanks filled in, together with duplicate drawings and specifications and the required fees, to the Industrial Safety Branch, Department of Labour, Toronto 1, Ontario.

FOR DEPARTMENTAL USE ONLY

Cubic contents of the building ..... Approval No. .....

Unit cost per cubic foot ..... Compartment No. .....

Approved estimated cost of the, Registration No. .....

(*a*) Building $.....

(*b*) Equipment designated by the regulations $.....

Approved examination fee $..... District No. .....

Fee paid by applicant $..... Receipt No. .....

Balance due from/to applicant $..... Receipt No. .....

Examined by ..... (signature of examiner) and passed for approval.

Approved the ..... of ....., 19....

By .....
(An engineer of the Department)

Drawings returned to ..... Date .....

Drawings filed .....

EXAMINER'S NOTES

.....

.....

.....

.....

.....

.....

.....

Completed building or installation of equipment inspected by

..... Date .....

O. Reg. 196/64, Form 1, *amended*.

Form 2

The Industrial Safety Act

NOTICE

TAKE NOTICE that this.....
(specify the "place", "matter" or "thing", as the case may be)

is a source of danger to the safety of persons employed in or having access to these premises and the use thereof shall be discontinued immediately until the inspector's direction of.....
(date)

to .....
(name of employer or owner)

.....
(address of employer or owner)

has been complied with.

No person, except an inspector, shall remove this notice unless authorized by an inspector.

Dated the.....of....., 19....

.....
(signature of inspector)

O. Reg. 196/94, Form 2.

REGULATION 455

under The Industrial Safety Act

GRAIN ELEVATORS

1. In this Regulation,

(*a*) "gallery" means that portion of a grain elevator above ground level that connects two or more buildings;

(*b*) "garner" means a type of bin used to accumulate or hold grain before the grain is dumped into a scale bin or other batch type container;

(*c*) "grain" includes feed, flour and seed;

(*d*) "grain elevator" means any premises or structure used for the storage or handling of bulk grain and includes a feed mill, flour mill, seed cleaning plant and all machinery and other equipment therein;

(*e*) "marine tower" means that portion of a grain elevator used for the receiving of grain from a marine vessel;

(*f*) "storage building" means that portion of a grain elevator used for the storage of grain;

(*g*) "tunnel" means that portion of a grain elevator at or below ground level that connects two or more buildings;

(*h*) "workhouse" means that portion of a grain elevator used for receiving, weighing, cleaning or shipping grain. O. Reg. 225/65, s. 1.

2.—(1) Sections 3 to 6, both inclusive, sections 10 to 15, both inclusive, sections 18, 20 21 and 23, subsection 2 of section 25, section 26, subsection 1 of section 30 and subsection 2 of section 51, do not apply to any part of a grain elevator erected, or any machinery or other equipment installed, before the 5th day of October, 1965 but, subject to subsection 2, apply to any changes to such elevator, machinery or equipment.

(2) Subsection 2 of section 3, section 12, subsection 3 of section 13, subsection 7 of section 15, subsection 3 of section 16, sections 17, 20 and 27, subsection 1 of section 47, section 59, subsection 1 of section 60, section 63, subsections 1, 2 and 3 of section 64 and section 66 do not apply to the workhouse and directly attached storage sections of a grain elevator where,

(*a*) the grain handling capacity of each elevating system at the grain elevator does not exceed 3,000 bushels per hour and where each such system is completely separated from the others in a manner satisfactory to an engineer of the Department;

(*b*) the storage capacity that is in direct connection with the workhouse does not exceed 125,000 bushels; and

(*c*) the storage areas, including annexes, are not connected to the workhouse by any means that is capable of transmitting fire from one area to any other area. O. Reg. 225/65, s. 2.

DESIGN OF STRUCTURE

3.—(1) Every grain elevator shall be constructed of non-combustible materials, but ancillary buildings that are not used for the handling of bulk grain and are separated from the remainder of the grain elevator by a non-combustible wall with a fire-resistive rating of two hours or equivalent separation may have roof and interior construction of wood.

(2) Where the operation of the grain elevator requires that combustible materials other than grain, belts or railway cars be present in quantities sufficient to produce a serious fire, all structural supports shall have a fire-resistive rating of three hours or the elevator shall be fully sprinkled.

(3) Not withstanding subsections 1 and 2, wooden flooring may be used in flour mills. O. Reg. 225/65, s. 3.

4.—(1) Interior surfaces, including the inside of storage bins and garners, shall be smooth.

(2) Pockets and horizontal surfaces inaccessible to cleaning shall be kept to a minimum.

(3) Ledges or similar surfaces that cannot be eliminated shall be sloped as steeply as is possible, and in no case shall be less than sixty degrees from the horizontal. O. Reg. 225/65, s. 4.

5.—(1) Buildings and rooms in which dust may be present shall be designed, constructed and maintained so as to provide explosion venting to outdoors through large window areas or other means approved by an engineer of the Department.

(2) A minimum of one square foot of explosion-venting area shall be provided for every eighty cubic feet of volume contained within each room or building where grain dust may be present.

(3) The explosion-venting area for basements shall be the area set out in subsection 2 unless the structural stability of the elevator is likely to be endangered thereby, in which case the explosion-venting area shall be the area approved by an engineer of the Department.

(4) Where material that is not self-releasing is used as part of an explosion-venting area, explosion-venting hardware or other similar device capable of releasing the panel or frame containing the material shall be provided. O. Reg. 225/65, s. 5.

6.—(1) Every building and work room shall be provided with a ventilating area in the ratio of not less than one square foot for every 160 cubic feet of room volume, except in basements where the ventilating area shall be not less than 50 per cent of the explosion-venting area required by subsection 3 of section 5.

(2) Every window ventilator shall be,

(*a*) easily accessible for operation;

(*b*) arranged to provide for maximum ventilation when open; and

(*c*) of the pivoted or projected type. O. Reg. 225/65, s. 6.

7. Every basement, tunnel and any space around a receiving hopper shall be well ventilated by windows, louvres or mechanical means. O. Reg. 225/65, s. 7.

8.—(1) Where grain is being handled, openings shall be provided in the exterior of the building sufficient to permit every exhaust system to exhaust the amount of air for which it is designed, and in the case of a basement, the openings shall be permanent.

(2) When grain is handled, windows or exterior doors sufficient to provide adequate ventilation shall be open. O. Reg. 225/65, s. 8.

9. Where no mechanical means of ventilation is used, every roof including those of track sheds, cupolas, galleries and tunnels shall be provided with monitors or other ventilators that, in conjunction with windows, ensure frequent change of air. O. Reg. 225/65, s. 9.

10.—(1) Every track shed for the loading or unloading of railway cars or other vehicles shall be separated from the grain elevator by a non-combustible dust-tight partition or by an exterior clear space sufficient to prevent dust from the track shed from entering the grain elevator.

(2) No window in a partition mentioned in subsection 1 shall be capable of being opened and every door in the partition shall be self-closing.

(3) Weighing and cleaning equipment may be located in or under the track shed if such equipment is adequately ventilated and meets any additional requirements of an engineer of the Department. O. Reg. 225/65, s. 10.

11. The buildings and sections of a grain elevator shall be as distant from one another as is practicable. O. Reg. 225/65, s. 11.

12.—(1) Where a belt conveyor gallery or tunnel connects main sections of the grain elevator, a non-combustible partition shall be provided in the gallery or tunnel.

(2) Every belt opening in the partition shall be as small as is practicable and the opening shall be equipped with an automatic-closing non-combustible door that slides vertically and is equipped at the bottom with a roller that closes down on the belt.

(3) Except as provided in subsection 2, every door in the partition shall be self-closing and side hinged. O. Reg. 225/65, s. 12.

13.—(1) Every bin, tank and interspace shall be provided with a cover designed and constructed to prevent dust from escaping into the work area and to exclude water from the bin, tank or interspace.

(2) Every manhole in a floor over a bin that provides access to the bin shall be not less than twenty-four inches in its least dimension and shall have a curb or similar protection sufficient to prevent the entry of water.

(3) Every floor over a bin shall have scuppers or drains to discharge water away from the bin. O. Reg. 225/65, s. 13.

14.—(1) Every basement or tunnel shall be provided with as much natural light and ventilation as is practicable.

(2) Every tunnel or gallery shall be of such width and height as to afford easy and safe access for the removal of dust from both sides of each conveyor belt and from under the belt. O. Reg. 225/65, s. 14.

EQUIPMENT

15.—(1) Every elevator leg belt shall be enclosed in separate casings for both the up-leg and the down-leg.

(2) The head of a leg belt shall be hoppered to the down-leg or to the up-leg but not to both.

(3) Every leg casing and connecting spout, and every door or other opening into the casing or spout, shall be dust-tight.

(4) No wooden or wooden-rim pulley shall be used for a leg belt.

(5) A boot of a leg belt may be above or below floor level, but where the boot is below floor level at least three feet of clear space shall be provided on each of its sides to allow easy access for sweeping.

(6) Every boot shall be constructed so as to minimize the possibility of choking in the leg.

(7) The belt of an elevator leg shall be equipped with a device that automatically,

(*a*) shuts off the power being supplied to the elevator leg; and

(*b*) warns the operator by a clearly audible or visual signal,

when the leg belt slows to less than 80 per cent of its normal speed when loaded.

(8) Clause *a* of subsection 7 does not apply to a leg belt that is powered by a steel cable or hemp rope that drives other machinery. O. Reg. 225/65, s. 15.

16.—(1) Every leg motor and conveyor motor shall be of sufficient horsepower to elevate the maximum amount of grain that can be delivered by the largest tributary spout or conveyor.

(2) Every motor shall be equipped with overload and low voltage protective devices.

(3) Where grain is delivered to the boot of an elevator leg by a conveyor, the conveyor motor shall be interlocked with the leg motor in such manner that,

(*a*) the conveyor motor cannot be started unless the leg motor is operating; and

(*b*) the conveyor motor automatically stops when the leg motor stops. O. Reg. 225/65, s. 16.

17. Every elevator leg shall be equipped with an automatic backstop. O. Reg. 225/65, s. 17.

18.—(1) Every elevator leg, conveyor, machine and car puller shall be driven by its individual electric motor.

(2) No car puller or its cable shall be located in a workhouse or in any other location where dust in the atmosphere may be ignited by sparks from the cable of the car puller.

(3) Subsection 2 does not apply to the section of cable between the car and the first sheave. O. Reg. 225/65, s. 18.

19.—(1) Except when machinery is being started or shut down, no machinery in a grain elevator shall be operated without a load.

(2) Subsection 1 does not apply to machinery installed before the 5th day of October, 1965, and driven by transmission machinery that also transmits power to another machine or device. O. Reg. 225/65, s. 19.

20. Cleaning or other grain-processing machinery installed in a non-combustible grain elevator shall be of non-combustible construction. O. Reg. 225/65, s. 20.

21. Every cleaner or similar machine shall be provided with at least nine inches clearance for sweeping between it and the floor or each of its sides shall extend solidly to the floor. O. Reg. 225/65, s. 21.

22.—(1) Every sheller, cracker, crusher, thresher, grinding or milling machine shall have,

(*a*) a permanent magnet or an electro-magnet; or

(*b*) a pneumatic separator,

installed directly ahead of the grain inlet to the machine.

(2) Subject to subsection 3, each belt or spout conveying incoming grain from a track hopper or truck-dump hopper to a boot of an elevator leg or to any other machine or part of a grain elevator shall be provided with an electro-magnet or a permanent magnet capable of removing all ferrous objects from the incoming grain.

(3) Where it is not practicable to comply with subsection 2 in an elevator erected before the 1st day of December, 1957, the electro-magnet or permanent magnet may be installed in the conveying system ahead of any cleaning machinery or other machinery.

(4) Subsections 1, 2 and 3 do not apply to the shelling of corn on the cob or the conveying of corn before it is shelled.

(5) Every corn sheller shall have installed directly ahead of the grain inlet to the machine or in a suitable location in the machine, a screen or other suitable device to exclude all metal or other objects larger than the grain particles handled by the machine. O. Reg. 225/65, s. 22.

23. Every friction clutch shall be constructed entirely of non-combustible material. O. Reg. 225/65, s. 23.

24.—(1) Every screw conveyor shall be fully enclosed in a tight substantial metal housing that has free-lifting covers at the point of discharge and over each screw conveyor shaft coupling.

(2) Every discharge cover or shaft coupling cover affixed to a metal housing for a screw conveyor

that is not contained within an enclosed area or a grain elevator building may be secured in such manner as to provide necessary protection from wind and other elements of nature while permitting ready access to discharge outlets and shaft couplings. O. Reg. 225/65, s. 24.

25.—(1) Every lubrication inlet for a bearing shall be provided with a dust cap or other tight cover.

(2) Every bearing for a shaft that revolves at 250 or more revolutions per minute shall be of the ball or roller type. O. Reg. 225/65, s. 25.

26. Every conveyor belt shall have at least six inches of clear space under the return rollers supporting the belt. O. Reg. 225/65, s. 26.

27. Every garner shall be equipped with a reliable telltale or other device to guard against overfilling. O. Reg. 225/65, s. 27.

28.—(1) Every spout shall be stationary where practicable.

(2) An enclosed spout in a working floor, bin floor or distributing floor may be portalbe or removable.

(3) Grain or grain refuse shall not be conveyed by an open spout except while inside a bin or tank.

(4) An enclosed spout shall be provided to conduct grain refuse intended for shipment or disposal directly from the weigh-scale to the conveyance or device by which it is removed from the elevator.

(5) Every shipping spout,

(*a*) that has a movable length greater than twenty feet; and

(*b*) that is suspended at the upper end of its movable section by a rotating joint,

shall have a safety cable so attached that the upper end of the spout is safely supported by the safety cable if the rotating joint, or any part thereof, fails. O. Reg. 225/65, s. 28.

29. Every spout that discharges grain or grain refuse into a bin or tank shall be so arranged that the grain or grain refuse is prevented from striking the side of the bin or tank. O. Reg. 225/65, s. 29.

GRAIN DRIERS

30.—(1) Every drier shall be located as distant as is practicable from the grain elevator or any part thereof.

(2) Every drier located in a building shall be in a fire-resistive room.

(3) Every drier that is adjacent to a building shall be separated from the building by fire-resistive construction.

(4) Every drier other than a direct-fired drier shall be equipped with dust-collecting and dust-disposal equipment.

(5) Every direct-fired drier shall discharge products of combustion and any dust therein directly to the outdoors.

(6) Every drier shall be kept as clean as is practicable and no dust shall be permitted to accumulate therein. O. Reg. 225/65, s. 30.

31.—(1) Every air intake to a drier shall be protected by substantial corrosion-resistive wire screens not exceeding one-half inch mesh.

(2) Except where deemed unnecessary by an engineer of the Department, every air outlet from a drier shall be protected in accordance with subsection 1. O. Reg. 225/65, s. 31.

32.—(1) Every garner, hopper or bin located over a drier or under a cooling section shall be dust-tight and provided with adequate positive air-aspiration or effective vents to the outdoors.

(2) No belt that conveys grain to a drier shall enter a garner, but shall discharge into a spout or aperture in the closed top of the garner. O. Reg. 225/65, s. 32.

33.—(1) Subject to subsection 2, a floor or runway around a drier or cooler shall be constructed of non-combustible grating.

(2) A solid floor or runway may be used if all air is drawn from the drier and cooler through continuous ducts to a fan and blown to a dust-settling chamber. O. Reg. 225/65, s. 33.

34.—(1) Steam coils shall be so designed, installed and arranged that dust does not lodge on coils or headers or elsewhere in the casing containing them.

(2) Every coil room shall be separated from the drying section and any other part of the drier-house by a dust-tight partition and floor. O. Reg. 225/65, s. 34.

35. In a location exposed to accumulations of dust, every steam line and header operating at a pressure exceeding fifteen pounds gauge shall be adequately covered with non-combustible insulation to prevent ignition of dust and injury to any person. O. Reg. 225/65, s. 35.

36.—(1) Every furnace or boiler for a drier shall be located in a room constructed of non-combustible materials.

(2) Where the room required by subsection 1 forms part of an elevator or drier building, it shall be separated from the building by materials having a fire-resistive rating of two or more hours and the room shall have no openings to the elevator or drier building except those necessary for transmission of power, electricity, heat and water.

(3) Every drier shall be equipped with,

(*a*) an automatic device that effectively regulates temperature in the drier;

(*b*) a separate and independent automatic device that effectively prevents the temperature from rising to a point that is likely to cause combustion of grain; and

(*c*) a baffle, screen or other device sufficient to prevents sparks from entering the drier. O. Reg. 225/65, s. 36.

37. Where a dangerous concentration of dust might exist in a building or other location, every hot air duct between the furnace and drying section shall,

(*a*) be constructed of non-combustible material;

(*b*) be adequately supported; and

(*c*) be covered on the outside with insulation made entirely of non-combustible materials. O. Reg. 225/65, s. 37.

38. A thermometer or a suitable temperature recording device readily visible to the operator shall be provided to indicate the temperature of the heated air in the drying section. O. Reg. 225/65, s. 38.

DUST CONTROL SYSTEMS

39.—(1) Every elevator leg, distributing spout and garner, and its connections, shall be as dust-tight as is practicable and shall be provided with adequate positive air-aspiration or effective vents to the outdoors.

(2) Every scale hopper shall be suitably enclosed between its top and the garner bottom and provided with an effective vent to the outdoors or into the vented garner above it. O. Reg. 225/65, s. 39.

40.—(1) Subject to subsection 2, every enclosed bin, tank or interspace in a grain elevator shall be provided with direct positive air-aspiration of at least twenty-four cubic feet of free air per minute for each 1,000 bushels per hour of grain entering such space, plus transporting air where applicable.

(2) Subsection 1 does not apply to,

(*a*) the hopper of a weigh-scale and a garner directly connected thereto that are jointly vented to the outdoors; or

(*b*) an enclosed bin, tank or interspace that is adequately vented to the outdoors in lieu of the direct positive air-aspiration required by subsection 1.

(3) A vent to the outdoors shall have a capacity equivalent to a round opening at least twelve inches in diameter and shall be provided with protection sufficient to prevent the entry of moisture, wind and birds.

(4) A gravity vent pipe,

(*a*) shall be as nearly vertical as is possible, and in no case shall be inclined less than 60° from the horizontal; and

(*b*) shall not connect in common with another vent pipe, except where otherwise permitted by an inspector. O. Reg. 225/65, s. 40.

41. Where grain is discharged onto a belt, adequate air-aspiration shall be provided. O. Reg. 225/65, s. 41.

42.—(1) Where belts discharge grain or re-load grain, adequate positive air-aspiration above and below the grain stream shall be provided.

(2) Every tripper shall be equipped with adequate positive air-aspiration equipment so arranged that connection can be made readily to the trunk suction pipe. O. Reg. 225/65, s. 42.

43. Every machine or distributing spout that liberates an appreciable amount of dust shall be provided with adequate positive air-aspiration. O. Reg. 225/65, s. 43.

44. Where grain is discharged from a belt or is transferred from one belt to another in a conveyor gallery at a distance of 100 feet or more from any grain elevator building and the gallery is adequately ventilated by windows, sections 41, 42 and 43 do not apply. O. Reg. 225/65, s. 44.

45.—(1) Dust liberated by car loading shall be controlled by,

(*a*) enclosing the car-door opening around the car spout with an adjustable hood;

(*b*) applying adequate positive air-aspiration to the hood; or

(*c*) any other means adequate for the purpose.

(2) Dust liberated by car unloading shall be controlled by,

(*a*) enclosing as much of the top and bottom of the track hoppers as is practicable;

(*b*) applying adequate positive air-aspiration to the enclosure; or

(*c*) any other means adequate for the purpose. O. Reg. 225/65, s. 45.

46.—(1) Dust on floors, machinery and other surfaces, including all galleries and tunnels, shall be removed at least daily by sweeping with suitable hair or soft fibre push-brooms or by vacuum sweeping equipment.

(2) The number of sweepers necessary to keep the grain elevator clean shall be employed.

(3) Every blockage and spill of grain shall be removed at least daily.

(4) No cleaning in the grain elevator shall be performed with compressed air.

(5) Where a refuse screening bin is substantially empty, it shall be completely emptied forthwith and cleaned. O. Reg. 225/65, s. 46.

47.—(1) Floor sweeps connected to the dust-collecting system shall be located at convenient points throughout the grain elevator to facilitate the disposal of floor sweepings.

(2) Additional floor sweeps shall be installed where deemed necessary by an engineer of the Department. O. Reg. 225/65, s. 47.

48.—(1) Every dust control system and every part thereof shall be designed, installed and operated in a manner that,

(*a*) effectively prevents grain dust from entering or re-entering the atmosphere of the elevator;

(*b*) prevents solid objects from being drawn through the fan;

(*c*) minimizes wear and failure due to mechanical damage; and

(*d*) facilitates easy inspection and cleaning of ducts.

(2) The dust control system shall,

(*a*) be equipped with a dust collector located outside the elevator or in a room approved by an engineer of the Department that is separate from the remainder of the grain elevator; and

(*b*) discharge to the outdoors the air used to convey the grain dust and screenings in a manner that prevents the air from re-entering the grain elevator.

(3) Dust collected by the dust control system or the grain cleaning machinery shall be removed from the workhouse or storage building of the grain elevator forthwith upon its collection by means of positive air-aspiration or a mechanical device, or both.

(4) Dust and grain refuse shall pass through a collection device or bin located outside the workhouse or storage building and shall be removed from the premises or otherwise disposed of in a safe manner.

(5) No dust shall be returned to grain except that,

(*a*) where grain is entering the grain elevator, dust collected prior to weighing-in may be returned to the grain before the grain enters the scale bin; and

(*b*) where grain is leaving the grain elevator, dust collected after weighing-out may be returned to the grain entering a shipping conveyance.

(6) Where dust is burned in an incinerator or furnace, the dust shall pass through a mechanical device that prevents the spread of flames from the incinerator or furnace to the dust conveying system.

(7) While grain or grain refuse is being handled, the dust control system shall be in continuous operation. O. Reg. 225/65, s. 48.

49.—(1) Where practicable, lighting required to examine a bin shall be provided by a spotlight directed through a manhole opening.

(2) Where it is necessary to use portable lamps to examine a bin, suitable precautions shall be taken to prevent such lamps from being buried by grain or grain dust. O. Reg. 225/65, s. 49.

50. Where a battery-powered lantern, flashlight or similar device is used, it shall be of a type that is dust tight and will not ignite any dust that may be present. O. Reg. 225/65, s. 50.

MISCELLANEOUS

51.—(1) Every boiler room shall be fully enclosed with suitable non-combustible materials and the smoke-stack shall be so constructed and located that any smoke or spark discharged from the stack is prevented from entering the elevator.

(2) No boiler room shall have an opening between it and any working floor of the elevator.

(3) No combustible material shall be in such proximity to radiators, steam pipes or electric heating applicances as to increase the danger from fire. O. Reg. 225/65, s. 51.

52.—(1) No locomotive, except a diesel locomotive equipped with exhaust stack spark arrestors, shall enter a grain elevator.

(2) No locomotive shall enter any part of the premises of a grain elevator where an explosive concentration of dust or other explosion hazard exists. O. Reg. 225/65, s. 52.

53. No process or material used to control mites or other insects or pests shall be used in a manner that creates a fire hazard. O. Reg. 225/65, s. 53.

54.—(1) Smoking is prohibited in a grain elevator, except in a room that is fully enclosed with non-combustible materials and designated for the purpose.

(2) Clearly legible signs prohibiting smoking and open flames shall be posted and maintained in conspicuous places throughout the grain elevator buildings.

(3) Except in a room designated for smoking and subject to section 56, no person in a grain elevator shall carry or have upon his person matches or a cigarette lighter or any other device capable of producing a flame or spark. O. Reg. 225/65, s. 54.

55. No equipment, appliance, or thing that is likely to create a spark or that has an exposed surface capable of igniting dust shall be used where dust might be ignited thereby. O. Reg. 225/65, s. 55.

56.—(1) Every employer shall ensure that no welding operation or flame cutting is performed in any part of a grain elevator unless,

(*a*) all machinery and grain handling operations in the same part of the grain elevator and within 100 feet of the welding or cutting are shut down; and

(*b*) the atmosphere and all surfaces adjacent to the welding or cutting operation are cleared of combustible dust.

(2) Every floor and wall opening within thirty-five feet horizontally of a welding or cutting operation shall be tightly sealed to prevent passage of sparks or hot metal and any combustible material that cannot be removed shall be covered by suitable flame-proof covers or guards.

(3) When welding or flame cutting is being performed in a grain elevator building and for thirty minutes thereafter, one or more persons supplied with a suitable fire extinguisher shall be readily available to extinguish any fire and, before leaving the site of the welding or cutting, such person or persons shall carefully inspect all places where a fire might develop from the welding or cutting.

(4) The provisions of subsections 1 and 2 apply where an explosive-actuated tool is used and no loaded cartridge for the tool shall be left on the site upon completion of the work. O. Reg. 225/65, s. 56.

57. Metal containers with self-closing covers shall be provided for oily waste or other rubbish on each floor of the grain elevator that contains machinery and such containers shall be emptied daily. O. Reg. 225/65, s. 57.

58. Lubricating oil or grease shall be stored outside the grain elevator or in a suitable fire- resistive room. O. Reg. 225/65, s. 58.

59. No person shall store,

(*a*) sacks, sacked grain, sacked screenings or other combustible merchandise; or

(*b*) machinery, parts or supplies,

in a grain elevator. O. Reg. 225/65, s. 59.

60.—(1) Every grain elevator constructed in whole or in part of combustible materials shall be provided with protection against lightning installed in accordance with *The Lightning Rods Act*.

(2) Every grain elevator shall be equipped with devices that protect the electrical installation in the grain elevator from damage from surges of high voltage electricity due to lightning or other cause. O. Reg. 225/65, s. 60.

61.—(1) Where tests indicate the presence of static electricity accumulations, such electricity shall be removed by permanent ground wires, metal combs or other effective means.

(2) The grounding circuit shall have a resistance of twenty-five ohms or less.

(3) Static grounds shall not be made to lightning rods or gas pipes and, except where approved by an engineer of the Department, shall not be made to electric conduit systems, steam pipes or dry-pipe sprinkler systems. O. Reg. 225/65, s. 61.

FIRE PROTECTION

62.—(1) Water-pump tank extinguishers with a capacity of not less than 2½ gallons, or equivalent extinguishers, suitable for extinguishing fires in wood or similar materials shall be provided on each floor so that at least one extinguisher is within 100 feet of every point on the floor.

(2) At least one of the extinguishers required by subsection 1 shall be in each of the track shed, main office, boiler-room and any room designated for smoking.

(3) Extinguishers containing a liquid shall be equipped with a special nozzle or other device to convert the discharge stream into a fog or spray, and where extinguishers containing water are exposed to frost, they shall be protected against freezing.

(4) One or more extinguishers approved for extinguishing a fire in electrical equipment shall be provided,

(*a*) in each room where electrical panels, compensators, circuit-breakers, electric switches or motors are installed; and

(*b*) within fifty feet of each motor or other electrical apparatus installed elsewhere in the building.

(5) One or more extinguishers approved for extinguishing a fire in flammable liquids shall be installed in every room or building where oil, grease or flammable liquid is present and within fifty feet of every point where any such material is present.

(6) Extinguishers exposed to dusty atmospheres shall be enclosed in suitably marked dust-tight cabinets having a glass front or shall be otherwise protected against dust and damage. O. Reg. 225/65, s. 62.

63. Every grain elevator shall be patrolled at night, or while it is partially operating, by a watchman equipped with a suitable light, and in an elevator constructed in whole or in part of combustible material he shall record his patrol by a time-recording device. O. Reg. 225/65, s. 63.

64.—(1) Every workhouse shall be provided with standpipes and hoses in sufficient number and so distributed that any fire in the workhouse can be effectively reached with water from 1½-inch hose that is,

(*a*) not over seventy-five feet long;

(*b*) attached to a stand-pipe and fitted with a nozzle of a type that delivers a spray or fog; and

(*c*) constructed of material that will withstand the atmospheric conditions in the workhouse.

(2) Where the hose required by subsection 1 is installed at some location other than at the stairway entrance to a floor, a clearly legible sign shall be placed on the wall at the stairway landing to show the location of the nearest hose.

(3) In every grain elevator constructed in whole or in part of combustible materials, the stand-pipe system shall be extended to give equivalent protection to all sections in addition to the workhouse.

(4) Unless it is protected from freezing, every stand-pipe shall be of the dry type and if the main shut-off valve is subject to water pressure on the supply side, it shall be clearly marked and so installed that it can be opened easily.

(5) Provision shall be made whereby adequate pressure may be supplied to the stand-pipes by means of fire department connections for pumpers or a stationary fire pump installed in a pump-house outside the main elevator building.

(6) Where more than one stand-pipe is supplied with pressure from the same booster connection, each stand-pipe shall be equipped on the discharge side of the interconnection with a shut-off valve that is,

(*a*) sealed open;

(*b*) located so as to permit the most convenient closing of the valve in the event of a rupture of the stand-pipe; and

(*c*) marked to clearly identify the stand-pipe that it serves.

(7) A check valve shall be installed in every stand-pipe to prevent additional pressure supplied to the booster connection from being transmitted to any section of piping except the stand-pipe or sprinkler system.

(8) Hose and nozzles shall be protected from dust and moisture.

(9) Every person using a fire department or stand-pipe hose in a grain elevator shall exercise care to prevent dissipation of grain dust into suspension and to prevent water from entering a bin unless the bin contains burning material. O. Reg. 225/65, s. 64.

65.—(1) Every grain elevator shall be provided with fire alarm devices so located that no person is required to travel more than 150 feet to sound the alarm.

(2) Every employer shall ensure that each employee is properly instructed and trained in evacuation procedures to be followed in case of fire or other emergency.

(3) Every person in a grain elevator who sees or hears a fire alarm signal shall immediately proceed in accordance with the evacuation procedures. O. Reg. 225/65, s. 65.

66.—(1) Except in the case of minor repairs or adjustment or identical replacement, no person shall install or alter a dust control system or any other system of air handling or air replacement or a local or general exhaust system or air heating system unless the drawings and specifications thereof have been first approved by an engineer of the Department in accordance with section 16 of the Act.

(2) The drawings and specifications of any equipment, machinery or device referred to in subsection 1 shall,

(*a*) contain full particulars of,

(i) any operation that produces dust,

(ii) the location of any source of dust, and

(iii) the method proposed for the control of dust; and

(*b*) be prepared by a suitably qualified person.

(3) The installation or alteration may be proceeded with only in accordance with the drawings and specifications as approved. O. Reg. 225/65, s. 66.

67.—(1) Subject to subsection 2, the fees to be paid for the approval of an engineer of the Department of drawings and specifications of any equipment, machinery or device referred to in subsection 1 of section 66 shall be, where the estimated cost approved by him is,

(*a*) not more than $100, nil;

(*b*) more than $100, but not more than $1,000, $10; and

(*c*) more than $1,000,

(i) $10, and

(ii) $2 for each additional $1,000, or fraction thereof, in excess of the first $1,000.

(2) No fee greater than $1,000 shall be payable in any event. O. Reg. 225/65, s. 67.

REGULATION 456

under The Industrial Standards Act

DESIGNATION OF INDUSTRIES AND ZONES

PART I

ZONES

AMHERSTBURG ZONE

1.—(1) That part of Ontario described in paragraph 1 of Appendix A is designated as a zone, to be known as the Amherstburg Zone, for any industry designated or defined in Part II as an industry for the purposes of the Act. R.R.O. 1960, Reg. 244, s. 1 (1).

GALT ZONE

(2) That part of Ontario described in paragraph 2 of Appendix A is designated as a zone, to be known as the Galt Zone, for any industry designated or defined in Part II as an industry for the purposes of the Act. O. Reg. 244/61, s. 1.

GUELPH ZONE

(3) That part of Ontario described in paragraph 3 of Appendix A is designated as a zone, to be known as the Guelph Zone, for any industry designated or defined in Part II as an industry for the purposes of the Act. R.R.O. 1960, Reg. 244, s. 1 (8).

HAMILTON ZONE

(4) That part of Ontario described in paragraph 4 of Appendix A is designated as a zone, to be known as the Hamilton Zone, for any industry designated or defined in Part II as an industry for the purposes of the Act. R.R.O. 1960, Reg. 244, s. 1 (9).

LONDON ZONE

(5) That part of Ontario described in paragraph 5 of Appendix A is designated as a zone, to be known as the London Zone, for any industry designated or defined in Part II as an industry for the purposes of the Act. R.R.O. 1960, Reg. 244, s. 1 (13).

OTTAWA ZONE

(6) That part of Ontario described in paragraph 6 of Appendix A is designated as a zone, to be known as the Ottawa Zone, for any industry designated or defined in Part II as an industry for the purposes of the Act. R.R.O. 1960, Reg. 244, s. 1 (16).

THUNDER BAY ZONE

(7) That part of Ontario described in paragraph 7 of Appendix A is designated as a zone, to be known as the Thunder Bay Zone, for any industry designated or defined in Part II as an industry for the purposes of the Act. R.R.O. 1960, Reg. 244, s. 1 (19), *amended*.

ST. THOMAS ZONE

(8) That part of Ontario described in paragraph 8 of Appendix A is designated as a zone, to be known as the St. Thomas Zone, for any industry designated or defined in Part II as an industry for the purposes of the Act. O. Reg. 122/62, s. 1.

SARNIA ZONE

(9) That part of Ontario described in paragraph 9 of Appendix A is designated as a zone, to be known as the Sarnia Zone, for any industry designated or defined in Part II as an industry for the purposes of the Act. R.R.O. 1960, Reg. 244, s. 1 (21).

TIMMINS ZONE

(10) That part of Ontario described in paragraph 10 of Appendix A is designated as a zone, to be known as the Timmins Zone, for any industry designated or defined in Part II as an industry for the purposes of the Act. R.R.O. 1960, Reg. 244, s. 1 (24).

TORONTO ZONE

(11) That part of Ontario described in paragraph 11 of Appendix A is designated as a zone, to be known as the Toronto Zone, for any industry designated or defined in Part II as an industry for the purposes of the Act. R.R.O. 1960, Reg. 244, s. 1 (25).

TRENTON ZONE

(12) That part of Ontario described in paragraph 12 of Appendix A is designated as a zone, to be known as the Trenton Zone, for any industry designated or defined in Part II as an industry for the purposes of the Act. R.R.O. 1960, Reg. 244, s. 1 (26).

WINDSOR ZONE

(13) That part of Ontario described in paragraph 13 of Appendix A is designated as a zone, to be known as the Windsor Zone, for any industry designated or defined in Part II as an industry for the purposes of the Act. R.R.O. 1960, Reg. 244, s. 1 (28).

PART II

INDUSTRIES

BRICKLAYING AND STONEMASONRY INDUSTRY

2.—(1) The Bricklaying and Stonemasonry Industry as defined in paragraph 1 of Appendix B is designated as an industry for the purposes of the Act.

CARPENTRY INDUSTRY

(2) The Carpentry Industry as defined in paragraph 2 of Appendix B is designated as an industry for the purposes of the Act.

COMMON LABOURERS CONSTRUCTION INDUSTRY

(3) The Common Labourers Construction Industry as defined in paragraph 3 of Appendix B is designated as an industry for the purposes of the Act.

ELECTRICAL REPAIR AND CONSTRUCTION INDUSTRY

(4) The Electrical Repair and Construction Industry as defined in paragraph 4 of Appendix B is designated as an industry for the purposes of the Act.

LATHING INDUSTRY

(5) The Lathing Industry as defined in paragraph 5 of Appendix B is designated as an industry for the purposes of the Act.

PAINTING AND DECORATING INDUSTRY

(6) The Painting and Decorating Industry as defined in paragraph 6 of Appendix B is designated as an industry for the purposes of the Act.

PLASTERING INDUSTRY

(7) The Plastering Industry as defined in paragraph 7 of Appendix B is designated as an industry for the purposes of the Act.

PLUMBING AND HEATING INDUSTRY

(8) The Plumbing and Heating Industry as defined in paragraph 8 of Appendix B is designated as an industry for the purposes of the Act.

SHEET-METAL WORK CONSTRUCTION INDUSTRY

(9) The Sheet-Metal Work Construction Industry as defined in paragraph 9 of Appendix B is designated as an industry for the purposes of the Act.

R.R.O. 1960, Reg. 244, s. 2.

PART III

ZONES

AJAX ZONE

3.—(1) That part of Ontario described in paragraph 1 of Appendix C is designated as a zone, to be known as the Ajax Zone, for any industry designated or defined in Part IV as an industry for the purposes of the Act. O. Reg. 297/61, s. 1 (2).

ARNPRIOR ZONE

(2) That part of Ontario described in paragraph 2 of Appendix C is designated as a zone, to be known as the Arnprior Zone, for any industry designated or defined in Part IV as an industry for the purposes of the Act. O. Reg. 297/61, s. 1.

AURORA, OAK RIDGES AND NEWMARKET ZONE

(3) That part of Ontario described in paragraph 3 of Appendix C is designated as a zone, to be known as the Aurora, Oak Ridges and Newmarket Zone, for any industry designated or defined in Part IV as an industry for the purposes of the Act. R.R.O. 1960, Reg. 244, s. 3 (1, 2), *amended*.

AYLMER ZONE

(4) That part of Ontario described in paragraph 4 of Appendix C is designated as a zone, to be known as the Aylmer Zone, for the barbering industry designated or defined in Part IV as an industry for the purposes of the Act. O. Reg. 427/67, s. 1.

BARRIE ZONE

(5) That part of Ontario described in paragraph 5 of Appendix C is designated as a zone, to be known as the Barrie Zone, for any industry designated or defined in Part IV as an industry for the purposes of the Act. R.R.O. 1960, Reg. 244, s. 3 (4).

BRACEBRIDGE ZONE

(6) That part of Ontario described in paragraph 6 of Appendix C is designated as a zone, to be known as the Bracebridge Zone, for any industry designated or defined in Part IV as an industry for the purposes of the Act. R.R.O. 1960, Reg. 244, s. 3 (8).

BRAMPTON ZONE

(7) That part of Ontario described in paragraph 7 of Appendix C is designated as a zone, to be known as the Brampton Zone, for the barbering industry designated in Part IV as an industry for the purposes of the Act. O. Reg. 328/67, s. 1.

BRANTFORD ZONE

(8) That part of Ontario described in paragraph 8 of Appendix C is designated as a zone, to be known as the Brantford Zone, for any industry designated or defined in Part IV as an industry for the purposes of the Act. R.R.O. 1960, Reg. 244, s. 3 (10).

CARLETON PLACE ZONE

(9) That part of Ontario described in paragraph 9 of Appendix C is designated as a zone, to be known as the Carleton Place Zone, for any industry designated or defined in Part IV as an industry for the purposes of the Act. R.R.O. 1960, Reg. 244, s. 3 (14).

COBOURG ZONE

(10) That part of Ontario described in paragraph 10 of Appendix C is designated as a zone, to be known as the Cobourg Zone, for any industry designated or defined in Part IV as an industry for the purposes of the Act. R.R.O. 1960, Reg. 244, s. 3 (17).

CORNWALL ZONE

(11) That part of Ontario described in paragraph 11 of Appendix C is designated as a zone, to be known as the Cornwall Zone, for any industry designated or defined in Part IV as an industry for the purposes of the Act. R.R.O. 1960, Reg. 244, s. 3 (19).

ESSEX COUNTY ZONE

(12) That part of Ontario described in paragraph 12 of Appendix C is designated as a zone, to be known as the Essex County Zone, for any industry designated or defined in Part IV as an industry for the purposes of the Act. R.R.O. 1960, Reg. 244, s. 3 (22).

THUNDER BAY ZONE

(13) That part of Ontario described in paragraph 13 of Appendix C is designated as a zone, to be known as the Thunder Bay Zone, for any industry designated or defined in Part IV as an industry for the purposes of the Act. R.R.O. 1960, Reg. 244, s. 3 (24), *amended*.

GALT ZONE

(14) That part of Ontario described in paragraph 14 of Appendix C is designated as a zone, to be known as the Galt Zone, for any industry designated or defined in Part IV as an industry for the purposes of the Act. R.R.O. 1960, Reg. 244, s. 3 (25).

GEORGETOWN ZONE

(15) That part of Ontario described in paragraph 15 of Appendix C is designated as a zone, to be known as the Georgetown Zone, for the barbering industry designated in Part IV as an industry for the purposes of the Act. O. Reg. 334/67, s. 1.

GRAVENHURST ZONE

(16) That part of Ontario described in paragraph 16 of Appendix C is designated as a zone, to be known as the Gravenhurst Zone, for any industry designated or defined in Part IV as an industry for the purposes of the Act. R.R.O. 1960, Reg. 244, s. 3 (27).

GUELPH ZONE

(17) That part of Ontario described in paragraph 17 of Appendix C is designated as a zone, to be known as the Guelph Zone, for any industry designated or defined in Part IV as an industry for the purposes of the Act.

HAMILTON ZONE

(18) That part of Ontario described in paragraph 18 of Appendix C is designated as a zone, to be known as the Hamilton Zone, for any industry designated or defined in Part IV as an industry for the purposes of the Act. R.R.O. 1960, Reg. 244, s. 3 (29, 30).

HUNTSVILLE ZONE

(19) That part of Ontario described in paragraph 19 of Appendix C is designated as a zone, to be known as the Huntsville Zone, for any industry designated or defined in Part IV as an industry for the purposes of the Act. R.R.O. 1960, Reg. 244, s. 3 (32).

KENT COUNTY ZONE

(20) That part of Ontario described in paragraph 20 of Appendix C is designated as a zone, to be known as the Kent County Zone, for the barbering industry, designated in Part IV as an industry for the purposes of the Act. O. Reg. 297/66, s. 1 (2).

KITCHENER-WATERLOO ZONE

(21) That part of Ontario described in paragraph 21 of Appendix C is designated as a zone, to be known as the Kitchener-Waterloo Zone, for any industry designated or defined in Part IV as an industry for the purposes of the Act. R.R.O. 1960, Reg. 244, s. 3 (34).

LONDON ZONE

(22) That part of Ontario described in paragraph 22 of Appendix C is designated as a zone, to be known as the London Zone, for any industry designated or defined in Part IV as an industry for the purposes of the Act. R.R.O. 1960, Reg. 244, s. 3 (36).

MISSISSAUGA ZONE

(23) That part of Ontario described in paragraph 23 of Appendix C is designated as a zone, to be known as the Mississauga Zone, for the barbering industry designated in Part IV as an industry for the purposes of the Act. O. Reg. 213/69, s. 1.

NIAGARA FALLS ZONE

(24) That part of Ontario described in paragraph 24 of Appendix C is designated as a zone, to be known as the Niagara Falls Zone, for any industry designated or defined in Part IV as an industry for the purposes of the Act.

NORTH BAY ZONE

(25) That part of Ontario described in paragraph 25 of Appendix C is designated as a zone, to be known as the North Bay Zone, for any industry designated or defined in Part IV as an industry for the purposes of the Act.

OAKVILLE ZONE

(26) That part of Ontario described in paragraph 26 of Appendix C is designated as a zone, to be known as the Oakville Zone, for any industry designated or defined in Part IV as an industry for the purposes of the Act.

ORILLIA ZONE

(27) That part of Ontario described in paragraph 27 of Appendix C is designated as a zone, to be known as the Orillia Zone, for any industry designated or defined in Part IV as an industry for the purposes of the Act.

OSHAWA ZONE

(28) That part of Ontario described in paragraph 28 of Appendix C is designated as a zone, to be known as the Oshawa Zone, for any industry designated or defined in Part IV as an industry for the purposes of the Act.

OTTAWA ZONE

(29) That part of Ontario described in paragraph 29 of Appendix C is designated as a zone, to be known as the Ottawa Zone, for any industry designated or defined in Part IV as an industry for the purposes of the Act.

OWEN SOUND ZONE

(30) That part of Ontario described in paragraph 30 of Appendix C is designated as a zone, to be known as the Owen Sound Zone, for any industry designated or defined in Part IV as an industry for the purposes of the Act.

PARIS ZONE

(31) That part of Ontario described in paragraph 31 of Appendix C is designated as a zone, to be known as the Paris Zone, for any industry designated or defined in Part IV as an industry for the purposes of the Act.

PEMBROKE ZONE

(32) That part of Ontario described in paragraph 32 of Appendix C is designated as a zone, to be known as the Pembroke Zone, for any industry designated or defined in Part IV as an industry for the purposes of the Act. R.R.O. 1960, Reg. 244, s. 3 (40-48).

PERTH ZONE

(33) That part of Ontario described in paragraph 33 of Appendix C is designated as a zone, to be known as the Perth Zone, for any industry designated or defined in Part IV as an industry for the purposes of the Act.

PETERBOROUGH ZONE

(34) That part of Ontario described in paragraph 34 of Appendix C is designated as a zone, to be known as the Peterborough Zone, for any industry designated or defined in Part IV as an industry for the purposes of the Act. R.R.O. 1960, Reg. 244, s. 3 (50, 51).

PICTON ZONE

(35) That part of Ontario described in paragraph 35 of Appendix C is designated as a zone, to be known as the Picton Zone, for the barbering industry designated in Part IV as an industry for the purposes of the Act. O. Reg. 333/67, s. 1.

PORT COLBORNE ZONE

(36) That part of Ontario described in paragraph 36 of Appendix C is designated as a zone, to be known as the Port Colborne Zone, for the barbering industry designated in Part IV as an industry for the purposes of the Act. O. Reg. 320/67, s. 1.

PRESCOTT-CARDINAL-IROQUOIS-MORRISBURG ZONE

(37) That part of Ontario described in paragraph 37 of Appendix C is designated as a zone, to be known as the Prescott-Cardinal-Iroquois-Morrisburg Zone, for the barbering industry designated in Part IV as an industry for the purposes of the Act. O. Reg. 95/63, s. 1 (3).

RENFREW ZONE

(38) That part of Ontario described in paragraph 38 of Appendix C is designated as a zone, to be known as the Renfrew Zone, for any industry designated or defined in Part IV as an industry for the purposes of the Act.

ST. CATHARINES ZONE

(39) That part of Ontario described in paragraph 39 of Appendix C is designated as a zone, to be known as the St. Catharines Zone, for any industry designated or defined in Part IV as an industry for the purposes of the Act. R.R.O. 1960, Reg. 244, s. 3 (56, 57).

ST. THOMAS ZONE

(40) That part of Ontario described in paragraph 40 of Appendix C is designated as a zone, to be known as the St. Thomas Zone, for any industry designated or defined in Part IV as an industry for the purposes of the Act.

SARNIA-POINT EDWARD ZONE

(41) That part of Ontario described in paragraph 41 of Appendix C is designated as a zone, to be known as the Sarnia-Point Edward Zone, for any industry designated or defined in Part IV as an industry for the purposes of the Act.

SAULT STE. MARIE ZONE

(42) That part of Ontario described in paragraph 42 of Appendix C is designated as a zone, to be known as

the Sault Ste. Marie Zone, for any industry designated or defined in Part IV as an industry for the purposes of the Act. R.R.O. 1960, Reg. 244, s. 3 (59-61).

NORFOLK-HALDIMAND ZONE

(43) That part of Ontario described in paragraph 43 of Appendix C is designated as a zone, to be known as the Norfolk-Haldimand Zone, for the barbering industry designated in Part IV as an industry for the purposes of the Act. O. Reg. 220/67, s. 1.

SMITHS FALLS ZONE

(44) That part of Ontario described in paragraph 44 of Appendix C is designated as a zone, to be known as the Smiths Falls Zone, for any industry designated or defined in Part IV as an industry for the purposes of the Act. R.R.O. 1960, Reg. 244, s. 3 (56-63).

STONEY CREEK-SALTFLEET ZONE

(45) That part of Ontario described in paragraph 45 of Appendix C is designated as a zone, to be known as the Stoney Creek-Saltfleet Zone, for any industry designated or defined in Part IV as an industry for the purposes of the Act. O. Reg. 20/64, s. 1.

STRATFORD ZONE

(46) That part of Ontario described in paragraph 46 of Appendix C is designated as a zone, to be known as the Stratford Zone, for any industry designated or defined in Part IV as an industry for the purposes of the Act. R.R.O. 1960, Reg. 244, s. 3 (65).

SUDBURY ZONE

(47) That part of Ontario described in paragraph 47 of Appendix C is designated as a zone, to be known as the Sudbury Zone, for the barbering industry designated in Part IV as an industry for the purposes of the Act. O. Reg. 95/63, s. 1 (3).

STURGEON FALLS ZONE

(48) That part of Ontario described in paragraph 48 of Appendix C is designated as a zone, to be known as the Sturgeon Falls Zone, for any industry designated or defined in Part IV as an industry for the purposes of the Act. O. Reg. 171/64, s. 1.

TEESWATER ZONE

(49) That part of Ontario described in paragraph 49 of Appendix C is designated as a zone, to be known as the Teeswater Zone, for any industry designated or defined in Part IV as an industry for the purposes of the Act. R.R.O. 1960, Reg. 244, s. 3 (66).

TILLSONBURG ZONE

(50) That part of Ontario described in paragraph 50 of Appendix C is designated as a zone, to be known as the Tillsonburg Zone, for the barbering industry designated in Part IV as an industry for the purposes of the Act. O. Reg. 319/67, s. 1.

METROPOLITAN TORONTO ZONE

(51) That part of Ontario described in paragraph 51 of Appendix C is designated as a zone, to be known as the Metropolitan Toronto Zone, for any industry designated or defined in Part IV as an industry for the purposes of the Act. R.R.O. 1960, Reg. 244, s. 3 (68).

WELLAND ZONE

(52) That part of Ontario described in paragraph 52 of Appendix C is designated as a zone, to be known as the Welland Zone, for any industry designated or defined in Part IV as an industry for the purposes of the Act. O. Reg. 244/61, s. 2.

WHITBY ZONE

(53) That part of Ontario described in paragraph 53 of Appendix C is designated as a zone, to be known as the Whitby Zone, for any industry designated or defined in Part IV as an industry for the purposes of the Act. O. Reg. 98/62, s. 1.

WINGHAM ZONE

(54) That part of Ontario described in paragraph 54 of Appendix C is designated as a zone, to be known as the Wingham Zone, for any industry designated or defined in Part IV as an industry for the purposes of the Act.

WOODSTOCK ZONE

(55) That part of Ontario described in paragraph 55 of Appendix C is designated as a zone, to be known as the Woodstock Zone, for any industry designated or defined in Part IV as an industry for the purposes of the Act. R.R.O. 1960, Reg. 244, s. 3 (72, 73).

PART IV

INDUSTRIES

BARBERING INDUSTRY

4.—(1) The Barbering Industry as defined in paragraph 1 of Appendix D is designated as an industry for the purposes of the Act.

TAXI-CAB INDUSTRY

(2) The Taxi-cab Industry as defined in paragraph 2 of Appendix D is designated as an industry for the purposes of the Act. R.R.O. 1960, Reg. 244, s. 4, *amended*.

Part V

ONTARIO ZONE

5. The whole of Ontario is designated as a zone, to be known as the Ontario Zone, for any industry designated or defined in Part VI as an industry for the purposes of the Act. R.R.O. 1960, Reg. 244, s. 5.

Part VI

FUR INDUSTRY

6.—(1) The Fur Industry as defined in paragraph 1 of Appendix E is designated as an industry for the purposes of the Act. O. Reg. 315/61, s. 1 (2).

LADIES' CLOAK AND SUIT INDUSTRY

(2) The Ladies' Cloak and Suit Industry as defined in paragraph 2 of Appendix E is designated as an industry for the purposes of the Act. R.R.O. 1960, Reg. 244, s. 6 (1); O. Reg. 315/61, s. 1.

LADIES' DRESS AND SPORTS-WEAR INDUSTRY

(3) The Ladies' Dress and Sports-wear Industry as defined in paragraph 3 of Appendix E is designated as an industry for the purposes of the Act.

MEN'S AND BOYS' CLOTHING INDUSTRY

(4) The Men's and Boys' Clothing Industry as defined in paragraph 4 of Appendix E is designated as an industry for the purposes of the Act.

MEN'S AND BOYS' HAT AND CAP INDUSTRY

(5) The Men's and Boys' Hat and Cap Industry as defined in paragraph 5 of Appendix E is designated as an industry for the purposes of the Act.

MILLINERY INDUSTRY

(6) The Millinery Industry as defined in paragraph 6 of Appendix E is designated as an industry for the purposes of the Act. R.R.O. 1960, Reg. 244, s. 6 (2-5).

APPENDIX A

AMHERSTBURG ZONE

1. The Town of Amherstburg and the suburban area adjacent thereto and lying within a line drawn as follows: Beginning where the production northerly of the easterly limit of the road allowance between concessions 3 and 4, in the Township of Anderdon, meets the northerly limit of the road allowance between the townships of Anderdon and Sandwich West; thence westerly along the northerly limit to the easterly bank of the Detroit River; thence southerly, southeasterly and easterly, along the easterly bank of the Detroit River and the northerly shore of Lake Erie to the limit between lots 57 and 58, in the Township of Malden; thence northerly along the limit between lots 57 and 58 to the north limit of that part of the King's Highway known as No. 18A; thence northwesterly, northerly and westerly, along the northeasterly, easterly and northerly limits of the King's Highway to the easterly limit of the road allowance between concessions 4 and 5, in the Township of Malden; thence northerly along the easterly limit to the northerly limit of the road allowance between the townships of Malden and Anderdon; thence westerly along the northerly limit to the easterly limit of the road allowance between concessions 3 and 4, in the Township of Anderdon; thence northerly along the easterly limit and its production northerly to the place of beginning. R.R.O. 1960, Reg. 244, App. A, para. 1.

GALT ZONE

2. The City of Galt and the suburban area adjacent thereto and lying within a line drawn as follows: Beginning at the southeast corner of Lot 7, Concession 8, in the Township of North Dumfries; thence northerly along the easterly limit of Lot 7 in each of concessions 8 and 9 and continuing northerly to the southeast corner of Lot 7, Concession 10; thence easterly along the northerly limit of the road allowance between concessions 9 and 10 to the division line between lots 2 and 3, Concession 10; thence northerly along the said division line and its production to the northerly limit of the road allowance between concessions 10 and 11; thence easterly along the last-mentioned northerly limit to the southeast corner of Lot 1, Concession 11; thence northerly along the easterly limit of the townships of North Dumfries and Waterloo and the City of Galt to the northerly limit of the City of Galt; thence generally westerly and southerly following the limits of the City of Galt to the southerly limit of the Roseville Road; thence northwesterly along the southerly limit of the Roseville Road to the easterly limit of Lot 15, Concession 11, in the Township of North Dumfries; thence southerly along the easterly limit of Lot 15 in each of concessions 11, 10, 9 and 8 to the northerly limit of the road allowance between concessions 7 and 8; thence easterly along the last-mentioned northerly limit to the place of beginning. O. Reg. 244/61, s. 3.

GUELPH ZONE

3. The City of Guelph and the suburban area adjacent thereto and lying within a line drawn as follows: Beginning at the most southerly corner of Lot 6, Concession 8, Division C, in the Township of Guelph; thence in a southeasterly direction along the northeasterly limit of the road allowance between lots 5 and 6, concessions 7, 6, 5, 4, 3, 2 and 1, Division C, in the Township of Guelph, and its production to a point in the southeasterly limit of the road allowance between the townships of Guelph and Puslinch; thence southwesterly along the said southeasterly limit to its intersection with the north-

easterly limit of the road allowance between concessions 9 and 10, in the Township of Puslinch; thence southeasterly along the said northeasterly limit to the southerly corner of Lot 3, Concession 10, in the Township of Puslinch; thence southwesterly along the southeasterly limit of Lot 3 in each of concessions 9, 8 and 7 to the southwesterly limit of the road allowance between concessions 5 and 7, in the Township of Puslinch; thence northwesterly along the southwesterly limit of the road allowance between concessions 5 and 7 and concessions 6 and 7 to the southeasterly limit of the road allowance between the townships of Puslinch and Guelph; thence southwesterly along the southeasterly limit of the road allowance between the townships of Puslinch and Guelph to the southwesterly limit of the road allowance between divisions B and E, in the Township of Guelph; thence northwesterly along the southwesterly limit of the road allowance between divisions B and E to the production southwesterly of the southeasterly limit of Lot 6, Concession 6, Division D, in the Township of Guelph; thence northeasterly along the said production and along the southeasterly limit of Lot 6 in each of concessions 6, 5, 4, 3, 2 and 1, Division D, and the continuation northeasterly thereof, along the division line between concessions 7 and 8, Division C, to the place of beginning. R.R.O. 1960, Reg. 244, App. A, para. 8.

HAMILTON ZONE

4. The City of Hamilton and the suburban areas adjacent thereto and lying within a line drawn as follows: Beginning at the intersection of the southerly limit of Lot 35, Concession 4 or Broken Front Concession, Township of Trafalgar, County of Halton, with the westerly shore of Lake Ontario; thence northwesterly along the said southerly limit and along the southerly limit of Lot 35 in each of concessions 3, 2 and 1 south of Dundas Street and along the southerly limit of Lot 35 in each of concessions 1 and 2 north of Dundas Street to the westerly limit of Concession 2 north of Dundas Street; thence southerly along the westerly limit of Concession 2 north of Dundas Street to the northerly limit of the Township of East Flamborough, County of Wentworth; thence northwesterly along the northerly limit of the Township of East Flamborough to the road allowance between concessions 6 and 7, Township of East Flamborough; thence southwesterly along the said road allowance to the road allowance between the townships of East Flamborough and West Flamborough; thence southeasterly along the last-mentioned road allowance to the road allowance between concessions 5 and 6, Township of West Flamborough; thence westerly along the last-mentioned road allowance to the road allowance between the townships of West Flamborough and Beverly; thence southerly along the last-mentioned road allowance to and continuing in a southerly direction along the road allowance between lots 36 and 37 in each of concessions 1 to 6, both inclusive, Township of Ancaster, to the northerly limit of Concession 7; thence easterly along the northerly limit of Concession 7 to the easterly limit of the road allowance between the townships of Ancaster and Glanford; thence northerly along the easterly limit of the last-mentioned road allowance to the northerly limit of Concession 6, Township of Glanford; thence easterly along the northerly limit of the last-mentioned concession to the westerly limit of Lot 7, Block 5, Concession 4, Township of Binbrook; thence northerly along the westerly limit of Lot 7 to the northerly limit of said Concession 4; thence easterly along the northerly limit of the last-mentioned concession to the easterly limit of the road allowance between the Township of Binbrook, County of Wentworth, and the Township of Caistor, County of Lincoln; thence northerly along the easterly limit of the last-mentioned road allowance and along the easterly limit of the road allowance between the Township of Binbrook, County of Wentworth, and the Township of Grimsby South, County of Lincoln, to the southerly limit of the road allowance between the Township of Grimsby South, County of Lincoln, and the Township of Saltfleet, County of Wentworth; thence easterly along the southerly limit of the last-mentioned road allowance to the easterly limit of the road allowance between the last-mentioned townships; thence northerly along the last-mentioned easterly limit and the easterly limit of the road allowance between the Township of Saltfleet, County of Wentworth and the Township of Grimsby North, County of Lincoln, to the southerly shore of Lake Ontario; thence westerly and northerly along the southerly and westerly shore of Lake Ontario to the place of beginning. O. Reg. 309/64, s. 1.

LONDON ZONE

5. Being the City of London and the suburban area adjacent thereto and lying within a line drawn as follows: Beginning at the intersection of the centre line of the road allowance between the townships of Lobo and Caradoc, in the County of Middlesex, with the production westerly of the south limit of the road allowance between concessions 4 and 5, in the Township of Lobo; thence in a southerly direction along the centre line of the road allowance between the townships of Lobo and Caradoc and the production southerly of that road allowance to the centre line of the Thames River, being also the boundary between the Township of Caradoc and the Township of Delaware, in the County of Middlesex; thence in a southerly direction along the centre line of the Thames River to its intersection with the production westerly of the line between lots 15 and 16, in the Township of Delaware; thence in an easterly direction along the production westerly of that lot line, which is also the north limit of the Oneida Indian Reserve number 41, to the centre line of the road allowance between the said Indian Reserve and Concession 1, in the Township of Delaware; thence southerly along that centre line and its production southerly to the centre line of the road allowance between the Township of Delaware and the Township of

Southwold, in the County of Elgin; thence easterly along that centre line of the road allowance to the centre line of the road allowance between the Township of Westminster, in the County of Middlesex, and the townships of Southwold and Yarmouth, in the County of Elgin; thence easterly along that centre line and its production easterly to the easterly limit of that part of the King's Highway known as No. 74, in the Village of Belmont, in the County of Elgin; thence northerly along the easterly limit of that Highway to the north limit of County Road No. 38; thence easterly along the north limit of County Road No. 38 through the said Village of Belmont, in the Township of South Dorchester, in the County of Elgin and the Township of North Dorchester, in the County of Middlesex, to its intersection with the line between lots 9 and 10, in Concession 6, in the Township of North Dorchester; thence northerly along the line between lots 9 and 10, in the Township of North Dorchester, to the north limit of the road allowance between concessions 5 and 6; thence easterly along the north limit of that road allowance to the line between lots 8 and 9; thence northerly along the line between lots 8 and 9 through concessions 6, 5, 4, 3, 2, 1, B and A and the production of that lot line to the centre line of the Thames River, being the boundary between the Township of North Dorchester and the Township of North Oxford, in the County of Oxford; thence along the centre line of the Thames River to its intersection with the production southerly of the centre line of the road allowance between the townships of North Oxford and North Dorchester; thence northerly along that production and the centre line of that road allowance to its production northerly; thence northerly along that production to the north limit of that part of the King's Highway known as No. 2 (Governors Road); thence westerly along the north limit of that Highway to the centre line of the road allowance between the Township of East Nissouri, in the County of Oxford and the Township of West Nissouri, in the County of Middlesex; thence northerly along that centre line to its intersection with the easterly production of the line between lots 18 and 19, in the Township of West Nissouri; thence westerly along the line between lots 18 and 19, in the Township of West Nissouri through concessions 7, 6, 5, 4, 3, 2 and 1, and along the production of that lot line to its intersection with the centre line of the road allowance between the Township of West Nissouri and the Township of London, in the County of Middlesex; thence along the centre line of that road allowance to its intersection with the production easterly of the north limit of the road allowance between concessions 8 and 9, in the Township of London; thence westerly along the north limit of that road allowance and its production to its intersection with the centre line of the road allowance between the townships of London and Lobo; thence northerly along that centre line of road allowance to its intersection with the production easterly of the north limit of the road allowance between concessions 6 and 7, in the Township of Lobo; thence westerly along the north limit of that road allowance to the easterly limit of the road allowance between lots 4 and 5; thence southerly along the easterly limit of that road allowance through concessions 6 and 5 to the south limit of the road allowance between concessions 4 and 5; thence westerly along the south limit of that road allowance to the place of beginning. O. Reg. 3/67, s. 1.

OTTAWA ZONE

6. The City of Ottawa and the suburban areas adjacent thereto, as it existed on the 14th day of June, 1968, and lying within a line drawn as follows: Beginning at the intersection of the northwesterly limit of the road allowance between lots 20 and 21, Concession 7, in the Township of March, with the high water mark on the southwesterly bank of the Ottawa River; thence southwesterly along the northwesterly limit of the road allowance between lots 20 and 21, in each of concessions 7, 6, 5, 4, 3, 2 and 1, in the said township and along the northwesterly limit of the road allowance between lots 20 and 21, in each of concessions 1, 2, 3 and 4, in the Township of Huntley, to the southwesterly limit of the road allowance between concessions 4 and 5; thence southeasterly along the southwesterly limit of the last-mentioned road allowance to the division line between the townships of Huntley and Goulbourn; thence northeasterly along the said division line to the division line between lots 18 and 19, Concession 12, in the Township of Goulbourn; thence southeasterly along the division line between lots 18 and 19 through each of concessions 12 to 1, both inclusive, to the division line between the townships of Goulbourn and Marlborough; thence northeasterly along the last-mentioned division line to the division line between lots 7 and 8, Concession 10, in the Township of Marlborough; thence southeasterly along the last-mentioned division line to the division line between concessions 9 and 10, in the Township of Marlborough; thence northeasterly along the northwesterly limit of Concession 9, Township of Marlborough, to and continuing in a northeasterly direction along the northwesterly limit of Lot 6, in each of concessions 4, 3, 2, 1, "A" and broken front, in the Township of North Gower; thence continuing in a northeasterly direction along the northwesterly limit of Lot 6, Concession 1, in the Township of Osgoode, to the northeasterly limit of said Lot 6; thence southerly along the northeasterly limit of said Lot 6 to the production southwesterly of the northwesterly limit of Lot 6, Concession 2; thence northeasterly along the said production and the northwesterly limit of Lot 6, Concession 2, and its production northeasterly to the northeasterly limit of the road allowance between concessions 2 and 3; thence northwesterly along the last-mentioned northeasterly limit to the southeasterly limit of the road allowance between lots 5 and 6, Concession 3; thence northeasterly along the southeasterly limit of the road allowance between lots 5 and 6, in concessions 3 to 11, both inclusive, to the southwesterly limit of the road allowance between the Township of Osgoode, County of Carleton, and the Township of Cumber-

land, County of Russell; thence southeasterly along the last-mentioned southwesterly limit to the production southwesterly of the southeasterly limit of the road allowance between the townships of Cumberland and Russell, in the County of Russell; thence northeasterly along the said production of and the southeasterly limit of the last-mentioned road allowance to the production southeasterly of the southwesterly limit of Concession 3, in the Township of Cumberland; thence northwesterly along the said production and the southwesterly limit of the last-mentioned Concession 3, to and continuing in a northwesterly direction along the southwesterly limit of the second concession from the Ottawa River to the southerly limit of the first concession from the Ottawa River; thence westerly along the last-mentioned southerly limit to the division line between lots 10 and 11, in the last-mentioned concession; thence northwesterly along the last-mentioned division line to the high water mark on the southerly bank of the Ottawa River; thence westerly along the said high water mark to the place of beginning. O. Reg. 309/64, s. 2, *amended*.

THUNDER BAY ZONE

7. The City of Thunder Bay and the suburban area adjacent thereto and lying within a line drawn as follows: Beginning where the southerly limit of Fort William Indian Reserve No. 52 meets the high-water mark of the shore of Thunder Bay of Lake Superior; thence northwesterly along the southerly limit to the southeast angle of the Township of Neebing, as the Township of Neebing existed on the 31st day of December, 1969; thence westerly along the south boundary of the Township of Neebing to the southwest angle of the Township of Neebing; thence northerly along the west boundary of the Township of Neebing to the northwest angle of the Township of Neebing; thence northerly across the road allowance to the southeast angle of Section 56, in the Township of McIntyre, as the Township of McIntyre existed on the 31st day of December, 1969; thence northerly along the easterly limit of sections 56 and 47 to a jog in the easterly limit of Section 47, in the Township of McIntyre; thence easterly along the jog to the easterly limit of Section 47; thence northerly along the easterly limit of sections 47, 44 and 30, in the Township of McIntyre to the southerly limit of Mineral Location 29, in the Township of McIntyre; thence easterly along the southerly limit of mineral locations 29, 28, 27, 26, 25, 24 and 23 to the southeast angle of Mineral Location 23; thence northerly along the easterly limit of Mineral Location 23 to the northeast angle of Mineral Location 23; thence easterly along the southerly limit of Lot 11, in Concession B, in the Township of McIntyre, to the southeasterly limit of Lot 11; thence northeasterly along the southeasterly limit of Lot 11 and its production northeasterly to meet the production southerly of the centre line of Section 17, in the Township of McIntyre; thence northerly along the centre of Section 17 and its production to the northerly limit of Section 17; thence northerly along the centre line of Section 6 to the northerly limit of Section 6, in the Township of McIntyre; thence easterly along the northerly limit of Section 6 to the southwest angle of Lot 11, in Concession 1, in the Township of Gorham; thence northerly along the westerly limit of Lot 11, across concessions 1 and 2, in the Township of Gorham, to the northwest angle of Lot 11, in Concession 2; thence easterly along the line between concessions 2 and 3 to the easterly limit of the Township of Gorham; thence southerly along the line between the townships of Gorham and MacGregor to the centre line of Concession B, in the Township of MacGregor; thence easterly along the centre line of Concession B, across lots 18, 17, 16, 15 and 14 to the line between lots 13 and 14, in the Township of MacGregor; thence southerly along the line between lots 13 and 14 and its production southerly to the northerly limit of Lot 18E, in the Township of MacGregor; thence westerly along the last-mentioned limit to the northwest angle of Lot 18E; thence southerly along the westerly limit of lots 18E and 9E, in the Township of MacGregor, to the high-water mark of the shore of Thunder Bay of Lake Superior; thence southwesterly and southerly along the high-water mark of the shore of Thunder Bay of Lake Superior to the place of beginning. R.R.O. 1960, Reg. 244, App. A, para. 19, *amended*.

ST. THOMAS ZONE

8. The City of St. Thomas and the suburban area adjacent thereto and lying within a line drawn as follows: Beginning at the northeast corner of Lot 4, Concession XIII, in the Township of Yarmouth; thence southerly along the westerly limit of the road allowance between lots 4 and 5, in each of concessions XIII, XII, XI and X, to the northeast corner of Lot 4, Range II, north of Edgeware Road; thence easterly along the southerly limit of the road allowance between Range II, north of Edgeware Road and Concession X to the northwest corner of Lot 13, Range II, north of Edgeware Road; thence southerly along the easterly limit of the road allowance between lots 12 and 13 in ranges II and I, north of Edgeware Road and Range I, south of Edgeware Road, and continuing southerly along the division line between lots 59 and 60, Concession IX (or north of Talbot Road) to the southwest corner of Lot 60, Concession IX; thence easterly along the northerly limit of the road allowance between concessions VIII and IX (Talbot Road) to the southwest corner of Lot 64, Concession IX; thence southerly along the division line between lots 63 and 64, Concession VIII, to the northwest corner of Lot 19, Concession VII; thence westerly along the southerly limit of the road allowance between concessions VII and VIII, to the northeast corner of Lot 14, Concession VII; thence southerly along the westerly limit of the road allowance between lots 14 and 15, Concession VII, to the southeast corner of Lot 14, Concession VII; thence westerly along the northerly limit of the road allowance between concessions VI and VII to the southeast corner of Lot 10, Concession VII; thence southerly along the westerly

limit of the road allowance between lots 10 and 11, in each of concessions VI, V and IV, to the southeast corner of Lot 10, Concession IV; thence westerly along the northerly limit of the road allowance between concessions III and IV, to the southeast corner of Lot 7, Concession IV; thence southerly along the westerly limit of the road allowance between lots 7 and 8 to the southeast corner of Lot 7, Concession III; thence westerly along the northerly limit of the road allowance between concessions II and III to the easterly limit of a public road along the division line between lots 2 and 3, Concession III; thence northerly along the easterly limit of the said public road to the northerly limit of a public road running through lots 2 and 1, Concession III; thence westerly along the northerly limit of the last-mentioned public road to the easterly limit of the road allowance between the townships of Yarmouth and Southwold; thence northerly along the easterly limit of the road allowance between the townships of Yarmouth and Southwold to the production easterly of the northerly limit of the road allowance between lots 4 and 5, Range II, east of River Road, Township of Southwold; thence westerly along the said production and along the northerly limit of the road allowance between lots 4 and 5, Range II, east of River Road to the southwest corner of Lot 5, Range II, east of River Road, Township of Southwold; thence northerly along the westerly limit of lots 5, 6, 7, 8, 9 and 10, Range II, east of River Road, to the southeasterly limit of Lot 40, south side of Talbot Road East Branch; thence southwesterly along the southeasterly limit of lots 40 and 39 to the southerly corner of Lot 39, south side of Talbot Road East Branch; thence northwesterly along the southwesterly limit of Lot 39, south side of Talbot Road East Branch, Lot 39, north side of Talbot Road East Branch, Lot 36, south side of Talbot Road North Branch and Lot 36, north side of Talbot Road North Branch, to the westerly corner of Lot 36, north side of Talbot Road North Branch; thence northeasterly along the northwesterly limit of lots 36, 37, 38, 39, 40, E and F, north side of Talbot Road North Branch, to the northerly corner of Lot F, north side of Talbot Road North Branch; thence northerly along the westerly limit of Talbot Road North Branch to the southerly limit of the road allowance between the townships of Southwold and Westminster; thence easterly along the southerly limit of the road allowance between the townships of Southwold and Westminster and the southerly limit of the road allowance between the townships of Yarmouth and Westminster to the place of beginning. O. Reg. 122/62, s. 2.

SARNIA ZONE

9. The City of Sarnia and the suburban area adjacent thereto and lying within a line drawn as follows: Beginning where the southerly limit of the road allowance between lots 24 and 25, Front Concession, in the Township of Moore, meets the easterly bank of the St. Clair River; thence easterly along the southerly limit of the said road allowance and along the southerly limit of the road allowance between concessions 4 and 5, in the Township of Moore, to the easterly limit of the road allowance between lots 24 and 25, Concession 4, in the Township of Moore; thence northerly along the easterly limit, and its southerly projection, of the road allowance between lots 24 and 25, concessions 5 to 12, both inclusive, to the southerly limit of the road allowance between the Township of Moore and the City of Sarnia; thence easterly along the southerly limit of the road allowance between the Township of Moore and the City of Sarnia, and between the townships of Moore and Sarnia, to the easterly limit of the road allowance between lots 15 and 16, Concession 12, in the Township of Moore; thence northerly along the easterly limit, and its southerly projection, of the road allowance between lots 15 and 16, concessions 1 to 4, both inclusive, in the Township of Sarnia, to the southerly limit of the road allowance between concessions 4 and 5; thence easterly along the southerly limit of the road allowance between concessions 4 and 5 to the easterly limit of the road allowance between lots 12 and 13, Concession 4; thence northerly along the easterly limit, and its southerly projection, of the road allowance between lots 12 and 13, concessions 5 and 6, to the southerly limit of the road allowance between concessions 6 and 7; thence easterly along the southerly limit of the road allowance between concessions 6 and 7 to the centre line of the road allowance between the townships of Sarnia and Plympton; thence northerly along the centre line of the road allowance between the townships of Sarnia and Plympton to the southeasterly shore of Lake Huron; thence southwesterly along the southeasterly shore of Lake Huron and southerly along the easterly bank of the St. Clair River to the place of beginning. R.R.O. 1960, Reg. 244, App. A, para. 21.

TIMMINS ZONE

10. The Town of Timmins and the geographic townships of Bristol, Carscallen, Deloro, Godfrey, Mountjoy, Ogden, Shaw, Tisdale, Turnbull and Whitney, in the Territorial District of Cochrane, and the geographic Township of Denton, in the Territorial District of Timiskaming. R.R.O. 1960, Reg. 244, App. A, para. 24.

TORONTO ZONE

11. The City of Toronto and the suburban area adjacent thereto, as it existed on the 31st day of December, 1970, and lying within a line drawn as follows: Beginning where the easterly limit of the road allowance between lots 18 and 19, Range II, in the Township of Pickering, meets the northerly shore of Lake Ontario; thence northerly along the easterly limit of the road allowance between lots 18 and 19, in each of ranges II and III and concessions I, II, III and IV, to the northerly limit of the road allowance between concessions IV and V, in the Township of Pickering; thence westerly along the said northerly limit to the easterly limit of the

road allowance between lots 34 and 35, Concession V, in the Township of Pickering; thence northerly along the said easterly limit to the northerly limit of the road allowance between concessions V and VI, in the Township of Pickering; thence easterly along the said northerly limit to the division line between lots 34 and 35, Concession VI, in the Township of Pickering; thence northerly along the said division line to the production easterly of the road allowance between lots 15 and 16, Concession X, east of Yonge Street, in the Township of Markham; thence westerly along the said production to the northerly limit of the road allowance between lots 15 and 16, Concession X, east of Yonge Street; thence westerly along the northerly limit of the road allowance between lots 15 and 16, in each of concessions X, IX, VIII, VII, VI, V, IV and III, east of Yonge Street, in the Township of Markham, to the easterly limit of the road allowance between concessions II and III, east of Yonge Street, in the Township of Markham; thence northerly along the said easterly limit to the northerly limit of the road allowance between the townships of Markham and Whitchurch; thence easterly along the said northerly limit to the easterly limit of the road allowance between concessions II and III, east of Yonge Street, in the Township of Whitchurch; thence northerly along the said easterly limit to the easterly limit of the road allowance between concessions II and III, east of Yonge Street, in the Township of East Gwillimbury; thence northerly along the said easterly limit to the northerly limit of the road allowance between lots 5 and 6, Concession II, east of Yonge Street, in the Township of East Gwillimbury; thence westerly along the said northerly limit to the northerly limit of the road allowance between lots 100 and 101, Concession I, east of Yonge Street, in the Township of East Gwillimbury; thence westerly along the said northerly limit to the northerly limit of the road allowance between lots 100 and 101, Concession I, west of Yonge Street, in the Township of East Gwillimbury; thence westerly along the said northerly limit to the westerly limit of the road allowance between the townships of East Gwillimbury and King; thence southerly along the said westerly limit to the westerly limit of the road allowance between concessions I and II, west of Yonge Street, in the Township of King; thence southerly along the said westerly limit to the division line between lots 11 and 12, Concession II, west of Yonge Street, in the Township of King; thence westerly along the division line between lots 11 and 12, in each of concessions II, III, IV, V, VI, VII, VIII, IX, X and XI, west of Yonge Street, in the Township of King, to the northwesterly limit of the road allowance between lots 10 and 11, Concession VIII, in the Township of Albion; thence southwesterly along the northwesterly limit of the road allowance between lots 10 and 11, in each of concessions VIII and VII, in the Township of Albion, to the northeasterly limit of the road allowance between concessions VI and VII, in the Township of Albion; thence northwesterly along the said northeasterly limit to the division line between lots 11 and 12, Concession VI, in the Township of Albion; thence southwesterly along the division line between lots 11 and 12, in each of concessions VI, V, IV, III, II and I, in the Township of Albion, to the division line between lots 28 and 29, Concession VI, east of Hurontario Street, in the Township of Chinguacousy; thence southwesterly along the division line between lots 28 and 29, in each of concessions VI, V, IV, III, II and I, east of Hurontario Street, and concessions I and II, west of Hurontario Street, in the Township of Chinguacousy, to the southwesterly limit of the road allowance between concessions II and III, west of Hurontario Street, in the Township of Chinguacousy; thence southeasterly along the said southwesterly limit to the division line between lots 12 and 13, Concession III, west of Hurontario Street, in the Township of Chinguacousy; thence southwesterly along the division line between lots 12 and 13, in each of concessions III, IV and V, west of Hurontario Street, in the Township of Chinguacousy, to the southwesterly limit of the road allowance between concessions V and VI, west of Hurontario Street, in the Township of Chinguacousy; thence southeasterly along the said southwesterly limit to the northwesterly limit of the road allowance between lots 5 and 6, Concession VI, west of Hurontario Street, in the Township of Chinguacousy; thence southwesterly along the said northwesterly limit to the northwesterly limit of the road allowance between lots 5 and 6, Concession XI, in the Town of Oakville (formerly Township of Trafalgar); thence southwesterly along the northwesterly limit of the road allowance between lots 5 and 6, in each of concessions XI, X, IX and VIII, in the Town of Oakville (formerly the Township of Trafalgar) to the southwesterly limit of the road allowance between concessions VII and VIII, in the Town of Oakville (formerly Township of Trafalgar); thence southeasterly along the said southwesterly limit to the northwesterly limit of the road allowance between Concession VII and Concession II, north of Dundas Street, in the Town of Oakville (formerly Township of Trafalgar); thence southwesterly along the said northwesterly limit to the division line between lots 12 and 13, Concession II, north of Dundas Street; thence southeasterly along the division line between lots 12 and 13, in each of concessions II and I, north of Dundas Street, in the Town of Oakville (formerly Township of Trafalgar) to the southeasterly limit of Dundas Street, in the Town of Oakville (formerly Township of Trafalgar); thence northeasterly along the southeasterly limit of Dundas Street, to the northeasterly limit of the road allowance between lots 10 and 11, Concession I, south of Dundas Street, in the Town of Oakville (formerly Township of Trafalgar); thence southeasterly along the northeasterly limit of the road allowance between lots 10 and 11, in each of concessions I and II, south of Dundas Street, in the Town of Oakville (formerly Township of Trafalgar) to the northwesterly limit of the road allowance between concessions II and III, south of Dundas Street, in the Town of Oakville (formerly Township of Trafalgar); thence northeasterly along the said northwesterly

limit to the northeasterly limit of the road allowance between the Town of Oakville (formerly Township of Trafalgar) and the Township of Toronto; thence southeasterly along the said northeasterly limit to the northeasterly shore of Lake Ontario; thence easterly along the northerly shore of Lake Ontario to the place of beginning. O. Reg. 309/64, s. 3, *amended*.

TRENTON ZONE

12. The Town of Trenton and the suburban area adjacent thereto and lying within a line drawn as follows: Beginning where the westerly boundary of Lot 5, in Concession B, in the Township of Murray, in the County of Northumberland, meets the high-water mark of the northerly shore of the Bay of Quinte of Lake Ontario; thence northwesterly along the westerly boundary of Lot 5, across concessions B, A and 1, to the northwest angle of Lot 5, in Concession 1, in the Township of Murray; thence northwesterly across the road allowance between Concession 1 and Concession 2, to the southwest angle of Lot 6, in Concession 2; thence northwesterly along the westerly boundary of Lot 6, in Concession 2, to the northwest angle of Lot 6, in Concession 2; thence northwesterly across the road allowance between concessions 2 and 3 to the southwest angle of Lot 6, in Concession 3; thence northeasterly along the southerly limit of lots 6, 5 and 4, in Concession 3, in the Township of Murray, to the northwest angle of the Town of Trenton; thence northeasterly, southeasterly, northeasterly and southeasterly along the limits of the Town of Trenton to the centre line of the right of way of the Canadian Pacific Railway, in Concession I, in the Township of Sidney, in the County of Hastings; thence easterly along the last-mentioned centre line to the centre line of a road between lots 7 and 8, in Concession I, in the Township of Sidney; thence southerly along the last-mentioned centre line across part of Concession I to the centre line of a road extending in an easterly direction; thence easterly along the last-mentioned centre line to the centre line of a road between lots 8 and 9, in Concession I, in the Township of Sidney; thence southerly along the last-mentioned centre line to the northerly limit of King's Highway No. 2; thence southerly in a straight line across the highway to the line between lots 8 and 9 to and extending southerly along the last-mentioned line to the high-water mark on the northerly shore of the Bay of Quinte; thence in a general westerly and southwesterly direction along the high-water mark to the place of beginning. R.R.O. 1960, Reg. 244, App. A, para. 26.

WINDSOR ZONE

13. The City of Windsor and the suburban area adjacent thereto and lying within a line drawn as follows: Commencing where the high-water mark of the southeasterly bank of the Detroit River meets the line between the townships of Anderdon and Sandwich West; thence easterly along the line between the said townships to the southeasterly limit of County Road No. 2; thence northeasterly and northerly along the southeasterly and easterly limits of County Road No. 2, to the southerly limit of the road allowance between lots 12 and 13, Concession 2, in the Township of Sandwich West; thence easterly along the southerly limit of the said road allowance and its production easterly, to the easterly limit of the road allowance between concessions 3 and 4, in the Township of Sandwich West; thence northerly along the easterly limit of the said road allowance to the southwesterly limit of Huron Church Line Road; thence southeasterly along the southwesterly limit of Huron Church Line Road to the southerly limit of the road allowance between concessions 6 and 7, in the Township of Sandwich West; thence northeasterly along the southeasterly limit of the said road allowance to the easterly limit of the road allowance between the townships of Sandwich West and Sandwich South; thence northerly along the easterly limit of the said road allowance to the southerly limit of the road allowance between Concession South of Talbot Road West and concessions 5 and 6, in the Township of Sandwich South; thence easterly along the southerly limit of the said road allowance to the easterly limit of a public road opened by township By-law No. 10, in Lot 302, in each of concessions South and North of Talbot Road West, in the Township of Sandwich South; thence northerly along the easterly limit of the said public road to the easterly limit of the road allowance between concessions 7 and 8, in the Township of Sandwich South; thence northerly along the easterly limit of the said road allowance to the southerly limit of the road allowance between lots 16 and 17, in each of concessions 8, 9, 10, 11 and 12, in the Township of Sandwich South; thence easterly along the southerly limit of the said road allowance to the easterly limit of the road allowance between the townships of Sandwich South and Maidstone; thence northerly along the easterly limit of the said road allowance to the southerly limit of King's Highway No. 2; thence easterly along the southerly limit of the said highway to a public road on the east side of Puce River, known as County Road No. 8; thence northerly along the easterly limit of the said public road to the high-water mark on the southerly shore of Lake St. Clair; thence westerly along the high-water mark on the southerly shore of Lake St. Clair and southwesterly and southerly along the high-water mark on the southeasterly bank of the Detroit River to the place of commencement, together with Peach Island and Grassy Island. O. Reg. 314/64, s. 1.

APPENDIX B

BRICKLAYING AND STONEMASONRY INDUSTRY

1. The Bricklaying and Stonemasonry Industry is defined as all work done by bricklayers and stonemasons in the,

(*a*) construction;

(*b*) erection;

(*c*) repair;

(*d*) remodelling; or

(*e*) alteration,

of the whole or a part of a building or structure except maintenance repairs to the buildings and premises used in the operation of a manufacturing, industrial or service institution, including the minor installations or alterations incidental to the maintenance of the buildings and premises, where performed by the regular employees of the manufacturing, industrial or service institution R.R.O. 1960, Reg. 244, App. B, para. 1.

CARPENTRY INDUSTRY

2. The Carpentry Industry is defined as all work done by carpenters and joiners in the,

(*a*) construction;

(*b*) erection;

(*c*) repair;

(*d*) remodelling; or

(*e*) alteration,

of the whole or a part of a building or structure except maintenance repairs to the buildings and premises used in the operation of a manufacturing, industrial or service institution, including the minor installations or alterations incidental to the maintenance of the buildings and premises, where performed by the regular employees of the manufacturing, industrial or service institution. R.R.O. 1960, Reg. 244, App. B, para. 2.

COMMON LABOURERS CONSTRUCTION INDUSTRY

3. The Common Labourers Construction Industry is defined as all work done by common labourers in the construction, erection, repair, remodelling or alteration of the whole or a part of a building or structure other than a highway, sewer or watermain, but does not include maintenance repairs to the buildings and premises of a manufacturing, industrial or service institution or minor installations or alterations incidental to the maintenance of such buildings and premises where performed by the regular employees of the institution. O. Reg. 225/64, s. 1.

ELECTRICAL REPAIR AND CONSTRUCTION INDUSTRY

4. The Electrical Repair and Construction Industry is defined as all work done by electricians, which includes all electrical installations in buildings, structures or premises and all electrical installations for or in respect of equipment, apparatus or appliances operating or to be operated therein, and the repair and maintenance of the installations, except,

(*a*) maintenance repairs; and

(*b*) the minor installations or alterations incidental to maintenance,

in respect of the buildings and premises used in the operation of a manufacturing, industrial or service institution, where the work is done by the regular employees of the manufacturing, industrial or service institution. R.R.O. 1960, Reg. 244, App. B, para. 4.

LATHING INDUSTRY

5. The Lathing Industry is defined as all work done by lathers in the,

(*a*) construction;

(*b*) erection;

(*c*) repair;

(*d*) remodelling; or

(*e*) alteration,

of the whole or a part of a building or structure except maintenance repairs to the buildings and premises used in the operation of a manufacturing, industrial or service institution, including the minor installations or alterations incidental to the maintenance of the buildings and premises, where performed by the regular employees of the manufacturing, industrial or service institution. R.R.O. 1960, Reg. 244, App. B, para. 5.

PAINTING AND DECORATING INDUSTRY

6. The Painting and Decorating Industry is defined as all work done by painters, decorators and paper-hangers, in the,

(*a*) construction;

(*b*) erection;

(*c*) repair;

(*d*) remodelling; or

(*e*) alteration,

of the whole or a part of a building or structure except maintenance repairs to the buildings and premises used in the operation of a manufacturing, industrial or service institution, including the minor installations or alterations incidental to the maintenance of the buildings and premises, where performed

by the regular employees of the manufacturing, industrial or service institution. R.R.O. 1960, Reg. 244, App. B, para. 6.

PLASTERING INDUSTRY

7. The Plastering Industry is defined as all work done by plasterers in the,

(*a*) construction;

(*b*) erection;

(*c*) repair;

(*d*) remodelling; or

(*e*) alteration,

of the whole or a part of a building or structure except maintenance repairs to the buildings and premises used in the operation of a manufacturing, industrial or service institution, including the minor installations or alterations incidental to the maintenance of the buildings and premises, where performed by the regular employees of the manufacturing, industrial or service institution. R.R.O. 1960, Reg. 244, App. B, para. 7.

PLUMBING AND HEATING INDUSTRY

8. The Plumbing and Heating Industry is defined as all plumbing, steam-fitting, pipe-fitting, hot-water-fitting and gas-fitting installations in or about buildings, structures and premises or for or in respect of equipment operating or to be operated therein and the repair and maintenance of the installations except,

(*a*) the repair and maintenance of the installations in a manufacturing, industrial or service institution; and

(*b*) the minor installations that are incidental to the normal operation of a manufacturing, industrial or service institution,

where the maintenance work is performed by persons who, regularly throughout the operation of a manufacturing, industrial or service institution, are engaged in maintaining in good working order the equipment and premises used in the operation of the manufacturing, industrial or service institution. R.R.O. 1960, Reg. 244, App. B, para. 8.

SHEET-METAL WORK CONSTRUCTION INDUSTRY

9. The Sheet-metal Work Construction Industry is defined as all work done by sheet-metal workers in the,

(*a*) construction;

(*b*) erection;

(*c*) repair;

(*d*) remodelling; or

(*e*) alteration,

of the whole or a part of a building or structure except maintenance repairs to the buildings and premises used in the operation of a manufacturing, industrial or service institution, including the minor installations or alterations incidental to the maintenance of the buildings and premises, where performed by the regular employees of the manufacturing, industrial or service institution. R.R.O. 1960, Reg. 244, App. B, para. 9.

APPENDIX C

AJAX ZONE

1. The Town of Ajax and the suburban area adjacent thereto and lying within a line drawn as follows: Beginning where the easterly limit of the Township of Pickering meets the northerly shore of Lake Ontario; thence northerly along the easterly limit of the Township of Pickering to the northerly limit of the road allowance between concessions II and III; thence westerly along the northerly limit of the road allowance between concessions II and III to the westerly limit of the Township of Pickering; thence southerly along the westerly limit of the Township of Pickering to the northerly shore of Lake Ontario; thence easterly along the northerly shore of Lake Ontario to the place of beginning. O. Reg. 297/61, s. 2 (2).

ARNPRIOR ZONE

2. The Town of Arnprior and the suburban area adjacent thereto and lying within a line drawn as follows: Beginning at the southerly corner of Lot 1, in Concession A, in the Township of McNab, in the County of Renfrew; thence northwesterly along the southwesterly limit of lots 1, 2, 3, 4 and 5, in Concession A, to the westerly corner of Lot 5; thence northwesterly in a straight line across the road allowance between lots 5 and 6 to the southerly corner of Lot 6, in Concession A; thence continuing northwesterly along the southwesterly limit of lots 6, 7, 8, 9 and 10, in Concession A, to the westerly corner of Lot 10; thence continuing northwesterly in a straight line across the road allowance between lots 10 and 11 to the southerly corner of Lot 11, in Concession A; thence continuing northwesterly along the southwesterly limit of lots 11, 12 and 13, in Concession A, to the westerly corner of Lot 13; thence northeasterly along the northwesterly limit of that lot to the northerly corner thereof; thence continuing northeasterly in a straight line across the road allowance between concessions A and B to the westerly corner of Lot 13, in Concession B; thence continuing northeasterly along the northwesterly limit of that lot to the high-water mark on the southwesterly bank of the Ottawa River;

thence in a general southeasterly direction following the windings and turnings of that high-water mark to the southeasterly limit of Concession D; thence southwesterly along the southeasterly limit of concessions D, C, B and A to the place of beginning. O. Reg. 203/68, s. 1.

AURORA, OAK RIDGES AND NEWMARKET ZONE

3. Being the towns of Aurora and Newmarket and the suburban area adjacent thereto, as they existed on the 31st day of December, 1970, and lying within a line drawn as follows: Beginning at the southwest corner of Lot 64, in Concession I, west of Yonge Street, in the Township of King, in the County of York; thence northerly along the easterly limit of the road allowance between Concession I, west of Yonge Street and Concession II, west of Yonge Street, to the southerly limit of County Road 31; thence continuing northerly in a straight line across County Road 31 to the intersection of the northerly limit of that road with the easterly limit of the road allowance between Concession I, west of Yonge Street, in the Township of East Gwillimbury, and Concession II, west of Yonge Street, in the Township of King; thence northerly along the easterly limit of that road allowance to the northwest corner of Lot 100, Concession I, west of Yonge Street, in the Township of East Gwillimbury; thence easterly along the northerly limit of that lot to its northeast corner; thence in a straight line across the road allowance between Concession I, west of Yonge Street, and Concession I, east of Yonge Street, to the northwest corner of Lot 100, in Concession I, east of Yonge Street; thence easterly along the northerly limit of that lot to the northeast corner of Lot 100; thence northerly in a straight line across the road allowance between lots 100 and 101, in Concession I, east of Yonge Street, to the southeast corner of Lot 101; thence northerly along the westerly limit of the road allowance between concessions I and II, east of Yonge Street, to the production westerly of the northerly limit of Lot 12, Concession II, east of Yonge Street; thence easterly along that production and the northerly limit of that lot to the westerly limit of County Suburban Road 12; thence northerly along that westerly limit to the production westerly of the northerly limit of Lot 12, in Concession III, east of Yonge Street; thence easterly along that production and along that northerly limit to the westerly limit of County Suburban Road 8; thence southerly along that westerly limit to the boundary between the townships of East Gwillimbury and Whitchurch; thence continuing southerly across that boundary to the intersection of the southerly limit of that boundary with the westerly limit of County Suburban Road 8; thence southerly along the westerly limit of that road to the southerly limit of Lot 31, in Concession III, east of Yonge Street; thence westerly along that southerly limit to the easterly limit of the road allowance between concessions II and III, east of Yonge Street; thence southerly along the easterly limit of that Road to the production easterly of the southerly limit of Lot 4, Concession II, east of Yonge Street; thence westerly along that production and the southerly limit of that lot to the southwest corner of that lot; thence westerly in a straight line to the southeast corner of Lot 64, in Concession I, east of Yonge Street; thence westerly along the southerly limit of that lot to the boundary between the townships of Whitchurch and King; thence westerly in a straight line across that boundary to the intersection of that boundary with the southerly limit of Lot 64, in Concession I, west of Yonge Street, in the Township of King; thence westerly along the southerly limit of that lot to the place of beginning. O. Reg. 64/67, s. 1, *amended*.

AYLMER ZONE

4. The Town of Aylmer. O. Reg. 427/67, s. 3.

BARRIE ZONE

5. The City of Barrie and the suburban area adjacent thereto and lying within a line drawn as follows: Beginning at the intersection of the southerly shore of Kempenfelt Bay of Lake Simcoe with the division line between lots 13 and 14, in Concession XIV, in the Township of Innisfil, in the County of Simcoe; thence southerly along the division line between lots 13 and 14 throughout each of concessions XIV, XIII and XII, to the southwesterly limit of that part of the King's Highway known as No. 11; thence northwesterly along that southwesterly limit to the northerly limit of the road allowance between concessions XII and XIII; thence westerly along that northerly limit to the easterly limit of the road allowance between lots 10 and 11, in Concession XIII; thence northerly along that easterly limit to the southerly limit of the road allowance between concessions XIII and XIV; thence westerly along that southerly limit to the northwest corner of Lot 6, in Concession XIII; thence northerly in a straight line across the road allowance between concessions XIII and XIV to the southwest corner of Lot 6, in Concession XIV; thence northerly along the westerly limit of Lot 6, in Concession XIV, to the northwest corner of Lot 6, in Concession XIV; thence northerly along the production of the westerly limit of Lot 6, in Concession XIV, to the northerly limit of the road allowance between the townships of Innisfil and Vespra; thence westerly along the northerly limit of that road allowance to the division line between the east and west halves of Concession VII, in the Township of Vespra; thence northerly along that division line to a line drawn parallel to and distant 200 feet measured northerly and perpendicularly from the southerly limit of Lot 20, in Concession VII; thence easterly along that parallel line throughout each of concessions VII and VI to the westerly limit of the road allowance between concessions V and VI; thence northerly along that westerly limit to the northeast corner of Lot 19, in Concession VI; thence easterly in a straight line to the northwest corner of Lot 19,

in Concession V; thence easterly along the northerly limit of Lot 19 throughout each of concessions V and IV to the westerly limit of the road allowance between concessions III and IV; thence southerly along the westerly limit of that road allowance to the easterly limit of that part of the King's Highway known as No. 400; thence northeasterly along that easterly limit to a line drawn parallel to and distant 250 feet measured easterly and perpendicularly from the westerly limit of Lot 5, in Concession I, west of Penetanguishene Road; thence southerly along that parallel line through lots 5 and 4 in that Concession to the division line between lots 3 and 4; thence easterly along that division line to the easterly limit of Concession I, west of Penetanguishene Road; thence southerly along that easterly limit and its production southerly to its intersection with the production northerly of the division line between lots 13 and 14, in Concession XIV, in the Township of Innisfil; thence southerly along the production of that division line to the place of beginning. O. Reg. 50/67, s. 1.

BRACEBRIDGE ZONE

6. The Town of Bracebridge, as it existed on the 31st day of December, 1970. R.R.O. 1960, Reg. 244, App. C, para. 8, *amended*.

BRAMPTON ZONE

7. Being the Town of Brampton and the suburban area adjacent thereto lying within a line drawn as follows: Beginning at the point of intersection of the northwesterly limit of County Road 15 with the northeasterly limit of County Road 19, in the Township of Chinguacousy, in the County of Peel; thence northwesterly along the northeasterly limit of County Road 19 through each of lots 1 to 17, both inclusive, in Concession VI, to the southeasterly limit of County Road 14; thence northeasterly along that southeasterly limit through each of concessions VI, V, IV, III, II and I, west of that part of the King's Highway known as No. 10, to the southwesterly limit of that part of the King's Highway; thence in a northeasterly direction across that part of the King's Highway and continuing along the southeasterly limit of County Road 14 through each of concessions I, II, III, IV, V and VI, east of that part of the King's Highway known as No. 10, to the southwesterly limit of County Road 7; thence southeasterly along that southwesterly limit through each of lots 17, 16, 15, 14, 13, 12, 11, 10, 9, 8, 7, 6, 5, 4, 3, 2 and 1, in Concession VI, east of that part of the King's Highway known as No. 10, to the northwesterly limit of County Road 15; thence southwesterly along that northwesterly limit through each of concessions VI, V, IV, III, II and I, east of that part of the King's Highway known as No. 10, to the northeasterly limit of that part of the King's Highway; thence in a southeasterly direction across that part of the King's Highway and continuing along the northwesterly limit of County Road 15 through each of concessions I to VI, both inclusive, west of that part of the King's Highway known as No. 10, to the place of beginning. O. Reg. 328/67, s. 2.

BRANTFORD ZONE

8. The City of Brantford and the suburban area adjacent thereto and lying within a line drawn as follows: Beginning at the southeast corner of Lot 42, Concession I, in the Township of Brantford; thence westerly along the northerly limit of the road allowance between concessions I and II, in the Township of Brantford, to the westerly limit of the road allowance between lots 24 and 25, Concession II; thence southerly along the said westerly limit to the northerly limit of the road allowance between concessions II and III, in the Township of Brantford; thence westerly along the said northerly limit to the easterly limit of Lot 18, Concession III, in the Township of Brantford; thence southerly along the easterly limit of Lot 18, in each of concessions III and IV, in the Township of Brantford, to the production southerly of the easterly limit of Lot 18, Concession IV; thence southerly along the said production to the southerly limit of the King's Highway No. 53; thence easterly along the said southerly limit to the city limit of the City of Brantford; thence in a general southerly and easterly direction along the said city limit to the division line between lots 16 and 17, Oxbow Tract, in the Township of Brantford; thence southeasterly along the said division line and along the division line between lots 8 and 9, Oxbow Tract, in the Township of Brantford, to the division line between the townships of Brantford and Onondaga; thence northeasterly along the said division line to the division line between lots 8 and 9, Front Concession, west of Mohawk Mission (Concession III, west of Fairchild Creek), in the Township of Onondaga; thence southeasterly along the said division line to the northeasterly limit of the King's Highway No. 54; thence southeasterly along the said northeasterly limit to the division line between concessions II and III, west of Fairchild Creek, in the Township of Onondaga; thence northerly along the said division line to the division line between the townships of Onondaga and Brantford; thence northwesterly along the said division line to the southeasterly limit of Lot 28, Range 1, south of the Ancaster Road, in the Township of Brantford; thence northeasterly along the said southeasterly limit and along the easterly limit of the Charles O'Dell Grant, in the Township of Brantford, to the northerly limit of the King's Highway No. 2; thence westerly along the said northerly limit to the easterly limit of a road running through the John Johnson File Tract, in the Township of Brantford; thence northerly along the said easterly limit to the northeasterly limit of a road between the Farley Tract and lots 5 and 6, Joseph Johnson Grant, in the Township of Brantford; thence northwesterly along the said northeasterly limit to the southeasterly limit of a road between lots 4 and 5, Joseph Johnson Grant; thence northeasterly along the said southeasterly limit to

the easterly limit of a road running through lots 3 and 2, Joseph Johnson Grant; thence northerly along the said easterly limit to the northeasterly limit of a road running through lots 47, 46 and 45, Concession III, in the Township of Brantford; thence northwesterly and northerly along the northeasterly and easterly limits of the said road to the northerly limit of the road allowance between concessions II and III, in the Township of Brantford; thence westerly along the said northerly limit to the division line between lots 42 and 43, Concession II, in the Township of Brantford; thence northerly along the said division line to the place of beginning. O. Reg. 74/62, s. 1.

CARLETON PLACE ZONE

9. The Town of Carleton Place. R.R.O. 1960, Reg. 244, App. C, para. 14.

COBOURG ZONE

10. The Town of Cobourg and the suburban area adjacent thereto lying within a line drawn as follows: Beginning at the intersection of the line between lots 23 and 24, in Concession A, in the Township of Hamilton, in the united counties of Northumberland and Durham, with the northerly shore of Lake Ontario; thence northerly along that division line throughout Concession A and through Concession I to the southerly limit of that part of the King's Highway known as No. 401; thence easterly along that southerly limit to the westerly limit of the Town of Cobourg; thence northerly across that part of the King's Highway and along that westerly limit to the northerly limit of that town; thence easterly along that northerly limit to the northeast corner of that town; thence southerly along the easterly limit of that town to the northerly limit of the road allowance between concessions I and A; thence easterly along the northerly limit of that road throughout lots 13, 12, 11, 10, 9 and 8 to the southeast corner of Lot 8, in Concession I; thence southerly in a straight line across the road allowance between concessions I and A to the northeast corner of Lot 8, in Concession A; thence southerly along the easterly limit of that lot throughout each of concessions A and B to the northerly shore of Lake Ontario; thence westerly following the windings and turnings along that northerly shore to the place of beginning. O. Reg. 80/67, s. 1.

CORNWALL ZONE

11. The City of Cornwall and the suburban area adjacent thereto and lying within a line drawn as follows: Beginning where the easterly limit of the City of Cornwall meets the high-water mark on the northerly shore of the St. Lawrence River; thence northerly along the easterly limit of the City of Cornwall and the easterly limit of the Township of Cornwall to the northerly limit of the road allowance between concessions 4 and 5, in the Township of Cornwall; thence westerly along the northerly limit of the road allowance to the production northerly of the line between lots 28 and 29, Concession 4, in the Township of Cornwall; thence southerly along the production and the line between lots 28 and 29, and the westerly limit of the City of Cornwall to the high-water mark on the northerly shore of the St. Lawrence River; thence southeasterly along the said high-water mark to the place of beginning. R.R.O. 1960, Reg. 244, App. C, para. 19.

ESSEX COUNTY ZONE

12. The County of Essex. O. Reg. 22/62, s. 2.

THUNDER BAY ZONE

13. The City of Thunder Bay and the suburban area adjacent thereto and lying within a line drawn as follows: Beginning where the easterly limit of Mining Location 4E, in the geographic Township of MacGregor, meets the northerly shore of Thunder Bay; thence northerly along the said easterly limit of Mining Location 4E and along the easterly limit of Mining Location 2 and the westerly limit of Mining Location 3 to the northerly limit of Section 16, Concession D; thence westerly along the northerly limit of sections 16 and 17, Concession D, to the easterly limit of Mining Location 24Z; thence northerly along the easterly limit of Mining Location 24Z to the northeast corner of Mining Location 24Z; thence westerly along the northerly limit of Mining Location 24Z to the northwest corner of Mining Location 24Z; thence southerly along the westerly limit of Mining Location 24Z to the northeast corner of Mining Location 26Z; thence westerly along the northerly limit of mining locations 26Z and 27Z to the westerly limit of the geographic Township of MacGregor; thence westerly along the northerly limit of the geographic Township of McIntyre, as the geographic Township of McIntyre existed on the 31st day of December, 1969, to the centre line of an existing road, commonly known as Mapleward Road; thence southerly along the centre line of Mapleward Road to the centre line of the King's Highway No. 130; thence easterly along the centre line of the King's Highway No. 130 to the centre line of an existing road, now commonly known as Mapleward Road, formerly known as the Kelly Sideroad; thence southerly, easterly and southerly along the centre line of Mapleward Road to the northerly limit of the geographic Township of Neebing, as the geographic Township of Neebing existed on the 31st day of December, 1969; thence westerly along the northerly limit of the geographic Township of Neebing to the westerly limit of the geographic Township of Neebing; thence southerly along the westerly limit of the geographic Township of Neebing to the southerly limit of the geographic Township of Neebing; thence easterly along the southerly limit of the geographic Township of Neebing to the westerly limit of Fort William Indian Reserve No. 52; thence northerly, easterly and northerly along the westerly, northerly and westerly limits of Fort William Indian Reserve No. 52 to the centre line

of King's Highway No. 61; thence northerly and northeasterly along the centre line of King's Highway No. 61 to the centre line of City Road; thence easterly along the centre line of City Road to the centre line of Darrell Avenue; thence northeasterly, easterly and northeasterly along the centre line of Darrell Avenue and its production to the southwesterly shore of Island No. 2; thence southeasterly along the southwesterly shore of Island No. 2 to the easterly shore of Island No. 2; thence northerly and easterly along the easterly shore of Island No. 2, Island No. 1 and the easterly and northerly shores of Thunder Bay to the place of beginning. R.R.O. 1960, Reg. 244, App. C, para. 24, *amended*.

GALT ZONE

14. The City of Galt and the towns of Hespeler and Preston and the suburban area adjacent thereto and lying within a line drawn as follows: Beginning at the southwest corner of Lot 13, Concession IV, Beasley's Lower Block, in the Township of Waterloo; thence westerly along the division line between lots 12 and 13, Concession III, Beasley's Lower Block, to the easterly limit of the Town of Hespeler; thence northerly along the easterly limit of the Town of Hespeler to the northerly limit of the Town of Hespeler; thence westerly along the northerly limit of the Town of Hespeler to the westerly limit of the Town of Hespeler; thence southerly along the westerly limit of the Town of Hespeler to the northerly bank of the Speed River; thence southwesterly along the northerly bank of the Speed River to the northerly limit of the King's Highway No. 401; thence westerly along the northerly limit of the King's Highway No. 401 to the division line between lots 26 and 27, Beasley's Broken Front Concession; thence westerly along the division line between lots 26 and 27, Beasley's Broken Front Concession, to the southwest corner of Lot 27, Beasley's Broken Front Concession; thence northerly along the westerly limit of lots 27, 28, 29 and 30, Beasley's Broken Front Concession, to the northwest corner of Lot 30, Beasley's Broken Front Concession; thence westerly along the northerly limit of lots 19 and 14, Beasley's Broken Front Concession, to the southeasterly bank of the Grand River; thence in a general southwesterly direction along the southeasterly bank of the Grand River to the division line between lots 11 and 12, Beasley's Broken Front Concession; thence southerly along the division line between lots 11 and 12, Beasley's Broken Front Concession, to the southerly limit of a public road running easterly and westerly through lots 9, 10, 11 and 12, Beasley's Broken Front Concession; thence easterly along the southerly limit of the public road to the division line between lots 9 and 10, Beasley's Broken Front Concession; thence southerly along the division line between lots 9 and 10, Beasley's Broken Front Concession, and its production southerly to the southwesterly limit of County Road No. 14; thence southeasterly along the southwesterly limit of County Road No. 14 to the northerly limit of a public road running easterly and westerly through Lot 4, Beasley's Old Survey; thence westerly along the northerly limit of the public road to the division line between lots 4 and 5, Beasley's Old Survey; thence southerly along the division line between lots 4 and 5, Beasley's Old Survey, to the southerly limit of County Road No. 6; thence easterly along the southerly limit of County Road No. 6 to the southerly limit of County Road No. 14; thence southeasterly along the southerly limit of County Road No. 14 to the division line between lots 1 and 2, Beasley's Old Survey; thence southerly along the division line between lots 1 and 2, Beasley's Old Survey, in the Township of Waterloo, to the division line between lots 17 and 18, Concession XII, in the Township of North Dumfries; thence southerly along the division line between lots 17 and 18, Concession XII, and its production southerly, to the southerly limit of the road allowance between concessions XI and XII; thence westerly along the southerly limit of the road allowance between concessions XI and XII to the easterly limit of Lot 15, Concession XI; thence southerly along the easterly limit of Lot 15, in each of concessions XI, X and IX, to the southwest corner of Lot 2, Concession West of Grand River, opposite Concession IX; thence easterly along the southerly limit of Lot 2, in each of Concession West of Grand River and Concession East of Grand River, opposite Concession IX, to the easterly limit of the King's Highway No. 24; thence northerly along the easterly limit of the King's Highway No. 24 to the southerly limit of County Road No. 17A; thence easterly along the southerly limit of County Road No. 17A to the southerly limit of the road allowance between concessions IX and X; thence easterly along the southerly limit of the road allowance between concessions IX and X to the easterly limit of the Township of North Dumfries; thence northerly along the easterly limit of the townships of North Dumfries and Waterloo to the northerly limit of the King's Highway No. 401; thence westerly along the northerly limit of the King's Highway No. 401 to the westerly limit of Concession IV, Beasley's Lower Block; thence northerly along the westerly limit of Concession IV Beasley's Lower Block, to the place of beginning. O. Reg. 309/64, s. 4.

GEORGETOWN ZONE

15. The Town of Georgetown. O. Reg. 334/67, s. 2.

GRAVENHURST ZONE

16. The Town of Gravenhurst, as it existed on the 31st day of December, 1970. R.R.O. 1960, Reg. 244, App. C, para. 27, *amended*.

GUELPH ZONE

17. Being the City of Guelph and the suburban area adjacent thereto and lying within a line drawn as follows: Beginning at the easterly corner of Lot 15, in Concession IX, in the Township of Puslinch, in

the County of Wellington; thence southwesterly along the northwesterly limit of the road allowance between lots 15 and 16, throughout each of concessions IX, VIII and VII, to the southerly corner of Lot 15, in Concession VII; thence northwesterly along the southwesterly limit of lots 15, 14, 13 and 12, in Concession VII, to the production easterly of the northerly limit of a township road; thence westerly along that production and the northerly limit of that township road to the easterly limit of County Road No. 68; thence northerly along the easterly limit of that County Road to the northeasterly limit of County Road 68; thence northwesterly along the northeasterly limit of that County Road, in the Township of Guelph, in the County of Wellington, to the southeasterly limit of that part of the King's Highway known as No. 24; thence northeasterly along the southeasterly limit of that King's Highway to the production southeasterly of the northeasterly limit of County Road 68; thence northwesterly along that production and the northeasterly limit of that County Road to the southeasterly limit of County Road 62; thence northeasterly along the southeasterly limit of that County Road to the northeasterly limit of Concession 1, Division "D"; thence southeasterly along the northeasterly limit of that Concession to the production southwesterly of the southeasterly limit of the road allowance between concessions VIII and IX, Division "C"; thence northeasterly along that production and the southeasterly limit of that road allowance to the southwesterly limit of the road allowance between lots 5 and 6, in Concession VIII; thence southeasterly along the southwesterly limit of that road allowance throughout each of concessions VIII, VII, VI, V, IV, III, II and I, to the northwesterly limit of the road allowance between the townships of Guelph and Puslinch; thence southwesterly along the northwesterly limit of that road allowance to the production northwesterly of the southwesterly limit of the road allowance between concessions IX and X, in the Township of Puslinch; thence southeasterly along that production and the southwesterly limit of that road allowance to the place of beginning. O. Reg. 264/65, s. 1.

HAMILTON ZONE

18. The City of Hamilton. O. Reg. 272/61, s. 1.

HUNTSVILLE ZONE

19. The Town of Huntsville, as it existed on the 31st day of December, 1970. R.R.O. 1960, Reg. 244, App. C, para. 32.

KENT COUNTY ZONE

20. The County of Kent. O. Reg. 297/66, s. 2 (2).

KITCHENER-WATERLOO ZONE

21. Being part of the City of Kitchener, part of the City of Waterloo and the suburban areas adjacent thereto and lying within a line drawn as follows: Beginning at the intersection of the westerly limit of a public road in Lot 10, Beasley's Upper Block, in the Township of Waterloo, in the County of Waterloo, with the northerly limit of the Township of Waterloo; thence southerly along that westerly limit to the southerly limit of Lot 10; thence westerly along the southerly limit of lots 10 and 27, Beasley's Upper Block, to a westerly limit of the City of Waterloo; thence southerly along that westerly limit through Lot 26, Beasley's Upper Block, to the southerly limit of a public road running in a southwesterly direction through Lot 26; thence southwesterly along the southerly limit of that road through lots 26, 29 and 30, Beasley's Upper Block, to the easterly limit of a public road in Lot 30; thence southerly along the easterly limit of that road through lots 30, 31, 32 and 33, Beasley's Upper Block, to the southerly limit of a public road in Lot 33; thence in a general westerly and southwesterly direction along the southerly and southwesterly limit of that road through lots 33 and 34, Beasley's Upper Block, to the easterly limit of Lot 39; thence southerly along the easterly limit of lots 39, 38 and 37, Beasley's Upper Block, to the southeast corner of Lot 37; thence westerly along the southerly limit of Lot 37 to a westerly limit of the City of Kitchener; thence southerly along that westerly limit to a southerly limit of a public road in Lot 47, Beasley's Upper Block; thence easterly along the southerly limit of that road to the easterly limit of a public road running northerly through Lot 47; thence northerly along that easterly limit to the southeasterly limit of a public road running in a northeasterly direction through Lot 47; thence northeasterly along that southeasterly limit to the easterly limit of a public road between lots 47 and 48, Beasley's Upper Block; thence southerly along the easterly limit of that road to a southerly limit of the City of Kitchener; thence continuing in a southerly direction along the easterly limit of County Suburban Road 15 to the northerly limit of a public road in Bechtel's Tract; thence easterly along that northerly limit to the westerly limit of a public road running southerly through Bechtel's Tract and part of Lot 11, Beans Tract; thence southerly along the westerly limit of that road to the northwesterly limit of a public road in Lot 11, Beans Tract; thence northeasterly along that northwesterly limit to a southerly limit of the City of Kitchener; thence in easterly, southerly and easterly directions following and along the limit of the City of Kitchener to the easterly limit of County Road No. 14, in Lot 1, Beans Tract; thence southeasterly along the easterly limit of that road through Lot 1 and Beans Unnumbered Tract, to the northerly limit of a public road running easterly through part of Beans Unnumbered Tract; thence easterly along that northerly limit and continuing in the same direction along the northerly limit of that road between lots 10 and 11, Beasley's Old Survey, to the northwesterly limit of that part of the King's Highway known as No. 401; thence northeasterly along that northwesterly limit to the westerly limit of County Road No. 13; thence

northerly along that westerly limit to a southerly limit of the lands of the Grand River Electric Railway; thence westerly along that southerly limit to a northwesterly bank of the Grand River; thence in general northerly and westerly directions following and along the windings and turnings of the bank of that river to its intersection with the limit between the City of Kitchener and the Village of Bridgeport; thence in a general westerly and northerly direction following and along that limit to its intersection with a southerly limit of the City of Waterloo; thence in a general northerly and easterly direction following and along the limit between the City of Waterloo and the Village of Bridgeport to the southwesterly limit of County Suburban Road No. 24; thence northwesterly along that southwesterly limit, being also a northeasterly limit of the City of Waterloo, to a point where the limit of that city crosses County Suburban Road No. 24, in Lot 61, Beasley's Upper Block; thence continuing in a northwesterly direction along the southwesterly limit of a public road through lots 61 and 62, Beasley's Upper Block, to a northwesterly limit of the City of Waterloo; thence in general westerly and southwesterly directions along that northwesterly limit to the northeasterly limit of that part of the King's Highway known as No. 85; thence northwesterly along that northeasterly limit to the northerly limit of the Township of Waterloo; thence westerly along that northerly limit to the place of beginning. O. Reg. 341/69, s. 1.

LONDON ZONE

22. The City of London and the suburban area adjacent thereto and lying within a line drawn as follows: Beginning at the southwest corner of Lot 8, Concession 8, in the Township of London; thence southerly along the easterly limit of the road allowance between lots 8 and 9, in each of concessions 7, 6 and 5, in the Township of London, to the southwest corner of Lot 8, Concession 5; thence easterly along the northerly limit of the road allowance between concessions 4 and 5, in the Township of London, to the southwest corner of Lot 4, Concession 5, in the Township of London; thence southerly along the westerly limit of Lot 4, Concession 4, in the Township of London, to the southwest corner of Lot 4, Concession 4; thence easterly along the northerly limit of the road allowance between concessions 3 and 4, in the Township of London, or the road in lieu of the last-mentioned road allowance, and its production easterly to the easterly limit of the road allowance between the townships of London and West Nissouri; thence southerly along the easterly limit of the road allowance between the townships of London and West Nissouri to the southwest corner of Lot 7, Concession 1, in the Township of West Nissouri; thence easterly along the southerly limit of Lot 7, Concession 1, to the southwest corner of Lot 7, Concession 2, in the Township of West Nissouri; thence southerly along the westerly limit of lots 6, 5, 4, 3, 2 and 1, Concession 2, in the Township of West Nissouri, to the southwest corner of Lot 1, Concession 2, in the Township of West Nissouri; thence southerly along the production southerly of the westerly limit of Lot 1, Concession 2, in the Township of West Nissouri, to the southerly limit of the road allowance between the townships of West Nissouri and North Dorchester; thence westerly along the southerly limit of the road allowance between the townships of West Nissouri and North Dorchester to the northwest corner of Lot 2, Concession 1, in the Township of North Dorchester; thence southerly along the westerly limit of Lot 2, in each of concessions 1, 2 and 3, in the Township of North Dorchester, to the northerly bank of the Thames River; thence easterly along the northerly bank of the Thames River to the production northerly of the easterly limit of the road allowance between the townships of North Dorchester and Westminster; thence southerly along the said production northerly and along the easterly limit of the road allowance between the townships of North Dorchester and Westminster to the production easterly of the southerly limit of the road allowance between concessions 1 and 2, in the Township of Westminster; thence westerly along the said production easterly and along the southerly limit of the road allowance between concessions 1 and 2, in the Township of Westminster, to the northwest corner of Lot 8, Concession 2, in the Township of Westminster; thence southerly along the westerly limit of Lot 8, Concession 2, and its production southerly to the southerly limit of the road allowance between concessions 2 and 3, in the Township of Westminster; thence westerly along the southerly limit of the road allowance between concessions 2 and 3, to the northwest corner of Lot 11, Concession 3, in the Township of Westminster; thence southerly along the westerly limit of Lot 11, Concession 3, and its production southerly to the southerly limit of the road allowance between concessions 3 and 4, in the Township of Westminster; thence westerly along the southerly limit of the road allowance between concessions 3 and 4, to the northwesterly limit of the King's Highway No. 401; thence southwesterly along the northwesterly limit of the King's Highway No. 401 to the southerly limit of Lot 20, Concession 4; thence westerly along the southerly limit of lots 20, 21, 22, 23 and 24, Concession 4, in the Township of Westminster, to the southwest corner of Lot 24, Concession 4; thence northerly along the westerly limit of Lot 24, Concession 4, to the production easterly of the southerly limit of the road allowance between lots 65 and 66, Concession East of the North Branch of the Talbot Road, in the Township of Westminster; thence westerly along the said production easterly and along the southerly limit of the road allowance between lots 65 and 66 to the northwest corner of Lot 65, Concession East of the North Branch of the Talbot Road, in the Township of Westminster; thence northerly along the easterly limit of the North Branch of the Talbot Road to the northwest corner of Lot 68, Concession East of the North Branch of the Talbot Road; thence westerly along the production easterly of and along the northerly limit of Lot 68, Concession West of the

North Branch of the Talbot Road, in the Township of Westminster, to the northwest corner of Lot 68, Concession West of the North Branch of the Talbot Road, in the Township of Westminster; thence northerly along the westerly limit of lots 69 to 79, inclusive, Concession West of the North Branch of the Talbot Road, and along the production northerly of the westerly limit of Lot 79, Concession West of the North Branch of the Talbot Road to the southerly limit of Lot 47, Concession 1, in the Township of Westminster; thence westerly along the southerly limit of lots 47 and 48, Concession 1, to the southwest corner of Lot 48, Concession 1, in the Township of Westminster; thence northerly along the westerly limit of Lot 48, in each of concessions 1, B and A, in the Township of Westminster, to the line between the townships of Westminster and London; thence northerly along the production northerly of the westerly limit of Lot 48, Concession A, in the Township of Westminster, to the northerly limit of the road allowance between concessions 3 and 4, in the Township of London; thence easterly along the northerly limit of the road allowance between concessions 3 and 4, to the line between lots 25 and 26, Concession 4, in the Township of London; thence northerly along the line between lots 25 and 26, Concession 4, to the northwest corner of Lot 25, Concession 4; thence northerly in a straight line to the southwest corner of Lot 25, Concession 5, in the Township of London; thence easterly along the northerly limit of the road allowance between concessions 4 and 5, to the line between lots 17 and 18, Concession 5, in the Township of London; thence northerly along the line between lots 17 and 18, in each of concessions 5, 6 and 7, to the northwest corner of Lot 17, Concession 7, in the Township of London; thence northerly in a straight line to the southwest corner of Lot 17, Concession 8, in the Township of London; thence easterly along the northerly limit of the road allowance between concessions 7 and 8, to the place of beginning. R.R.O. 1960, Reg. 244, App. C, para. 36.

MISSISSAUGA ZONE

23. The Town of Mississauga and the suburban area adjacent thereto and lying within a line drawn as follows: Beginning where the southeasterly limit of a road known as County Road No. 15 meets the southwesterly limit of Concession 6, in the Township of Toronto; thence northeasterly along the southeasterly limit of that road to the easterly limit of the Township of Toronto Gore; thence southerly along that easterly limit to the northerly limit of a public road known as the Richview Side Road; thence continuing in a southerly direction in a straight line across that road and continuing along the projection of that straight line through Lot 16, Concession 4, fronting on the Humber, in the Borough of Etobicoke, in the County of York, to the southerly corner of that lot; thence southerly along the westerly limit of lots 15, 14, 13 and 12, in that concession, to the southwesterly corner of the last-mentioned lot; thence southerly along the westerly limit of concessions 2 and 1, northern division fronting towards Lake Ontario, in that Borough, to the southwest corner of Concession 1; thence easterly along the northerly limit of Lot 13, Concession 5, Colonel Smith's Tract, in that Borough, to the northeasterly corner of that lot; thence southerly along the easterly limit of that lot to the high-water mark on a northerly bank of the Etobicoke River; thence in an easterly and general southerly direction following the windings and turnings along that high-water mark to the high-water mark on the northerly shore of Lake Ontario; thence in a general westerly direction following the windings and turnings of that high-water mark to the southwesterly limit of Concession 3, south of Dundas Street; thence northwesterly along the southwesterly limit of concessions 3, 2 and 1, south of Dundas Street, to and continuing northwesterly along the southwesterly limit of concessions 1 and 2, north of Dundas Street, to and continuing in a northwesterly direction along the southwesterly limit of Concession 6 to the place of beginning. O. Reg. 213/69, s. 2.

NIAGARA FALLS ZONE

24. The City of Niagara Falls and the suburban area adjacent thereto, as it existed on the 31st day of December, 1969, and lying within a line drawn as follows: Beginning where the northerly limit of the Township of Stamford meets the westerly bank of the Niagara River; thence westerly along the northerly limit of the Township of Stamford to the southwesterly limit of the Queen Elizabeth Way; thence southeasterly along the southwesterly limit of the Queen Elizabeth Way to the northerly limit of Mountain Road; thence westerly along the northerly limit of Mountain Road to the westerly limit of the road allowance between lots 27 and 28, in the Township of Stamford; thence southerly along the westerly limit of the road allowance between lots 27 and 28, 33 and 34, 46 and 47, 52 and 53, 63 and 64, 69 and 70, 80 and 81, 86 and 87, 98 and 99, 104 and 105, 116 and 117, 122 and 123, 133 and 134, 139 and 140, 149 and 150, 155 and 156, 163 and 164, 169 and 170, 179 and 180, 185 and 186, and 198 and 199, to the southerly limit of the road allowance between lots 198 and 208; thence easterly along the southerly limit of the road allowance between lots 198 and 208 to the westerly limit of the road allowance between lots 208 and 209; thence southerly along the westerly limit of the road allowance between lots 208 and 209 to the southerly limit of Creek Road; thence easterly along the southerly limit of Creek Road to the production northerly of the westerly limit of the Township of Willoughby; thence southerly along the said production and along the westerly limit of the Township of Willoughby to the southerly limit of Broken Front Concession on Chippawa Creek, or the Welland River; thence easterly along the southerly limit of Broken Front Concession to the easterly limit of the road allowance between Broken Front Concession and Con-

cession 3, in the Township of Willoughby; thence northerly along the easterly limit of the road allowance between Broken Front Concession and Concession 3, to the southerly limit of the road allowance between lots 18 and 19, Concession 3; thence easterly along the southerly limit of the road allowance between lots 18 and 19, in each of concessions 3, 2 and 1 and the Concession fronting the lower end of Grand Island, to the westerly bank of the Niagara River; thence northerly along the westerly bank of the Niagara River to the place of beginning. R.R.O. 1960, Reg. 244, App. C, para. 40, *amended*.

NORTH BAY ZONE

25. The City of North Bay and the suburban area adjacent thereto and lying within a line drawn as follows: Beginning at the intersection of the westerly limit of Lot 2, Concession B, in the Township of Commanda with the northerly shore of Lake Nipissing; thence northerly along the westerly limit of Lot 2, in each of concessions B, A, 1, 2, 3, 4, 5 and 6, and along the production northerly of the westerly limit of Lot 2, Concession 6, to the northerly limit of the Township of Commanda; thence easterly along the northerly limit of the townships of Commanda and Widdifield to the easterly limit of the Township of Widdifield; thence southerly along the said easterly limit and its production southerly to the centre line of the Mattawa River; thence easterly along the centre line of the Mattawa River to the production northerly of the easterly limit of the Township of East Ferris; thence southerly along the production northerly of the easterly limit of the Township of East Ferris and along the easterly limit of the Township of East Ferris to the southerly limit of Concession 8; thence westerly along the southerly limit of Concession 8, in the Township of East Ferris, and along the production westerly of the said southerly limit of Concession 8 through the Township of North Himsworth to the easterly shore of Lake Nipissing; thence in a general northwesterly direction following the windings and turnings of the easterly shoreline to the place of beginning. O. Reg. 309/64, s. 5.

OAKVILLE ZONE

26. The Town of Oakville and the suburban area adjacent thereto and lying within a line drawn as follows: Beginning at the intersection of the northerly shore of Lake Ontario with the northeasterly limit of the road allowance between the townships of Trafalgar and Nelson; thence northwesterly along the northeasterly limit of that road allowance throughout Broken Front Concessions and Concession III, south of Dundas Street, to a southeasterly limit of that part of the King's Highway known as the Queen Elizabeth Way; thence northeasterly along the southeasterly limit of that part of the King's Highway to the northeasterly limit of the road allowance between lots 20 and 21, in Concession III, south of Dundas Street, in the Township of Trafalgar; thence northwesterly in a straight line across that portion of the King's Highway known as the Queen Elizabeth Way to the intersection of the northwesterly limit of that portion of the King's Highway with the northeasterly limit of the road allowance between lots 20 and 21, in Concession II, south of Dundas Street; thence northwesterly along the northeasterly limit of that road allowance throughout each of concessions II and I, south of Dundas Street, to the southeasterly limit of the road allowance between Concession I, south of Dundas Street, and Concession I north of Dundas Street; thence northeasterly along the southeasterly limit of that road allowance commonly known as Dundas Street to the southwesterly limit of the road allowance between the townships of Trafalgar and Toronto; thence southeasterly along the southwesterly limit of that road allowance to the northerly shore of Lake Ontario; thence in a general westerly direction following the windings and turnings of the northerly shore of that lake to the place of beginning. O. Reg. 117/67, s. 1.

ORILLIA ZONE

27. The Town of Orillia and the suburban area adjacent thereto and lying within a line drawn as follows: Beginning at the intersection of the southwesterly limit of the Town of Orillia with the high-water mark on the northwesterly shore of Lake Simcoe, in the Township of Orillia, in the County of Simcoe; thence northwesterly along that southwesterly limit to the southerly limit of that part of the King's Highway known as No. 12; thence westerly along that southerly limit to the westerly limit of those parts of the King's Highway known as Nos. 11 and 12; thence northerly along that westerly limit and continuing northerly along the westerly limit of that part of the King's Highway known as No. 11 to the division line between lots 1 and 2, Concession VII, Northern Division, in the Township of Orillia; thence northeasterly along that division line to the northerly angle of Lot 1; thence northeasterly in a straight line across the road allowance between concessions VII and VIII to the westerly angle of Lot 1, in Concession VIII; thence northeasterly along the northwesterly limit of Lot 1, in Concession VIII, to the northeasterly limit of that lot; thence southeasterly along that northeasterly limit to the northwesterly limit of that lot; thence northeasterly along that northwesterly limit to the southwesterly limit of the road allowance between concessions VIII and IX; thence northeasterly in a straight line across that road allowance to the southerly angle of Lot 2, in Concession IX; thence northeasterly along the southeasterly limit of Lot 2 to the high-water mark on the westerly shore of Lake Couchiching; thence in a general southerly and easterly direction along that high-water mark following the windings and turnings of that shore to the northerly limit of that part of the King's Highway known as No. 12; thence easterly along that northerly limit to the high-water mark on the easterly shore of Lake Couchiching; thence in a general

northerly direction along that high-water mark following the windings and turnings of that shore to the westerly limit of the road allowance between lots 30 and 31, in Concession XI, in the Township of Mara, in the County of Ontario; thence southerly along the westerly limit of the road allowance between lots 30 and 31 throughout each of concessions XI, X and IX, to the high-water mark on the northerly shore of Lake Simcoe; thence in a general westerly and northerly direction along that high-water mark following the windings and turnings of that shore and the easterly shore of Lake Simcoe to the southerly limit of that part of the King's Highway known as No. 12; thence westerly along that southerly limit to the high-water mark on the northwesterly shore of Lake Simcoe; thence in a general southwesterly and westerly direction along that high-water mark following the windings and turnings of that shore to the place of beginning. O. Reg. 50/67, s. 1.

OSHAWA ZONE

28. The City of Oshawa and the suburban area adjacent thereto and lying within a line drawn as follows: Beginning where the division line between the townships of Whitby and East Whitby meets the northerly shore of Lake Ontario; thence northerly along the said division line to the northerly limit of the road allowance between concessions V and VI, in the Township of East Whitby; thence easterly along the northerly limit of the road allowance between concessions V and VI to the easterly limit of the road allowance between lots 4 and 5, Concession VI, in the Township of East Whitby; thence southerly along the easterly limit of the road allowance between lots 4 and 5, in each of concessions V and IV, to the northerly limit of the road allowance between concessions III and IV, in the Township of East Whitby; thence easterly along the northerly limit of the road allowance between concessions III and IV, in the Township of East Whitby to the northerly limit of the road allowance between concessions IV and V, in the Township of Darlington; thence easterly along the northerly limit of the road allowance between concessions IV and V to the division line between lots 30 and 31, Concession V, in the Township of Darlington; thence southerly along the division line between lots 30 and 31, in each of concessions IV, III, II, I and Broken Front, to the northerly shore of Lake Ontario; thence westerly along the northerly shore to the place of beginning. O. Reg. 189/62, s. 1.

OTTAWA ZONE

29. The City of Ottawa and the suburban area adjacent thereto, as it existed on the 14th day of June, 1968, and lying within a line drawn as follows: Beginning where the westerly limit of the road allowance between lots 10 and 11, Concession I, north of the Base Line Road, in the Township of Nepean, meets the southerly bank of the Ottawa River; thence southerly along the westerly limit of the road allowance between lots 10 and 11, in each of concessions I and II, north of the Base Line Road and the westerly limit of the road allowance between concessions IV and V, south of the Base Line Road to the southerly limit of the road allowance between lots 30 and 31, Concession V, south of the Base Line Road; thence easterly along the southerly limit of the road allowance between lots 30 and 31, in each of concessions IV, III and II, south of the Base Line Road to the westerly limit of the road allowance between concessions I and II, south of the Base Line Road; thence southerly along the westerly limit of the road allowance between concessions I and II, south of the Base Line Road to the production southwesterly of the centre line of the road allowance between lots 15 and 16, Concession I, in the Township of Nepean; thence northeasterly along the said production and along the centre line of the road allowance between lots 15 and 16, Concession I, in the Township of Nepean, to the westerly bank of the Rideau River; thence northeasterly across the Rideau River to the intersection of the easterly bank of the Rideau River with the centre line of the road allowance between lots 15 and 16, Concession I, from the Rideau River; thence northeasterly along the centre line of the road allowance between lots 15 and 16, Concession I, from the Rideau River to the centre line of the road allowance between concessions I and II, from the Rideau River; thence southeasterly along the centre line of the road allowance between concessions I and II, from the Rideau River to the centre line of the road allowance between lots 15 and 16, Concession II, from the Rideau River; thence northeasterly along the centre line of the road allowance between lots 15 and 16, Concession II, from the Rideau River to the line between Concession II, from the Rideau River and the Gore between concessions II and III; thence northwesterly along the line between Concession II from the Rideau River and the Gore between concessions II and III to the centre line of the road allowance between lots 15 and 16, in the Gore between concessions II and III; thence northeasterly along the centre line of the road allowance between lots 15 and 16, in the Gore between concessions II and III and the centre line of the road allowance between lots 15 and 16, Concession III, from the Rideau River to the centre line of the road allowance between concessions III and IV from the Rideau River; thence northeasterly along the centre line of the road allowance between concessions III and IV from the Rideau River to the centre line of the road allowance between lots 15 and 16, Concession IV, from the Rideau River; thence northeasterly along the centre line of the road allowance between lots 15 and 16, Concession IV, from the Rideau River to the centre line of the road allowance between concessions IV and V from the Rideau River; thence northwesterly along the centre line of the road allowance between concessions IV and V from the Rideau River to the centre line of the road allowance between lots 15 and 16, Concession V, from

the Rideau River; thence northeasterly along the centre line of the road allowance between lots 15 and 16, Concession V, from the Rideau River to the centre line of the road allowance between concessions V and VI from the Rideau River; thence northwesterly along the centre line of the road allowance between concessions V and VI from the Rideau River to the centre line of the road allowance between lots 15 and 16, Concession VI, from the Rideau River; thence northeasterly along the centre line of the road allowance between lots 15 and 16, Concession VI, from the Rideau River and its production northeasterly to the easterly limit of the road allowance between Concession VI from the Rideau River and concessions VII, VI, V and IV on the Ottawa River; thence northerly along the easterly limit of the road allowance between Concession VI from the Rideau River and concessions VII, VI, V and IV on the Ottawa River and the road allowance between lots 20 and 21, in each of concessions III and II, on the Ottawa River to the northerly limit of the road allowance between concessions I and II on the Ottawa River; thence easterly along the northerly limit of the road allowance between concessions I and II on the Ottawa River to the division line between lots 19 and 20, Concession I, on the Ottawa River; thence northerly along the division line between lots 19 and 20, Concession I, on the Ottawa River to the southerly bank of the Ottawa River; thence westerly along the southerly bank to the place of beginning. O. Reg. 225/62, s. 1, *amended*.

OWEN SOUND ZONE

30. The City of Owen Sound. R.R.O. 1960, Reg. 244, App. C, para. 46.

PARIS ZONE

31. The Town of Paris. O. Reg. 126/66, s. 1.

PEMBROKE ZONE

32. The City of Pembroke and the suburban area adjacent thereto and lying within a line drawn as follows: Beginning at the intersection of the westerly shore of Allumette Lake on the Ottawa River with the southerly limit of Lot 13, in Concession 2, fronting on Allumette Lake, in the Township of Pembroke, in the County of Renfrew; thence southwesterly along the southerly limit of Lot 13 to the southwest corner of that lot; thence southwesterly in a straight line across the road allowance between concessions 1 and 2 to the southeast corner of Lot 9, in Concession 1; thence southwesterly along the southerly limit of Lot 9 to the southwest corner of that lot; thence southwesterly along the production of the southwesterly limit of Lot 9, in Concession 1, across the road allowance between the townships of Pembroke and Stafford to the easterly limit of Lot 24, in Concession 1, in the Township of Stafford; thence northwesterly along the easterly limit of Lot 24 to the northeast corner of that lot; thence northwesterly in a straight line across the road allowance between lots 24 and 25 to the southeast corner of Lot 25, in Concession 1; thence southwesterly along the southerly limit of Lot 25 to the southwest corner of Lot 25; thence northwesterly along the westerly limit of lots 25 and 26 to the northwest corner of Lot 26, in Concession 1, being also the southeast corner of Lot 27, in Concession 2; thence southwesterly along the southerly limit of Lot 27 to the southwest corner of that lot; thence westerly in a straight line across the road allowance between the townships of Stafford and Alice to the southeast corner of Lot 19, in Concession "A", in the Township of Alice; thence westerly along the southerly limit of Lot 19 to the southwest corner of that lot, being a point in the division line between concessions "A" and "B", in the Township of Alice; thence northerly along that division line throughout each of lots 19 to 37, both inclusive, to the northwest corner of Lot 37, in Concession "A"; thence easterly along the northerly limit of Lot 37 to the northeast corner of that lot; thence easterly in a straight line across the road allowance between the townships of Alice and Stafford to the northerly corner of Lot 38, in Concession 1, in the Township of Stafford, being also the most northerly corner of that township; thence easterly and parallel with the southerly limit of Lot 23, in Concession 1, in the Township of Pembroke, across the road allowance between the townships of Stafford and Pembroke to the westerly limit of Lot 23; thence southeasterly along that westerly limit to the southwest corner of Lot 23; thence easterly along the southerly limit of Lot 23 to the westerly shore of Lake Allumette on the Ottawa River; thence southerly following the windings and turnings of the westerly shore of that lake to the place of beginning. O. Reg. 49/67, s. 1, *revised*.

PERTH ZONE

33. The Town of Perth. R.R.O. 1960, Reg. 50, App. C, para. 50.

PETERBOROUGH ZONE

34. The City of Peterborough and the suburban area adjacent thereto and lying within a line drawn as follows: Beginning at the intersection of the centre line of the road allowance between concessions X and XI with the production easterly of the southerly limit of Lot 24 in Concession XI in the Township of Otonabee in the County of Peterborough; thence westerly along the production of that limit and continuing westerly along the southerly limit of Lot 24 throughout each of concessions XI, XII, XIII and XIV to the southwest corner of Lot 24 in Concession XIV; thence continuing westerly along the production of the southerly limit of that lot to the centre line of the road allowance between concessions XIV and XV; thence northerly along that centre line to the southerly limit of the City of Peterborough; thence in a general westerly direction along that southerly limit to a jog therein in Lot 9, Concession

X in the Township of North Monaghan; thence northerly along that jog and continuing westerly along the southerly limit of the City of Peterborough to the westerly limit of the City of Peterborough; thence northerly along that westerly limit to the centre line of the road allowance between concessions X and XI in the Township of North Monaghan; thence easterly along that centre line to the centre line of the road allowance between lots 6 and 7; thence northerly along that centre line throughout each of concessions XI, XII and XIII to the centre line of the road allowance between the townships of North Monaghan and Smith; thence easterly along that centre line to the production southerly of the easterly limit of Lot 8, Concession I in the Township of Smith; thence northerly along that production and continuing northerly along the easterly limit of Lot 8 throughout each of concessions I and II to the northeast corner of Lot 8 in Concession II; thence northerly along the production of the easterly limit of that lot to the centre line of the road allowance between concessions II and III; thence easterly along that centre line to the westerly limit of a road lying westerly of and adjoining the westerly limit of Concession West of Chemong Road; thence northwesterly along that westerly limit to the production westerly of the northerly limit of Lot 6, Concession West of Chemong Road; thence northeasterly along that production and continuing northeasterly along the northerly limit of Lot 6 throughout each of concessions West and East of Chemong Road to the northeast corner of Lot 6; thence continuing northeasterly along the production of that limit to the easterly limit of a road lying easterly of and adjoining the easterly limit of Lot 6, Concession East of Chemong Road; thence southerly along that easterly limit to the centre line of the road allowance between concessions III and IV; thence easterly along that centre line and the production thereof to the easterly limit of County Suburban Road No. 3A in the Township of Douro; thence southerly along that easterly limit to the centre line of the road allowance between concessions X and XI; thence southerly along the centre line of that road allowance through the townships of Douro and Otonabee to the place of beginning. O. Reg. 50/67, s. 1.

PICTON ZONE

35. The Town of Picton. O. Reg. 333/67, s. 2.

PORT COLBORNE ZONE

36. The City of Port Colborne. O. Reg. 320/67, s. 2.

PRESCOTT-CARDINAL-IROQUOIS-MORRISBURG ZONE

37. The Town of Prescott and the villages of Cardinal, Iroquois and Morrisburg. O. Reg. 131/67, s. 1.

RENFREW ZONE

38. The Town of Renfrew and the suburban area adjacent thereto and lying within a line drawn as follows: Beginning at the easterly corner of Lot 6 in Concession III in the Township of Horton in the County of Renfrew; thence southwesterly along the southeasterly limit of Lot 6 throughout each of concessions III and II to the northeasterly limit of County Road No. 2; thence southwesterly in a straight line across that County Road to the easterly corner of Lot 6 in Concession 1; thence southwesterly along the southeasterly limit of Lot 6 to the boundary between the townships of Horton and Admaston; thence southwesterly in a straight line across that boundary to the easterly corner of Lot 2 in Concession 1 in the Township of Admaston; thence southwesterly along the southeasterly limit of that lot to the southerly corner of Lot 2 in Concession 1; thence northwesterly along the southwesterly limit of lots 2 to 12, both inclusive, in that concession to the westerly corner of Lot 12; thence northeasterly along the northwesterly limit of that lot to the boundary between the townships of Admaston and Horton; thence northeasterly along the production of the northwesterly limit of Lot 12 in Concession I in the Township of Admaston across the boundary between that township and the Township of Horton to the southwesterly limit of Concession I in the Township of Horton; thence northwesterly along that limit to the northwest corner of Lot 17 in Concession I; thence northeasterly along the northwesterly limit of Lot 17 throughout each of concessions I, II and III to the northerly corner of Lot 17 in Concession III; thence southeasterly along the northeasterly limit of lots 17 to 6, both inclusive, in that concession to the place of beginning. O. O. Reg. 49/67, s. 1

ST. CATHARINES ZONE

39. The City of St. Catharines, the towns of Merritton and Port Dalhousie and the suburban area adjacent thereto, as they existed on the 31st day of December, 1969, and lying within a line drawn as follows: Beginning where the westerly bank of the Welland Canal meets the southerly shore of Lake Ontario; thence southerly along the westerly bank of the Welland Canal in the townships of Grantham and Thorold to the southerly limit of Lot 49 in the Township of Thorold; thence westerly along the southerly limit of lots 49, 50, 51 and 52 to the southwest corner of Lot 52 in the Township of Thorold; thence northerly along the westerly limit of lots 52, 34 and 21 to the southerly limit of the road allowance between the townships of Thorold and Grantham; thence southwesterly along the southerly limit of the said road allowance to the production southerly of the line between the townships of Louth and Grantham; thence northerly along the said production and along the said line between the townships of Louth and Grantham to the southerly limit of the Queen Elizabeth Way; thence westerly along the southerly limit of the Queen Elizabeth Way

to the easterly limit of the road allowance between lots 4 and 5, Concession 1, in the Township of Louth; thence northerly along the easterly limit of the road allowance between lots 4 and 5 to the southerly shore of Lake Ontario; thence easterly along the southerly shore to the place of beginning. O. Reg. 309/64, s. 6, *amended*.

ST. THOMAS ZONE

40. The City of St. Thomas and the suburban area adjacent thereto and lying within a line drawn as follows: Beginning at the intersection of the easterly limit of the King's Highway Number 4 with the southerly limit of the road allowance between the Township of Southwold in the County of Elgin and the Township of Westminster in the County of Middlesex; thence easterly along the southerly limit of the road allowance to and continuing in an easterly direction along the southerly limit of the road allowance between the Township of Yarmouth in the County of Elgin and the Township of Westminster in the County of Middlesex to the westerly limit of the road allowance between lots 4 and 5 in Concession XIII in the Township of Yarmouth; thence southerly along the westerly limit of that road allowance through Concessions XIII, XII, XI and X and its production to the southerly limit of the road allowance between Concession X and Range 2 north of Edgeware Road; thence easterly along the southerly limit of that road allowance to the westerly limit of the road allowance between lots 12 and 13, Range 2, north of Edgeware Road; thence southerly along the westerly limit of that road allowance and continuing southerly along the westerly limit of the road allowance between lots 12 and 13 through Range 1 north of Edgeware Road and Range 1 south of Edgeware Road; thence continuing southerly along the westerly limit of the road allowance between lots 59 and 60 Concession IX (Concession north of Talbot Road) and its production southerly to the southerly limit of Talbot Road (King's Highway Number 3); thence easterly along the southerly limit of Talbot Road to the westerly limit of a county road between lots 63 and 64 in Concession VIII (Concession south of Talbot Road); thence southerly along the westerly limit of the county road to the northerly limit of the road allowance between Concessions VII and VIII; thence westerly along the northerly limit of the last-mentioned road allowance to the production northerly of the westerly limit of the road allowance between lots 14 and 15 in Concession VII; thence southerly along that production and the westerly limit of that road allowance to the northerly limit of the road allowance between Concessions VI and VII; thence westerly along the northerly limit of that road allowance to the westerly limit of the road allowance between lots 10 and 11; thence southerly along the westerly limit of that road allowance through Concessions VI, V and IV to the northerly limit of county road Number 27; thence westerly along the northerly limit of county road Number 27 to the production northerly of the westerly limit of the road allowance between lots 7 and 8 in Concession III; thence southerly along that production and the westerly limit of that road allowance to the northerly limit of the road allowance between Concessions II and III; thence westerly along the northerly limit of that road allowance to the easterly limit of a public road between lots 2 and 3 in Concession III; thence northerly along the easterly limit of that public road and westerly along the northerly limit of the public road running westerly through lots 1 and 2 in Concession III to the westerly limit of the Township of Yarmouth; thence northerly along the westerly limit of the Township of Yarmouth to the northerly limit of a road between lots 4 and 5 in Range II east of River Road in the Township of Southwold; thence westerly along the northerly limit of that road to the easterly limit of the road running northerly between Ranges I and II east of River Road; thence northerly along the easterly limit of that road and its production northerly to the southerly limit of the Concession on the south side of Talbot Road, East Branch; thence westerly along the southerly limit of that Concession to the easterly limit of the road allowance between lots 38 and 39; thence northerly along the easterly limit of that road allowance through the Concession on the south side and the Concession on the north side of Talbot Road, East Branch, to and continuing in a northerly direction along the easterly limit of the road allowance between lots 35 and 36 in the Concession on the south side of Talbot Road, North Branch, and its production northerly to and continuing in a northerly direction along the westerly limit of lot 36 in the Concession on the north side of the Talbot Road, North Branch, to the northerly limit of that Concession; thence easterly along the northerly limit of that Concession and its production easterly to the easterly limit of the King's Highway Number 4; thence northerly along the easterly limit of the King's Highway Number 4 to the place of beginning. O. Reg. 238/64, s. 1.

SARNIA—POINT EDWARD ZONE

41. The City of Sarnia, the Village of Point Edward and the suburban area adjacent thereto and lying within a line drawn as follows: Beginning at the intersection of the southerly shore of Lake Huron with the easterly limit of the road allowance between lots 45 and 46 in Concession IX in the Township of Sarnia; thence southerly along the easterly limit of that road allowance to the northerly limit of county road No. 17; thence easterly along that northerly limit to the westerly limit of that road; thence northerly along that westerly limit to the northerly limit of county road No. 17; thence easterly along that northerly limit to the production northerly of the easterly limit of the road allowance between lots 9 and 10 in Concession VIII; thence southerly along that production and along the easterly limit of the road allowance between lots 9 and 10 throughout each of concessions VIII, VII, VI, V, IV, III, II and I to the northerly limit of the road allowance between the townships of Sarnia

and Moore; thence continuing southerly in a straight line to the north-west corner of Lot 9 in Concession XII in the Township of Moore; thence westerly along the southerly limit of the road allowance between the townships of Sarnia and Moore to the easterly bank of the St. Clair river; thence in a general northerly direction following the windings and turnings of the easterly bank of the St. Clair river to the southerly shore of Lake Huron; thence in a general easterly direction along that shore to the place of beginning. O. Reg. 73/65, s. 1.

SAULT STE. MARIE ZONE

42. The City of Sault Ste. Marie and the suburban area adjacent thereto and lying within a line drawn as follows: Beginning at the intersection of the westerly limit of the east half of section 4 with the northerly bank of the St. Mary River in the geographic Township of Awenge in the Territorial District of Algoma; thence northerly along that westerly limit to and continuing along the westerly limit of the east half of sections 33 and 28 in the geographic Township of Korah to the northerly limit of section 28; thence easterly along that northerly limit and the northerly limit of sections 27 and 26 to the easterly limit of a public road known as Moss Road; thence northerly along that easterly limit to the northerly limit of that road; thence westerly along that northerly limit to the easterly limit of that road; thence northerly along that easterly limit to the northerly limit of section 23; thence easterly along that northerly limit and the northerly limit of section 24 to the division line between the geographic townships of Korah and Tarentorus; thence easterly along the northerly limit of sections 19, 20, 21 and 22 in the geographic Township of Tarentorus to the westerly limit of a public road known as Old Garden River Road; thence in a general southerly and southwesterly direction along the westerly limit of that road to the production northerly of the westerly limit of a public road known as Black Road; thence southerly along that production and the westerly limit of Black Road to the northerly limit of section 33; thence easterly along that northerly limit to the division line between the geographic Township of Tarentorus and Rankin Location, sometimes known as Rankin Township; thence southerly along that division line to the northerly limit of Lot "B", Second Range, in Rankin Location; thence easterly along that limit and the northerly limit of Lot "C", Second Range, to the northwesterly limit of Lot 18, River Range; thence northeasterly along that limit and the northwesterly limit of Lot 19, River Range, to the northeast limit of Lot 19; thence southeasterly along that northeast limit to the northerly bank of the St. Mary River; thence in a general westerly direction along that northerly bank following the windings and turnings of the St. Mary River to the place of beginning. O. Reg. 50/67, s. 1.

NORFOLK-HALDIMAND ZONE

43. The counties of Norfolk and Haldimand. O. Reg. 220/67, s. 2.

SMITHS FALLS ZONE

44. The separated Town of Smiths Falls and the suburban area adjacent thereto and lying within a line drawn as follows: beginning at the northeast corner of Lot 1 in Concession 6 in the Township of North Elmsley; thence westerly along the southerly limit of the road allowance between concessions 6 and 7 in the Township of North Elmsley to the northwest corner of Lot 3 in Concession 6; thence southerly along the division line between lots 3 and 4 in Concession 6 in the Township of North Elmsley and across the road allowance between concessions 5 and 6 to the northeast corner of Lot 4 in Concession 5 in the Township of North Elmsley; thence westerly along the southerly limit of the road allowance between concessions 5 and 6 in the Township of North Elmsley to the northwest corner of Lot 6 in Concession 5; thence southerly along the easterly limit of the road allowance between lots 6 and 7 in concessions 5, 4 and 3, in the townships of North and South Elmsley to the southwest corner of Lot 6 in Concession 3 in the Township of South Elmsley; thence easterly along the northerly limit of the road allowance between concessions 2 and 3 in the Township of South Elmsley to the centre line of the road allowance between the townships of South Elmsley and Wolford; thence southerly along the centre line to the division line between concessions C and D in the Township of Wolford; thence easterly along the division line between concessions C and D to the line between the townships of Wolford and Montague; thence easterly along the line between concessions 1 and 2 in the Township of Montague to the southeast corner of Lot 19 in Concession 2 in the Township of Montague; thence northerly along the westerly limit of the road allowance between lots 18 and 19 in concessions 2, 3, 4, 5 and 6, to the northeast corner of Lot 19 in Concession 6 in the Township of Montague; thence westerly along the southerly limit of the road allowance between concessions 6 and 7 in the Township of Montague and its production to the place of beginning. R.R.O. 1960, Reg. 244, App. C, para. 63.

STONEY CREEK-SALTFLEET ZONE

45. The Town of Stoney Creek and the suburban area adjacent thereto and lying within a line drawn as follows: Beginning at the southeasterly corner of Lot 1, Concession 4 in the Township of Saltfleet, thence northeasterly along the easterly limit of the Township of Saltfleet to the southerly shore of Lake Ontario; thence westerly along the southerly shore of Lake Ontario to the easterly limit of the City of Hamilton; thence southerly westerly and southerly along the said easterly limit of the City of Hamilton to the northerly limit of the Town of Stoney Creek; thence westerly along the northerly limit of the Town of Stoney Creek to the westerly limit of the Town of Stoney Creek; thence southerly along the westerly limit of the Town of Stoney Creek to the southerly limit of King

Street East; thence easterly along the southerly limit of King Street East to the easterly limit of Lot 27, Concession 4 in the said Township of Saltfleet; thence southerly along the said easterly limit of Lot 27, Concession 4 to the southerly limit of Concession 4; thence easterly along the southerly limit of Concession 4 to the place of beginning. O. Reg. 20/64, s. 2.

STRATFORD ZONE

46. The City of Stratford and the suburban area adjacent thereto and lying within a line drawn as follows: Beginning at the southwest corner of Lot 3 in Concession IV in the Township of Downie in the County of Perth; thence northerly along the division line between lots 3 and 4 throughout each of concessions IV and III to the southerly limit of the road allowance between concessions II and III; thence northerly in a straight line to the southeast corner of Lot 4 in Concession II; thence westerly along the southerly limit of lots 4 and 5 in Concession II to the easterly limit of the road allowance between lots 5 and 6 in Concession II; thence northerly along that easterly limit throughout each of concessions II and I to the southerly limit of the road allowance between the townships of Downie and Ellice; thence northerly in a straight line across that road allowance to the southwest corner of Lot 5 in Concession I in the Township of Ellice; thence northerly along the westerly limit of that lot to the division line between concessions I and II; thence easterly along that division line to the division line between lots 2 and 3 in Concession II; thence northerly along that division line between lots 2 and 3 to the southerly limit of the road allowance between Concessions II and III; thence easterly along the southerly limit of that road allowance to the westerly limit of the road allowance between the townships of Ellice and North Easthope; thence northerly along the westerly limit of that road allowance to the westerly limit of the right of way of the Canadian National Railways; thence southerly along that westerly limit to the easterly limit of the road allowance between the townships of Ellice and North Easthope; thence continuing southerly along the westerly limit of the right of way of the Canadian National Railways in the Township of North Easthope to the production westerly of a line drawn parallel to and distant 200 feet measured northerly and perpendicularly from the southerly limit of Lot 45 in Concession III; thence easterly along that production to the division line between lots 44 and 45; thence southerly along that division line throughout concessions III and II to the division line between concessions I and II; thence easterly along that division line to the westerly limit of the road allowance between lots 35 and 36; thence southerly along the westerly limit of that road allowance through Concession I to the northerly limit of the road allowance between the townships of North Easthope and South Easthope; thence southerly in a straight line across that road allowance to the northeast corner of Lot 36 in Concession I in the Township of South Easthope; thence southerly along the easterly limit of that lot to the division line between concessions I and II; thence westerly along that division line to the northwest corner of Lot 44 in Concession II; thence southerly along the westerly limit of that lot to the northerly limit of the road allowance between concessions II and III; thence southerly in a straight line across that road allowance to the northeast corner of Lot 45 in Concession III; thence westerly along the northerly limit of Lots 45 and 46 in Concession III to the easterly limit of the road allowance between the Township of South Easthope and the Gore of the Township of Downie; thence southerly along that easterly limit to the production easterly of a line drawn parallel to and distant 1,000 feet measured southerly and perpendicularly from the northerly limit of Concession III in the Gore of the Township of Downie; thence westerly along that easterly production through lots 1, 2, 3 and "C" in Concession III to the northerly limit of Lot 4; thence southerly and parallel to the easterly limit of the road allowance between the Township of Downie and the Gore of that Township through Lot 4 in Concession III and lots 5 and "A" in Concession IV to the northerly limit of the road allowance between concessions IV and V; thence westerly along that northerly limit to the easterly limit of that road allowance between the Township of Downie and the Gore of the Township of Downie; thence westerly in a straight line across that road allowance to the southeast corner of Lot 2 in Concession IV in the Township of Downie; thence westerly along the southerly limit of lots 2 and 3 in Concession IV to the place of beginning. O. Reg. 50/67, s. 1.

SUDBURY ZONE

47. The City of Sudbury and the suburban area adjacent thereto and lying within a line drawn as follows: Beginning at the intersection of the westerly limit of the Township of Graham with the northerly limit of the King's Highway No. 17; thence northerly along the western limit of the townships of Graham, Creighton and Balfour to the northerly limit of the Township of Balfour; thence easterly along the northerly limit of the townships of Balfour and Rayside to the westerly limit of the Township of Hanmer; thence northerly along the westerly limit of the Township of Hanmer to the northerly limit of the Township of Hanmer; thence easterly along the northerly limit of the townships of Hanmer and Capreol to the boundary between the townships of Capreol and Maclennan; thence southerly along the boundary between the townships of Capreol and Maclennan to the northerly limit of Concession 1, in the Township of Maclennan; thence easterly along the said northerly limit of Concession 1 to the easterly limit of the Township of Maclennan; thence southerly along the easterly limit of the townships of Maclennan, Falconbridge, Dryden and Cleland to the southerly limit of Concession 3, in the Township of Cleland; thence westerly along the said southerly limit of Concession 3, through the townships of Cleland, Dill,

Broder and Waters to a road running northerly through Concession 3, in the vicinity of lots 5 and 6, Concession 3, in the Township of Waters; thence northerly along the said road to the northerly limit of Concession 3, in the Township of Waters; thence westerly along the northerly limit of Concession 3, to the northerly limit of the King's Highway No. 17; thence westerly along the northerly limit of the King's Highway No. 17 to the place of beginning. O. Reg. 309/64, s. 7.

STURGEON FALLS ZONE

48. The Town of Sturgeon Falls and the suburban area adjacent thereto and lying within a line drawn as follows: Beginning at the intersection of the westerly limit of the Township of Springer with the northerly shore of Lake Nipissing; thence northerly along the westerly limit of the Township of Springer to the northerly limit of Concession 4; thence easterly along the northerly limit of Concession 4, in the Township of Springer, to the easterly limit of the Township of Springer; thence southerly along the easterly limit of the Township of Springer to the northerly shore of Lake Nipissing; thence in a general westerly direction following the windings and turnings of the shore line to the place of beginning. O. Reg. 171/64, s. 2 (2).

TEESWATER ZONE

49. The Village of Teeswater. R.R.O. 1960, Reg. 244, App. C, para. 66.

TILLSONBURG ZONE

50. Being the Town of Tillsonburg and the suburban area adjacent thereto and lying within a line drawn as follows: Beginning at the southwest corner of Lot 8, in Concession XII, in the Township of Dereham, in the County of Oxford; thence northerly along the westerly limit of Lot 8, throughout each of concessions XII, XI and X, to the northwest corner of Lot 8; thence easterly along the southerly limit of the road allowance between concessions IX and X to the northeast corner of Lot 1, in Concession X; thence southerly along the westerly limit of the road allowance between the townships of Dereham and South Norwich to the southeast corner of Lot 1, in Concession XII; thence continuing in a southerly direction along the production southerly of the westerly limit of the road allowance between the townships of Dereham and South Norwich to the southerly limit of the road allowance between the Township of Dereham, in the County of Oxford and the Township of Middleton, in the County of Norfolk; thence westerly along the southerly limit of that road allowance to the northeasterly limit of the Town of Tillsonburg, being the line between lots 11 and 12, in Concession IV, in the Township of Middleton; thence southeasterly along that northeasterly limit to the easterly limit of the Town of Tillsonburg; thence southerly along that easterly limit to a jog therein; thence in a northwesterly direction along that jog and continuing southerly along that easterly limit to the southwesterly limit of the Town of Tillsonburg; thence northwesterly along that southwesterly limit to the southerly limit of the Town of Tillsonburg; thence westerly along that southerly limit to the southwesterly limit of the Town of Tillsonburg; thence northwesterly along that southwesterly limit to the northerly limit of the road allowance between the Township of Middleton, in the County of Norfolk, and the Township of Dereham, in the County of Oxford; thence westerly along that northerly limit to the place of beginning. O. Reg. 319/67, s. 2.

METROPOLITAN TORONTO ZONE

51. The Metropolitan Area under the provisions of The Municipality of Metropolitan Toronto Act. R.R.O. 1960, Reg. 244, App. C, para. 68.

WELLAND ZONE

52. The City of Welland and the suburban area adjacent thereto, as it existed on the 31st day of December, 1969, and lying within a line drawn as follows: Beginning at the northeast corner of Lot 216, in the Township of Thorold; thence westerly along the northerly limit of lots 216, 217, 218, 219, 220, 221, 169 and 170, to the northwest corner of Lot 170; thence southerly along the westerly limit of lots 170, 174 and 234, to the northerly limit of the City of Welland; thence westerly, southerly, northeasterly, southerly and easterly along the limits of the City of Welland to the easterly limit of the King's Highway No. 58; thence southerly along the easterly limit of the King's Highway No. 58, in the Township of Humberstone, to the northerly limit of the road allowance between concessions 3 and 4, in the Township of Humberstone; thence easterly along the last-mentioned northerly limit to the easterly limit of the road allowance between lots 22 and 23, Concession 4; thence northerly along the easterly limit of the road allowance between lots 22 and 23, Concession 4, and the easterly limit of the road allowance between lots 18 and 19, Concession 5, to the southerly limit of the City of Welland; thence easterly, northerly, westerly, northerly and westerly along the limits of the City of Welland to the westerly limit of Lot 21, Concession 2, in the Township of Crowland; thence northerly along the westerly limit of Lot 21, Concession 2, in the Township of Crowland and continuing northerly along the easterly limit of lots 222 and 216, in the Township of Thorold to the place of beginning. O. Reg. 244/61, s. 4, *amended*.

WHITBY ZONE

53. The Town of Whitby and the suburban area adjacent thereto and lying within a line drawn as follows: Beginning where the easterly limit of the Township of Whitby meets the northerly shore of Lake Ontario; thence northerly along the easterly

limit of the Township of Whitby to the northerly limit of the road allowance between concessions III and IV, in the Township of Whitby; thence westerly along the northerly limit of the road allowance between concessions III and IV to the westerly limit of the Township of Whitby; thence southerly along the westerly limit of the Township of Whitby to the northerly shore of Lake Ontario; thence easterly along the northerly shore of Lake Ontario to the place of beginning. O. Reg. 98/62, s. 2.

WINGHAM ZONE

54. The Town of Wingham. R.R.O. 1960, Reg. 244, App. C, para. 72.

WOODSTOCK ZONE

55. The City of Woodstock and the suburban area adjacent thereto and lying within a line drawn as follows: Beginning at the southwest corner of Lot 1, in Concession 1, in the Township of West Oxford, in the County of Oxford; thence northwesterly along the southwesterly limit of Lot 1 throughout Concession 1 and the Broken Front Concession to the high-water mark on the southeasterly bank of the Thames River; thence in a general northeasterly direction following the windings and turnings of that high-water mark to the Gordon Pittock Reservoir; thence continuing in a general northeasterly direction following the windings and turnings of that high-water mark along the northwesterly limit of that reservoir to the easterly limit of the production northerly of the easterly limit of Lot 13, in Concession 3, in the Township of Blandford, in the County of Oxford; thence southerly along that limit throughout each of concessions 3, 2 and 1 to the northerly limit of that part of the King's Highway known as No. 2; thence southerly in a straight line across that part of the King's Highway known as No. 2 to the northeast corner of Lot 13, in Concession 1, in the Township of East Oxford, in the County of Oxford; thence southerly along the easterly limit of Lot 13 to the southeast corner of Lot 13; thence southeasterly in a straight line across the road allowance between concessions 1 and 2 to the northeast corner of Lot 13, in Concession 2; thence southerly along the easterly limit of that Lot to the northerly limit of that part of the King's Highway known as No. 401; thence westerly along the northerly limit of that part of the King's Highway known as No. 401 to the southerly limit of Concession 2; thence westerly along that limit to the easterly limit of County Road 12; thence westerly along the production of the southerly limit of Concession 2 to the westerly limit of County Road 12; thence southerly along that westerly limit to the northerly limit of a public road, which road is the continuation easterly of the road allowance between concessions 1 and 2, in the Township of West Oxford; thence in a general westerly direction along the northerly limit of that public road to the southerly limit of Lot 1, in Concession 1, in the Township of West Oxford; thence westerly along that southerly limit to the place of beginning. O. Reg. 365/68, s. 1.

APPENDIX D

BARBERING INDUSTRY

1. The Barbering Industry is defined as all work done by barbers in,

(*a*) shaving or trimming a beard or moustache;

(*b*) cutting, trimming, singeing, shampooing or dressing hair;

(*c*) giving,

(i) facial massage, or

(ii) scalp treatment; and

(*d*) honing or stropping a razor,

except where performed in barber schools licensed by The Industry and Labour Board under *The Apprenticeship and Tradesmen's Qualification Act.*

TAXI-CAB INDUSTRY

2. The Taxi-cab Industry is defined as all work done in respect of the operation of automobiles as taxi-cabs or livery cabs. R.R.O. 1960, Reg. 244, App. D, *amended.*

APPENDIX E

FUR INDUSTRY

1. i. The Fur Industry is defined as all work done in the manufacture, repair or remodelling in whole or in part of,

(*a*) fur coats, fur jackets and similar fur garments; and

(*b*) fur neck-pieces, fur collars, fur cuffs and other fur pieces,

but does not include such work done in premises of an employer where there is not more than one person performing the work.

ii. In subparagraph i, "fur" does not include imitation or simulated fur. O. Reg. 315/61, s. 2; O. Reg. 52/66, s. 1.

LADIES' CLOAK AND SUIT INDUSTRY

2. The Ladies' Cloak and Suit Industry is defined as all work done in the manufacture anywhere in Ontario, in whole or in part, of cloaks, coats, suits, wraps, wind-breakers, skirts manufactured for use as part of a suit, jackets or blazers, manufactured from any material including suede, leather, simulated,

synthetic, pile and fur fabrics, of any description, for female persons of all ages, but does not include work done in,

(*a*) the manufacture of,

(i) ski-suits or skating suits in whole or in part,

(ii) athletic uniforms in whole or in part,

(iii) riding-coats, or

(iv) lounging-robes, bath-robes, kimonos, pyjamas or beach wraps; or

(*b*) the making of cloaks, coats, suits, wraps, wind-breakers, skirts manufactured for use as part of a suit, jackets, or blazers, manufactured from any material including suede, leather, simulated, synthetic, pile and fur fabrics, of any description, for female persons of all ages by a custom tailor, who,

(i) makes cloaks, coats, suits, wraps, wind-breakers, skirts manufactured for use as part of a suit, jackets or blazers individually for a retail customer, according to the measurements and specifications of the retail customer, and

(ii) does not employ more than four persons in making cloaks, coats, suits, wraps, wind-breakers, skirts manufactured for use as part of a suit, jackets or blazers. O. Reg. 343/69, s. 1.

LADIES' DRESS AND SPORTS-WEAR INDUSTRY

3. The Ladies' Dress and Sport-wear Industry is defined as all work done in the manufacture, in whole or in part, of dresses for day wear or evening wear or skirts or play-clothes for female persons but does not include work done in,

(*a*) the manufacture of dresses for day wear or evening wear or skirts or play-clothes,

(i) for female persons not over fourteen years of age, where the manufacturer does not manufacture or handle directly or indirectly dresses for day wear or evening wear or skirts or play-clothes for female persons over fourteen years of age, or

(ii) made from knitted material, where the manufacturer of the knitted material manufactures on the same premises dresses for day wear or evening wear or skirts or play-clothes therefrom;

(*b*) the manufacture of,

(i) skirts made from cloth weighing more than five ounces a square yard or from tweed or curl-cloth,

(ii) any style of apron, or

(iii) bathing-suits; or

(*c*) the making of dresses for day wear or evening wear or skirts or play-clothes by a custom dressmaker who,

(i) makes dresses for day wear or evening wear or skirts or play-clothes individually for a retail customer according to the measurement and specification of the retail customer, and

(ii) does not employ more than four persons in making dresses for day wear or evening wear or skirts or play-clothes. R.R.O. 1960, Reg. 244, App. E, para. 2.

MEN'S AND BOYS' CLOTHING INDUSTRY

4. The Men's and Boys' Clothing Industry is defined as all work done in the manufacture, in whole or in part, of pants, vests, jackets, suits or overcoats for men, boys and youths but does not include work done in,

(*a*) the manufacture of,

(i) children's clothing not exceeding size twenty-four and for children of not more than six years of age,

(ii) athletic uniforms,

(iii) leather or rubberized clothing,

(iv) coarse pants made from cotton fabrics, Mackinaw cloth or tweeds weighing more than twenty ounces a yard, or

(v) work shirts, Mackinaw coats, windbreakers or any style of overall;

(*b*) retail stores, in the making of alterations to manufactured pants, vests, jackets, suits or overcoats; or

(*c*) the making of pants, vests, jackets, suits or overcoats by a custom tailor or merchant tailor who,

(i) makes the pants, vests, jackets, suits or overcoats individually for a customer according to the specific size, measurement and specification of the customer, and

(ii) does not employ a total of more than five persons in making pants, vests, jackets, suits or overcoats. R.R.O. 1960, Reg. 244, App. E, para. 3.

MEN'S AND BOYS' HAT AND CAP INDUSTRY

5. The Men's and Boys' Hat and Cap Industry is defined as the manufacturing of all kinds of hats, caps and head-gear for,

(*a*) men and boys from materials other than fur-felt, woolen-felt or straw; and

(*b*) children under eight years of age, other than head-gear manufactured from,

(i) silk, satin, lace, poplin, silk prints, plain cotton fabric, rayon fabric, chinchilla, blanket cloth or felt yard goods for children under two years of age, or

(ii) fabric matching coats or ensembles, where the fabric is supplied only to the manufacturer of the coats and ensembles or is manufactured by the manufacturer of the coats and ensembles. R.R.O. 1960, Reg. 244, App. E, para. 4.

MILLINERY INDUSTRY

6. The Millinery Industry is defined as the manufacturing, in whole or in part, of head-gear for female persons but does not include the manufacturing, in whole or in part, of bonnets for infants or the altering, making, remodelling or repairing of head-gear by a custom milliner who,

(*a*) alters, makes, remodels or repairs head-gear individually for a customer, according to the personal measurement and specification of that customer; and

(*b*) does not employ more than three persons in altering, making, remodelling or repairing head-gear. R.R.O. 1960, Reg. 244, App. E, para. 5; O. Reg. 232/63, s. 1, *revised*.

REGULATION 457

under The Industrial Standards Act

DUTIES OF EMPLOYERS AND ADVISORY COMMITTEES

1. In this Regulation,

(*a*) "decision" includes a ruling, order and finding of fact;

(*b*) "party concerned" means an appellant or respondent. O. Reg. 199/64, s. 1.

2. In addition to the information required by section 13 of the Act, an employer shall include in the record, and keep for a period of at least twelve months after work is performed by an employee,

(*a*) the amount of wages paid to each employee for the work performed by him,

(i) during the regular working day and the regular working week, and

(ii) other than during the regular working day or the regular working week,

established by any Schedule that applies to the employee and the date of the payment;

(*b*) the hourly, daily, weekly or monthly rate used in computing wages paid to an employee on time-work;

(*c*) the amount of each kind of work performed by an employee who is paid on a piece-work or unit-price rate on an incentive or production basis and the piece-work rate or unit-price rate used in computing his wages;

(*d*) the period of any vacation taken by an employee and the amount of vacation pay paid to the employee or the payment in lieu of vacation with pay and the date of the payment in each case;

(*e*) the rate of commission or percentage used in computing the wages of an employee who is paid on a commission or percentage basis;

(*f*) in the case of employers engaged in,

(i) the Barbering Industry as defined in paragraph 1, or

(ii) the Hairdressing Industry as defined in paragraph 2,

of Appendix D of Regulation 456 of Revised Regulations of Ontario, 1970, the proceeds from the work performed by each employee;

(*g*) the number of hours of work performed by each employee,

(i) during the regular working day and the regular working week, and

(ii) other than during the regular working day or the regular working week,

established by the Schedule that applies to the employee;

(*h*) the hours of the day and each day of the week on which work was performed by each employee;

(*i*) the work or operation performed in the industry by an employee and where a schedule classifies employees, the classification of the employee;

(*j*) the city, town, village or township where the work or operation was performed; and

(*k*) the number of hours in each day and week that an employee was required to remain on the employer's premises and was not required to perform any work. O. Reg. 199/64, s. 2.

3. Where a Schedule for an industry assesses an employee, the employer shall,

(*a*) deduct the amount of the assessment from the wages of the employee; and

(*b*) before the 10th day of each month,

(i) remit to the advisory committee established for the Schedule the amount of the assessment deducted under clause *a* and the amount for which the employer is assessed under the Schedule, and

(ii) furnish the advisory committee with the information required by subsection 1 of section 13 of the Act and the information required by section 2 of this Regulation for the last preceding calendar month. O. Reg. 199/64, s. 3.

4. An advisory committee established for a schedule shall,

(*a*) keep written records of all proceedings and resolutions of each meeting held by it; and

(*b*) send to the Director forthwith after the meeting a true copy of those records, signed by the members of the committee present at the meeting. O. Reg. 199/64, s. 4.

APPEALS FROM ADVISORY COMMITTEES

5.—(1) An appeal to the Director from the decision of an advisory committee shall be commenced by filing with the Director a notice of appeal in Form 1.

(2) Subject to subsection 3, a notice of appeal shall be filed within thirty days after the making of the decision.

(3) The Director may at any time before or after the expiry of the thirty-day period extend the time for filing a notice of appeal where the Director is satisfied that an appellant did not comply with subsection 2 because the decision did not come to the appellant's notice in sufficient time for the notice of appeal to be filed within the thirty-day period. O. Reg. 199/64, s. 5.

6.—(1) As soon as practicable after a notice of appeal is filed, the Director shall send to the appellant and to each respondent at their addresses stated in the notice of appeal,

(*a*) a notice of hearing in Form 2; and

(*b*) a copy of the notice of appeal.

(2) The Director shall allow at least seven clear days between the date of mailing the notice and the date for the hearing.

(3) If any party concerned or any witness fails to attend a hearing on the date and at the time and place appointed, the hearing may proceed and a decision may be made in his absence. O. Reg. 199/64, s. 6.

7. At the hearing of an appeal, each party concerned is entitled to hear the evidence against him, to cross-examine thereon, to call witnesses in his behalf and to present argument. O. Reg. 199/64, s. 7.

8. A party concerned may conduct his appeal personally or he may be represented by counsel or by any agent acceptable to the Director. O. Reg. 199/64, s. 8.

9. Within thirty days after the hearing the Director shall send a true copy of his decision to each party concerned. O. Reg. 199/64, s. 9.

Form 1

The Industrial Standards Act

NOTICE OF APPEAL TO THE DIRECTOR OF LABOUR STANDARDS

Under *The Industrial Standards Act*

I, ...,
(print name in full)

.....
(full postal address)

appeal to the Director in respect of a decision made by

.....

on the ..... of ....., 19....,
(day) (month)

at .....,
(name of city, town, village or other place)

whereby it was decided that.....
(briefly set out the

.....
decision*)

.....

.....

AND I name .....
(name)

of .....,
(full postal address)

as respondent in this appeal.

AND in support of this appeal I give the following information:

1. I first became aware of that decision on

.....
(date)

2. My reasons for appealing are as follows:

.....
(briefly set out reasons*)

.....

.....

.....

DATED the ..... of ....., 19....

.....
(signature of appellant)

*Reverse side of form may be used for further particulars. O. Reg. 199/64, Form 1.

Form 2

The Industrial Standards Act

NOTICE OF HEARING OF AN APPEAL

To: .....

of .....,
Appellant,

and to .....,

of .....,

and to .....,

of .....,
Respondent(s).

TAKE NOTICE the appellant having filed a notice of appeal a copy of which is attached hereto, the Director or the Administrator of Industrial Standards will hear the appeal on .....day, the

..... of ....., 19....,

at ..... in the .....

of ..... at .....o'clock in the

.....noon, or so soon thereafter as the appeal can be heard, and thereupon the parties to this appeal and their witnesses will be examined.

AND TAKE NOTICE if any party or witness fails to attend a hearing on the date and at the time and place appointed, the hearing may proceed, and a decision thereon may be made, in his absence.

AND FURTHER TAKE NOTICE each party concerned may conduct his appeal personally or he may be represented by counsel or by any agent acceptable to the Director.

DATED at ..... the ..... of .....,

19....

.....
(signature of Director or Administrator of Industrial Standards)

O. Reg. 199/64, Form 2.

REGULATION 458

under The Industrial Standards Act

INTERPROVINCIALLY COMPETITIVE INDUSTRIES

1. The following industries are designated as interprovincially competitive industries:

1. The Men's and Boys' Hat and Cap Industry.
2. The Millinery Industry.
3. The Ladies' Dress and Sports-wear Industry.
4. The Ladies' Cloak and Suit Industry.
5. The Men's and Boys' Clothing Industry.
6. The Fur Industry. R.R.O. 1960, Reg. 245, s. 1; O. Reg. 316/61, s. 1.

REGULATION 459

under The Industrial Standards Act

SCHEDULE—BARBERING INDUSTRY AJAX

1. The Schedule is in force during pleasure within the Ajax zone and is binding upon the employers and employees in the barbering industry. O. Reg. 1/62, s. 1.

Schedule

INTERPRETATION

1. In this Schedule,

(*a*) "holiday" means,

(i) Sunday,

(ii) New Year's Day,

(iii) Good Friday,

(iv) Victoria Day,

(v) Dominion Day,

(vi) Civic Holiday as appointed for the part of the zone lying within the municipality that appoints it,

(vii) Labour Day,

(viii) Thanksgiving Day,

(ix) Christmas Day, and

(x) the 26th day of December;

(*b*) "week" means the period beginning with Sunday and ending with the Saturday next following, both inclusive.

HOURS OF WORK

2. No person shall perform work in the industry,

(*a*) on a holiday;

(*b*) on a Monday;

(*c*) for more than 9 hours a day; or

(*d*) before,

(i) 9 a.m. or after 7 p.m. on Tuesday, Wednesday, Thursday or Friday, or

(ii) 8 a.m. or after 6 p.m. on Saturday.

3. Notwithstanding clause *b* of section 2, where a holiday falls on a day in a week other than Sunday, nine hours of work may be performed between 9 a.m. and 7 p.m. on Monday of that week, if the Monday is not a holiday.

CLASSIFICATION OF EMPLOYEES

4. The following classification of employees in the industry is established:

Class A—A person who is given full-time employment.

Class B—A person who is given part-time work or casual employment.

MINIMUM RATES OF WAGES

5.—(1) The minimum rate of wages for all work performed in the industry by employees is,

(*a*) for a Class A employee, $40 a week plus 60 per cent of the proceeds in excess of $55 from the work performed by him in a week; and

(*b*) for a Class B employee, 70 per cent of the proceeds from the work performed by him with a minimum rate of wages of 75 cents an hour.

(2) The percentages in subsection 1 shall be computed upon the gross receipts for work performed at not less than,

(*a*) the minimum charge for each operation established in section 7; or

(*b*) the prevailing charge established in the shop for each operation,

whichever is the greater.

6. No deductions shall be made from the minimum rate of wages for,

(*a*) materials supplied;

(*b*) laundry services; or

(*c*) operating expenses.

MINIMUM CHARGES

7.—(1) The minimum charge for each operation in the industry is as follows:

i. Facial massage, plain ..... 50 cents.

ii. Hair-cut or trim for persons 14 years of age and over ..... 60 cents.

iii. Hair-cut for persons under 14 years of age ..... 35 cents.

iv. Head-rub ..... 25 cents.

v. Neck-clip for ladies ..... 25 cents.

vi. Razor honing ..... 50 cents.

vii. Shampoo, plain ..... 50 cents.

viii. Shave, not including neck-shave 30 cents.

ix. Singe ..... 35 cents.

(2) No employer or employee may,

(*a*) contract for or accept prices lower than those in subsection 1;

(*b*) combine any of the operations named in subsection 1 without charging for each operation in the combination; or

(*c*) give any article or premium to the customer without charging the full value of the article or premium. O. Reg. 1/62, Sched.

REGULATION 460

under The Industrial Standards Act

SCHEDULE—BARBERING INDUSTRY

ARNPRIOR ZONE

1. The Schedule is in force during pleasure within the Arnprior zone and is binding upon the employers and employees in the barbering industry. O. Reg. 417/68, s. 1.

Schedule

INTERPRETATION

1. In this Schedule,

(*a*) "holiday" means,

(i) Sunday,

(ii) New Year's Day,

(iii) Good Friday,

(iv) Victoria Day,

(v) Dominion Day,

(vi) Arnprior Civic Holiday,

(vii) Labour Day,

(viii) Thanksgiving Day,

(ix) Christmas Day, and

(x) the 26th day of December;

(*b*) "week" means the period beginning with Sunday and ending with the Saturday next following, both inclusive.

HOURS OF WORK

2. The regular working periods for all employers and employees in the industry shall be,

(*a*) a regular working week consisting of not more than forty-four hours of work performed during the regular working days; and

(*b*) a regular working day consisting of not more than,

(i) 8½ hours of work performed on Tuesday, Thursday, Saturday and the day not elected under section 4, and

(ii) ten hours of work performed on Friday.

3. No person shall perform work in the industry,

(*a*) on a holiday;

(*b*) before 8.30 a.m. or after,

(i) 6 p.m. on a day other than Friday, or

(ii) 9 p.m. on Friday; or

(*c*) on a day that the employer elects under section 4.

4.—(1) The employer shall elect either Monday or Wednesday in each week as a day during which work is not to be performed by his employees.

(2) The employer shall,

(*a*) post conspicuously in a place where his employees are engaged in their duties; and

(*b*) file with the advisory committee,

a notice setting out the day in each week during which work is not to be performed by his employees.

(3) Where an employer changes his election, he shall give thirty days' notice in writing to his employees and to the advisory committee of the new day elected.

(4) Notwithstanding clause *c* of section 3, during a week in which New Year's Day, Dominion Day or Christmas Day falls on a day other than Sunday and during the week in which Good Friday falls, 8½ hours of work may be performed between 8.30 a.m. and 6 p.m. on the elected day of that week, if the elected day is not a holiday.

CLASSIFICATION OF EMPLOYEES

5. The following classification of employees in the industry is established:

Class A—A person who is given full-time employment.

Class B—A person who is given part-time or casual employment.

MINIMUM RATES OF WAGES

6.—(1) The minimum rate of wages for all work performed in the industry by employees is,

(*a*) for a Class A employee, 70 per cent of the proceeds from the work performed by him, or $50 a week, whichever is the greater; and

(*b*) for a Class B employee, $1 an hour.

(2) The percentage in clause *a* of subsection 1 shall be computed upon the gross receipts for work performed at not less than,

(*a*) the minimum charge for each operation established in section 8; or

(*b*) the prevailing charge established in the shop for each operation,

whichever is the greater.

7. No deductions shall be made from the minimum rate of wages for,

(*a*) materials supplied;

(*b*) laundry service; or

(*c*) operating expenses.

MINIMUM CHARGES

8.—(1) The minimum charge for each operation in the industry is as follows:

i. Facial massage, plain	75 cents
ii. Hair-cut or trim for persons 14 years of age and over	$1.00
iii. Hair-cut for persons under 14 years of age	75 cents
iv. Head-rub	35 cents
v. Shampoo, plain	75 cents
vi. Shave	75 cents
vii. Singe	75 cents

(2) No employer or employee shall,

(*a*) contract for or accept prices lower than those in subsection 1;

(*b*) combine any of the operations named in subsection 1 without charging for each operation in the combination; or

(*c*) give any article or premium to the customer without charging the full value of the article or premium. O. Reg. 417/68, Sched., *amended*.

REGULATION 461

under The Industrial Standards Act

SCHEDULE—BARBERING INDUSTRY

AURORA, OAK RIDGES AND NEWMARKET

1. The Schedule is in force during pleasure within the Aurora, Oak Ridges and Newmarket zone and is binding upon the employers and employees in the barbering industry. O. Reg. 434/67, s. 1.

Schedule

INTERPRETATION

1. In this Schedule,

(*a*) "holiday" means,

(i) Sunday,

(ii) New Year's Day,

(iii) Good Friday,

(iv) Victoria Day,

(v) Dominion Day,

(vi) Civic Holiday,

(vii) Labour Day,

(viii) Thanksgiving Day,

(ix) Christmas Day, and

(x) the 26th day of December;

(*b*) "week" means the period beginning with Sunday and ending with the Saturday next following, both inclusive.

HOURS OF WORK

(2) Subject to section 6, no person shall perform work in the industry,

(*a*) on a holiday;

(*b*) before 8.30 a.m. or after,

(i) 6 p.m. on Monday, Tuesday, Wednesday or Thursday,

(ii) 9 p.m. on Friday, or

(iii) 5 p.m. on Saturday; or

(*c*) on a day that the employer elects under section 3.

3.—(1) The employer shall elect either Monday or Wednesday in each week as a day during which work is not to be performed by his employees.

(2) The employer shall,

(*a*) post conspicuously in a place where his employees are engaged in their duties; and

(*b*) file with the advisory committee,

a notice setting out the day during which work is not to be performed by his employees.

(3) Where an employer changes his election, he shall give thirty days' notice in writing to his employees and to the advisory committee of the new day elected.

4. Notwithstanding clause *c* of section 2, where the day elected under section 3 precedes New Year's Day, Good Friday or Christmas Day, an employee may perform nine hours of work between 8.30 a.m. and 6 p.m. on the day elected if,

(*a*) the employee does not perform more than a total of forty-eight hours of work during the week in which the day elected falls; and

(*b*) the day elected is not a holiday.

OVERTIME WORK

5. Overtime work is work that is performed other than during the hours of work prescribed by sections 2 and 3.

6.—(1) Subject to subsection 3, no overtime work shall be performed in the industry without a permit from the advisory committee.

(2) The advisory committee is authorized to issue the permits subject to this Schedule.

(3) Subsection 1 does not apply to overtime work performed for the purpose of completing any service, work, operation or art for a customer who was in the shop prior to,

(*a*) 6 p.m. on Monday, Tuesday, Wednesday or Thursday;

(*b*) 9 p.m. on Friday; or

(*c*) 5 p.m. on Saturday.

CLASSIFICATION OF EMPLOYEES

7. The following classification of employees in the industry is established:

Class A—A person who is given full-time employment.

Class B—A person who is given part-time work or casual employment.

MINIMUM RATES OF WAGES

8.—(1) The minimum rate of wages for all work performed in the industry by employees is,

(*a*) for a Class A employee, 70 per cent of the proceeds from the work performed by him or $50 a week, whichever is the greater; and

(*b*) for a Class B employee, 70 per cent of the proceeds from the work performed by him or $1 an hour, whichever is the greater; and

(2) The percentages in subsection 1 shall be computed upon the gross receipts for work performed at not less than,

(*a*) the minimum charge for each operation established in section 10; or

(*b*) the prevailing charge established in the shop for each operation,

whichever is the greater.

9. No deductions shall be made from the minimum rate of wages for,

(*a*) materials supplied;

(*b*) laundry service; or

(*c*) operating expenses.

10.—(1) The minimum charge for each operation in the industry is as follows:

i. Facial massage, plain.....75 cents

ii. Hair-cut or trim for persons 14 years of age and over..... $1.00

iii. Hair-cut for persons under 14 years of age.....75 cents

iv. Head-rub.....35 cents

v. Shampoo, plain.....75 cents

vi. Shave.....75 cents

vii Singe.....50 cents

(2) No employer or employee shall,

(*a*) contract for or accept prices lower than those in subsection 1;

(*b*) combine any of the operations named in subsection 1 without charging for each operation in the combination; or

(*c*) give any article or premium to the customer without charging the full value of the article or premium. O. Reg. 434/67, Sched., *amended.*

REGULATION 462

under The Industrial Standards Act

SCHEDULE—BARBERING INDUSTRY
AYLMER ZONE

1. The Schedule is in force during pleasure within the Aylmer zone and is binding upon the employers and employees in the barbering industry. O. Reg. 428/67, s. 1.

Schedule

INTERPRETATION

1. In this Schedule,

(*a*) "Civic Holiday" means a holiday for that part of the zone where it is so proclaimed by a municipality;

(*b*) "holiday" means,

(i) Sunday,

(ii) New Year's Day,

(iii) Good Friday,

(iv) Victoria Day,

(v) Dominion Day,

(vi) Civic Holiday,

(vii) Labour Day,

(viii) Thanksgiving Day,

(ix) Christmas Day, and

(x) the 26th day of December;

(*c*) "week" means the period beginning with Sunday and ending with Saturday next following, both inclusive.

HOURS OF WORK

2. No person shall perform work in the industry,

(*a*) on a holiday;

(*b*) on Wednesday;

(*c*) before 9 a.m. or after,

(i) 6 p.m. on Monday, Tuesday or Thursday,

(ii) 9 p.m. on Friday, or

(iii) 5 p.m. on Saturday; or

(*d*) on a Tuesday following Victoria Day, Civic Holiday, Labour Day and Thanksgiving Day.

3. Notwithstanding section 2, work may be performed on a Wednesday between 9 a.m. and 6 p.m. in a week where Christmas Day falls on a Thursday, Friday or Saturday.

CLASSIFICATION OF EMPLOYEES

4. The following classification of employees in the industry is established:

Class A—A person who is given full-time employment.

Class B—A person who is given part-time or casual employment.

MINIMUM RATES OF WAGES

5.—(1) The minimum rates of wages for all work performed in the industry by employees is,

(*a*) for a Class A employee, 65 per cent of the proceeds from the work performed by him or $50 a week, whichever is the greater; and

(*b*) for a Class B employee, 65 per cent of the proceeds from the work performed by him or $1 an hour, whichever is the greater.

(2) The percentages in subsection 1 shall be computed upon the gross receipts for work performed at not less than,

(*a*) the minimum charge for each operation established in section 7; or

(*b*) the prevailing charges established in the shop for each operation,

whichever is the greater.

6. No deductions shall be made from the minimum rate of wages for,

(*a*) materials supplied;

(*b*) laundry service; or

(*c*) operating expenses.

MINIMUM CHARGES

7.—(1) The minimum charge for each operation in the industry is as follows:

i. Facial massage, plain ..... 75 cents

ii. Hair-cut or trim for persons 14 years of age and over $1.00

iii. Hair-cut for persons under 14 years of age ..... 75 cents

iv. Head-rub ..... 35 cents

v. Shampoo, plain ..... 75 cents

vi. Shave ..... 75 cents

vii. Singe ..... 50 cents

(2) No employer or employee shall,

(*a*) contract for or accept prices lower than those in subsection 1;

(*b*) combine any of the operations named in subsection 1 without charging for each operation in the combination; or

(*c*) give any article or premium to the customer without charging the full value of the article or premium. O. Reg. 428/67, Sched.

REGULATION 463

under The Industrial Standards Act

SCHEDULE—BARBERING INDUSTRY

BARRIE

1. The Schedule is in force during pleasure within the Barrie zone and is binding upon the employers and employees in the barbering industry. O. Reg. 326/67, s. 1.

Schedule

INTERPRETATION

1. In this Schedule,

(*a*) "Civic Holiday" means a holiday only for that part of the zone where it is so proclaimed by a municipality;

(*b*) "holiday" means,

(i) Sunday,

(ii) New Year's Day,

(iii) Good Friday,

(iv) Victoria Day,

(v) Dominion Day,

(vi) Civic Holiday,

(vii) Labour Day,

(viii) Thanksgiving Day,

(ix) Christmas Day, and

(x) the 26th day of December;

(*c*) "week" means the period beginning with Sunday and ending with the Saturday next following, both inclusive.

HOURS OF WORK

2. No person shall perform work in the industry,

(*a*) on a holiday;

(*b*) on Wednesday;

(*c*) for more than 8½ hours in a day; or

(*d*) before 8.30 a.m. or after 6 p.m. in a day.

3. Notwithstanding clause *b* of section 2, an employee may perform 8½ hours of work between 8.30 a.m. and 6 p.m. on the Wednesday preceding Christmas Day and New Year's Day if,

(*a*) the employee does not perform more than a total of forty-eight hours of work during the week in which the Wednesday falls; and

(*b*) the Wednesday is not a holiday.

CLASSIFICATION OF EMPLOYEES

4. The following classification of employees in the industry is established:

Class A—A person who is given full-time employment.

Class B—A person who is given part-time work or casual employment.

MINIMUM RATES OF WAGES

5. The minimum rates of wages for all work performed in the industry by employees shall be,

(*a*) for a Class A employee, 65 per cent of the proceeds from the work performed by him or $50 a week, whichever is the greater; and

(*b*) for a Class B employee, 65 per cent of the proceeds from the work performed by him or $1 an hour, whichever is the greater.

6. No deductions shall be made from the minimum rate of wages for,

(*a*) materials supplied;

(*b*) laundry service; or

(*c*) operating expenses.

MINIMUM CHARGES

7.—(1) The minimum charge for each operation in the industry is as follows:

i. Facial massage, plain	75 cents
ii. Hair-cut or trim for persons 14 years of age and over	$1
iii. Hair-cut for persons under 14 years of age	75 cents

iv. Head-rub..... 35 cents

v. Shampoo, plain..... 75 cents

vi. Shave..... 75 cents

vii. Singe..... 50 cents

(2) No employer or employee shall,

(*a*) contract for or accept prices lower than those in subsection 1;

(*b*) combine any of the operations named in subsection 1 without charging for each operation in the combination; or

(*c*) give any article or premium to the customer without charging the full value of the article or premium. O. Reg. 326/67, Sched., *amended*.

REGULATION 464

under The Industrial Standards Act

SCHEDULE—BARBERING INDUSTRY

BRACEBRIDGE, GRAVENHURST, HUNTSVILLE ZONES

1. The Schedule is in force during pleasure within the Bracebridge zone, Gravenhurst zone and Huntsville zone and is binding upon the employers and employees in the barbering industry. O. Reg. 42/68, s. 1.

Schedule

INTERPRETATION

1. In this Schedule,

(*a*) "Civic Holiday" means a holiday only for the zone where it is so proclaimed by a municipality;

(*b*) "holiday" means,

(i) Sunday,

(ii) New Year's Day,

(iii) Good Friday,

(iv) Victoria Day,

(v) Labour Day,

(vi) Thanksgiving Day,

(vii) Christmas Day,

(viii) the 26th day of December, and

(ix) Civic Holiday;

(*c*) "week" means the period beginning with Sunday and ending with the Saturday next following, both inclusive.

HOURS OF WORK

2. No person shall perform work in the industry,

(*a*) in the Bracebridge zone,

(i) on a holiday,

(ii) on Dominion Day,

(iii) subject to section 3, on a Monday,

(iv) before 8.30 a.m. or after 5.30 p.m. on Tuesday, Wednesday, Thursday or Saturday, or

(v) before 8.30 a.m. or after 9 p.m. on a Friday;

(*b*) in the Gravenhurst zone,

(i) on a holiday,

(ii) on Dominion Day, except where Dominion Day falls on a Friday or a Saturday,

(iii) subject to subsection 2 of section 4, before 8.30 a.m. or after 6 p.m. on Monday, Tuesday, Wednesday, Friday or Saturday, and

(iv) subject to subsection 1 of section 4, on a Thursday or after 9 p.m. on Friday or Saturday;

(*c*) in the Huntsville zone,

(i) on a holiday,

(ii) on Dominion Day,

(iii) subject to section 5, on a Monday,

(iv) before 8.30 a.m. or after 6 p.m. on Tuesday, Wednesday, Thursday and Saturday, or

(v) before 8.30 a.m. or after 9 p.m. on Friday.

3. Notwithstanding subclause iii of clause *a* of section 2, where a holiday falls on a day in the week, other than a Sunday, work may be performed between 8.30 a.m. and 5.30 p.m. on Monday of that week if Monday is not a holiday.

4.—(1) Notwithstanding subclause iv of clause *b* of section 2, work may be performed in the Gravenhurst zone on a Thursday during the months of July and August, between the hours of 8.30 a.m. and 6 p.m.

(2) An employer in the Gravenhurst zone shall elect either Friday or Saturday as a day on which three hours of work may be performed during the hours of 6 p.m. and 9 p.m. and shall notify the advisory committee in writing of the day so elected.

5. Notwithstanding subclause iii of clause *c* of section 2, where a holiday falls on a Tuesday, work may be performed on Monday of that week if the Monday is not a holiday.

MINIMUM RATES OF WAGES

6.—(1) The minimum rate of wages for all work performed in the industry by an employee is 70 per cent of the proceeds from the work performed by him or $1 an hour, whichever is the greater.

(2) The percentage in subsection 1 shall be computed upon the gross receipts for work performed at not less than,

(*a*) the minimum charge for each operation established in section 8; or

(*b*) the prevailing charge established in the shop for each operation,

whichever is the greater.

7. No deduction shall be made from the minimum rate of wages for,

(*a*) materials supplied;

(*b*) laundry services; or

(*c*) operating expenses of any kind.

MINIMUM CHARGES

8.—(1) The minimum charge for each operation in the industry is as follows:

i.	Facial massage, plain	75 cents
ii.	Hair-cut or trim for persons 14 years of age and over	$1
iii.	Hair-cut for persons under 14 years of age	75 cents
iv.	Head-rub	75 cents
v.	Shampoo, plain	75 cents
vi.	Shave	75 cents
vii.	Singe	50 cents

(2) No employer or employee shall,

(*a*) contract for or accept prices lower than those in subsection 1;

(*b*) combine any of the operations named in subsection 1 without charging for each operation in the combination; or

(*c*) give any article or premium to the customer without charging the full value of the article or premium. O. Reg. 42/68, Sched., *amended*.

REGULATION 465

under The Industrials Standards Act

SCHEDULE—BARBERING INDUSTRY

BRANTFORD

1. The Schedule is in force during pleasure within the Brantford zone and is binding upon the employers and employees in the barbering industry. O. Reg. 51/67, s. 1.

Schedule

INTERPRETATION

1. In this Schedule,

(*a*) "holiday" means,

(i) Sunday,

(ii) New Year's Day,

(iii) Good Friday,

(iv) Victoria Day,

(v) Dominion Day,

(vi) Brantford Civic Holiday,

(vii) Labour Day,

(viii) Thanksgiving Day,

(ix) Christmas Day, and

(x) the 26th day of December in a year in which Christmas Day falls on a day other than a Saturday, or the 27th day of December in a year in which Christmas Day falls on a Saturday.

(*b*) "week" means the period beginning with Sunday and ending with the Saturday next following, both inclusive.

HOURS OF WORK

2. No person shall perform work in the industry,

(*a*) on a holiday;

(*b*) on the Tuesday immediately following,

(i) Victoria Day,

(ii) Dominion Day,

(iii) Brantford Civic Holiday,

(iv) Labour Day, or

(v) Thanksgiving Day,

where the holiday falls on Monday and Monday is elected by the employer under section 3 as a day on which work is not to be performed by his employees;

(*c*) for more than,

(i) 8½ hours on Monday, Tuesday, Wednesday, Thursday or Friday, or

(ii) 7½ hours on Saturday;

(*d*) before 8.30 a.m. or after,

(i) 6 p.m. on Monday, Tuesday, Wednesday, Thursday or Friday, or

(ii) 5 p.m. on Saturday; or

(*e*) on a day that the employer elects under section 3.

3.—(1) The employer shall elect either Monday or Wednesday in each week as a day during which work is not to be performed by his employees.

(2) The employer shall,

(*a*) post conspicuously in a place where his employees are engaged in their duties; and

(*b*) file with the advisory committee,

a notice setting out the day during which work is not to be performed by his employees.

(3) Where an employer changes his election, he shall give thirty days notice in writing to his employees and to the advisory committee of the new day elected.

4. Notwithstanding clause *e* of section 2, work may be performed between 8.30 a.m. and 6 p.m. on the day elected under section 3,

(*a*) in a week in which Christmas Day or New Year's Day falls on a day other than Sunday; and

(*b*) in the week in which Good Friday falls,

if the day elected under section 3 is not a holiday.

CLASSIFICATION OF EMPLOYEES

5. The following classification of employees in the industry is established:

Class A—A person who is given full-time employment.

Class B—A person who is given part-time work or casual employment.

MINIMUM RATES OF WAGES

6.—(1) The minimum rate of wages for all work performed in the industry by employees is,

(*a*) for a Class A employee, 70 per cent of the proceeds from the work performed by him or $50 a week, whichever is the greater; and

(*b*) for a Class B employee, 70 per cent of the proceeds from the work performed by him or $1.25 an hour, whichever is the greater.

(2) The percentages in subsection 1 shall be computed upon the gross receipts for work performed at not less than,

(*a*) the minimum charge for each operation established in section 8; or

(*b*) the prevailing charge established in the shop for each operation,

whichever is the greater.

7. No deductions shall be made from the minimum rate of wages for,

(*a*) material suppled;

(*b*) laundry service; or

(*c*) operating expenses.

MINIMUM CHARGES

8.—(1) The minimum charge for each operation in the industry is as follows:

i.	Facial massage, plain	60 cents
ii.	Hair-cut or trim for persons 14 years of age and over	75 cents
iii.	Hair-cut for persons under 14 years of age	60 cents
iv.	Head-rub	35 cents
v.	Neck-clip for ladies	35 cents
vi.	Razor honing	60 cents
vii.	Shampoo, plain	60 cents
viii.	Shave	50 cents
ix.	Singe	50 cents

(2) No employer or employee may,

(*a*) contract for or accept prices lower than those in subsection 1;

(*b*) combine any of the operations named in subsection 1 without charging for each operation in the combination; or

(*c*) give any article or premium to the customer without charging the full value of the article or premium. O. Reg. 51/67, Sched., *amended*.

REGULATION 466

under The Industrial Standards Act

SCHEDULE—BARBERING INDUSTRY

CARLETON PLACE

1. The Schedule is in force during pleasure within the Carleton Place zone and is binding upon the employers and employees in the barbering industry. O. Reg. 284/68, s. 1.

Schedule

INTERPRETATION

1. In this Schedule,

(*a*) "holiday" means,

(i) Sunday,

(ii) New Year's Day,

(iii) Good Friday,

(iv) Victoria Day,

(v) Dominion Day,

(vi) Carleton Place Civic Holiday,

(vii) Labour Day,

(viii) Thanksgiving Day,

(ix) Christmas Day, and

(x) the 26th day of December;

(*b*) "week" means the period beginning with Sunday and ending with the Saturday next following, both inclusive.

HOURS OF WORK

2. No person shall perform work in the industry,

(*a*) on a holiday;

(*b*) before 8.30 a.m. or after,

(i) 6 p.m. on Monday, Wednesday, Thursday or Saturday, or

(ii) 8 p.m. on Tuesday or Friday; or

(*c*) on a day that the employer elects under section 3.

3.—(1) The employer shall elect either Monday or Wednesday in each week as a day during which work is not to be performed by his employees.

(2) The employer shall,

(*a*) post conspicuously in a place where his employees are engaged in their duties; and

(*b*) file with the advisory committee,

a notice setting out the day during which work is not to be performed by his employees.

(3) Where an employer changes his election, he shall give thirty days notice in writing to his employees and to the advisory committee of the new day elected.

4. Notwithstanding clause *c* of section 2, where the day elected under section 3 precedes Good Friday, Christmas Day or New Year's Day, an employee may perform eight hours of work between 9 a.m. and 6 p.m. on the day elected, if the elected day is not a holiday.

MINIMUM RATE OF WAGES

5. The minimum rate of wages for all work performed in the industry by employees is $1 an hour.

6. No deduction shall be made from the minimum rate of wages for,

(*a*) materials supplied;

(*b*) laundry service; or

(*c*) operating expenses.

MINIMUM CHARGES

7.—(1) The minimum charge for each operation in the industry shall be as follows:

i. Facial massage, plain ..... 75 cents

ii. Hair-cut or trim for persons 14 years of age and over $1.00

iii. Hair-cut for persons under 14 years of age ..... 75 cents

iv. Head-rub ..... 35 cents

v. Shampoo, plain ..... 75 cents

vi. Shave.....75 cents

vii. Singe.....75 cents

(2) No employer or employee shall,

(*a*) contract for or accept lower prices than those in subsection 1;

(*b*) combine any of the operations named in subsection 1 without charging for each operation in the combination; or

(*c*) give any article or premium to the customer without charging the full value of the article or premium. O. Reg. 284/68, Sched., *amended*.

REGULATION 467

under The Industrial Standards Act

SCHEDULE—BARBERING INDUSTRY

COBOURG

1. The Schedule is in force during pleasure within the Cobourg zone and is binding upon the employers and employees in the barbering industry. O. Reg. 425/67, s. 1.

Schedule

INTERPRETATION

1. In this Schedule,

(*a*) "holiday" means,

(i) Sunday,

(ii) New Year's Day,

(iii) Good Friday,

(iv) Victoria Day,

(v) Dominion Day,

(vi) Cobourg Civic Holiday,

(vii) Labour Day,

(viii) Thanksgiving Day,

(ix) Christmas Day, and

(x) the 26th day of December;

(*b*) "week" means the period beginning with Sunday and ending with the Saturday next following, both inclusive.

HOURS OF WORK

2. No person shall perform work in the industry,

(*a*) on a holiday;

(*b*) for more than,

(i) nine hours on Monday, Tuesday, Wednesday, Thursday or Friday, or

(ii) eight hours on Saturday;

(*c*) before 8 a.m. or after,

(i) 6 p.m. on Monday, Tuesday, Wednesday, Thursday or Friday, or

(ii) 5 p.m. on Saturday; or

(*d*) on a day that the employer elects under section 3.

3.—(1) The employer shall elect either Monday or Wednesday in each week as a day during which work is not to be preformed by his employees.

(2) The employer shall,

(*a*) post conspicuously in a place where his employees are engaged in their duties; and

(*b*) file with the advisory committee,

a notice setting out the day during which work is not to be performed by his employees.

(3) Where an employer changes his election, he shall give thirty days notice in writing to his employees and to the advisory committee of the new day elected.

4. Notwithstanding clause *d* of section 2, where the day elected under section 3 precedes New Year's Day, Good Friday or Christmas Day, an employee may perform nine hours of work between 8 a.m. and 6 p.m. on the day elected if,

(*a*) the employee does not perform more than a total of forty-eight hours of work during the week in which the day elected falls; and

(*b*) the day elected is not a holiday.

CLASSIFICATION OF EMPLOYEES

5. The following classification of employees in the industry is established:

Class A—A person who is given full-time employment.

Class B—A person who is given part-time work or casual employment.

MINIMUM RATES OF WAGES

6.—(1) The minimum rate of wages for all work performed in the industry by employees is,

(*a*) for a Class A employee, 65 per cent of the proceeds from the work performed by him or $50 a week, whichever is the greater; and

(*b*) for a Class B employee, 65 per cent of the proceeds from the work performed by him or $1 an hour, whichever is the greater.

(2) The percentages in subsection 1 shall be computed upon the gross receipts for work performed at not less than,

(*a*) the minimum charge for each operation established in section 8; or

(*b*) the prevailing charge established in the shop for each operation,

whichever is the greater.

7. No deductions shall be made from the minimum rate of wages for,

(*a*) materials supplied;

(*b*) laundry service; or

(*c*) operating expenses.

MINIMUM CHARGES

8.—(1) The minimum charge for each operation in the industry is as follows:

i.	Facial massage, plain	75 cents
ii.	Hair-cut or trim for persons 14 years of age and over	$1.00
iii.	Hair-cut for persons under 14 years of age	75 cents
iv.	Head-rub	35 cents
v.	Shampoo, plain	75 cents
vi.	Shave	75 cents
vii.	Singe	50 cents

(2) No employer or employee shall,

(*a*) contract for or accept prices lower than those in subsection 1;

(*b*) combine any of the operations named in subsection 1 without charging for each operation in the combination; or

(*c*) give any article or premium to the customer without charging the full value of the article or premium. O. Reg. 425/67, Sched., *amended*.

REGULATION 468

under The Industrial Standards Act

SCHEDULE—BARBERING INDUSTRY

CORNWALL

1. The Schedule is in force during pleasure within the Cornwall zone and is binding upon the employers and employees in the barbering industry. R.R.O. 1960, Reg. 266, s. 1.

Schedule

INTERPRETATION

1. In this Schedule,

(*a*) "holiday" means,

(i) Sunday,

(ii) New Year's Day,

(iii) the 2nd day of January,

(iv) Easter Monday,

(v) Victoria Day,

(vi) Dominion Day,

(vii) Cornwall Civic Holiday,

(viii) Labour Day,

(ix) Thanksgiving Day,

(x) Christmas Day, and

(xi) the 26th day of December;

(*b*) "week" means the period beginning with Sunday and ending with the Saturday next following, both inclusive.

HOURS OF WORK

2. No person shall perform work in the industry,

(*a*) on a holiday;

(*b*) before 8.30 a.m. or after,

(i) 6 p.m. on Monday, Tuesday, Wednesday, Thursday or Friday, or

(ii) 5 p.m. on Saturday; or

(*c*) on a day that the employer elects under section 3.

3.—(1) The employer shall elect either Monday or Wednesday in each week as a day during which work is not to be performed by his employees.

(2) The employer shall,

(*a*) post conspicuously in a place where his employees are engaged in their duties; and

(*b*) file with the Advisory Committee,

a notice setting out the day during which work is not to be performed by his employees.

(3) Where an employer changes his election he shall give thirty days notice in writing to his employees and to the Advisory Committee of the new day elected.

(4) Notwithstanding clause *c* of section 2, in a week in which the day elected under section 2*a* precedes New Year's Day or Christmas Day, an employee may perform 8½ hours of work between 8.30 a.m. and 6 p.m. on the day so elected if,

(*a*) the employee does not perform more than a total of forty-eight hours of work during that week; and

(*b*) the day elected is not a holiday.

CLASSIFICATION OF EMPLOYEES

4. The following classification of employees in the industry is established:

Class A—A person who is given full-time employment.

Class B—A person who is given part-time work or casual employment.

MINIMUM RATES OF WAGES

5.—(1) The minimum rate of wages for all work performed in the industry by employees is,

(*a*) for a Class A employee, 70 per cent of the proceeds from work performed by him or $50 a week, whichever is the greater; and

(*b*) for a Class B employee, 70 per cent of the proceeds from the work performed by him or $1.25 and hour, whichever is the greater.

(2) The percentages in subsection 1 shall be computed upon the gross receipts for work performed at not less than,

(*a*) the minimum charge for each operation established in section 7; or

(*b*) the prevailing charge established in the shop for each operation,

whichever is the greater.

6. No deductions shall be made from the minimum rate of wages for,

(*a*) materials supplied;

(*b*) laundry service; or

(*c*) operating expenses.

MINIMUM CHARGES

7.—(1) The minimum charge for each operation in the industry is as follows:

i. Facial massage, plain..... 75 cents.

ii. Hair-cut or trim for persons 14 years of age and over..... $1.00

iii. Hair-cut for persons under 14 years of age..... 75 cents.

iv. Head-rub..... 45 cents.

v. Shampoo, plain..... 75 cents.

vi. Shave..... 65 cents.

vii. Singe..... 65 cents.

(2) No employer or employee may,

(*a*) contract for or accept prices lower than those in subsection 1;

(*b*) combine any of the operations named in subsection 1 without charging for each operation in the combination; or

(*c*) give any article or premium to the customer without charging the full value of the article or premium. R.R.O. 1960, Reg. 266, Sched.

REGULATION 469

under The Industrial Standards Act

SCHEDULE—BARBERING INDUSTRY—ESSEX COUNTY

1. The Schedule is in force during pleasure within the Essex County zone and is binding upon the employers and employees in the barbering industry. O. Reg. 226/64, s. 1.

Schedule

INTERPRETATION

1. In this Schedule,

(*a*) "Civic Holiday" means a holiday only for that part of the zone where it is so declared under a by-law of a municipality;

(*b*) "holiday" means,

(i) Sunday,

(ii) New Year's Day,

(iii) Good Friday,

(iv) Victoria Day,

(v) Dominion Day,

(vi) Civic Holiday,

(vii) Labour Day,

(viii) Thanksgiving Day,

(ix) Christmas Day, and

(x) the 26th day of December;

(*c*) "week" means the period beginning with Sunday and ending with the Saturday next following, both inclusive.

HOURS OF WORK

2. No person shall perform work in the industry,

(*a*) in that part of the zone that consists of the City of Windsor, the separated Town of Riverside and the townships of Sandwich East, Sandwich West and Sandwich South,

(i) on a holiday,

(ii) on a Wednesday, or

(iii) before 8 a.m. or after 6 p.m. in a day; and

(*b*) in that part of the zone not described in clause *a*,

(i) on a holiday,

(ii) before 8 a.m. or after 6 p.m. in a day, except Friday,

(iii) before 8 a.m. or after 9 p.m. on Friday, or

(iv) on a day that the employer elects under section 4.

3. Notwithstanding section 2, work may be performed between 8 a.m. and 6 p.m. on Wednesday or the day elected under section 4 of,

(*a*) a week when Christmas Day or New Year's Day falls on a day other than Sunday; or

(*b*) the week of Good Friday;

if the Wednesday or the day elected under section 4 is not a holiday.

4.—(1) Subject to subsection 4, the employer shall elect either Monday, Wednesday or Thursday as a day during which work is not to be performed by his employees.

(2) The employer shall,

(*a*) post conspicuously in a place where his employees are engaged in their duties; and

(*b*) file with the advisory committee,

a notice setting out the day during which work is not to be performed by his employees.

(3) Where an employer changes his election, he shall give thirty days notice in writing to his employees and to the advisory committee of the new day elected.

(4) This section does not apply to an employer in the City of Windsor, the separated Town of Riverside or the townships of Sandwich East, Sandwich West and Sandwich South.

CLASSIFICATION OF EMPLOYEES

5. The following classification of employees in the industry is established:

Class A—A person who is given full-time employment,

Class B—A person who is given part-time work or casual employment.

MINIMUM RATES OF WAGES

6.—(1) The minimum rate of wages for all work performed in the industry by employees is,

(*a*) for a Class A employee, 68 per cent of the proceeds from the work performed by him or $45.00 a week, whichever is the greater; and

(*b*) for a Class B employee, 68 per cent of the proceeds from the work performed by him or $1.00 an hour, whichever is the greater.

(2) The percentages in subsection 1 shall be computed upon the gross receipts for work performed at not less than,

(*a*) the minimum charge for each operation established in section 8; or

(*b*) the prevailing charge established in the shop for each operation,

whichever is the greater.

7. No deductions shall be made from the minimum rate of wages for,

(*a*) materials supplied;

(*b*) laundry service; or

(*c*) operating expenses.

MINIMUM CHARGES

8.—(1) The minimum charge for each operation in the industry is as follows:

i. Facial massage, plain ..... 65 cents.

ii. Hair-cut or trim for persons 14 years of age and over ..... 75 cents.

iii. Hair-cut for persons under 14 years of age ..... 65 cents.

iv. Head-rub ..... 30 cents.

v. Neck-clip for ladies ..... 30 cents.

vi. Razor honing ..... 65 cents.

vii. Shampoo, plain ..... 65 cents.

viii. Shave ..... 40 cents.

ix. Singe ..... 45 cents.

(2) No employer or employee may,

(*a*) contract for or accept prices lower than those in subsection 1;

(*b*) combine any of the operations named in subsection 1 without charging for each operation in the combination; or

(*c*) give any article or premium to the customer without charging the full value of the article or premium. O. Reg. 226/64, Sched.

REGULATION 470

under The Industrial Standards Act

SCHEDULE—BARBERING INDUSTRY

GALT

1. The Schedule is in force during pleasure within the Galt zone and is binding upon the employers and employees in the barbering industry. O. Reg. 221/65, s. 1.

Schedule

INTERPRETATION

1. In this Schedule,

(*a*) "holiday" means,

(i) Sunday,

(ii) New Year's Day,

(iii) the 2nd day of January in a year in which New Year's Day falls on a day other than a Saturday, or the 3rd day of January in a year in which New Year's Day falls on a Saturday,

(iv) Good Friday,

(v) Victoria Day,

(vi) Dominion Day,

(vii) Galt Civic Holiday,

(viii) Labour Day,

(ix) Thanksgiving Day,

(x) Christmas Day, and

(xi) the 26th day of December in a year in which Christmas Day falls on a day other than a Saturday, or the 27th day of December in a year in which Christmas Day falls on a Saturday;

(*b*) "week" means the period beginning with Sunday and ending with the Saturday next following, both inclusive.

HOURS OF WORK

2. No person shall perform work in the industry,

(*a*) on a holiday;

(*b*) on a Monday;

(*c*) for more than,

(i) 8½ hours on Tuesday, Wednesday, Thursday or Friday, or

(ii) eight hours on Saturday; or

(*d*) before,

(i) 8.30 a.m. or after 6 p.m. on Tuesday, Wednesday, Thursday or Friday, or

(ii) 8 a.m. or after 5 p.m. on Saturday.

3. Notwithstanding clause *b* of section 2, 8½ hours of work may be performed between 8.30 a.m. and 6 p.m. on Monday, during,

(*a*) a week in which Christmas Day or New Year's Day falls on a day other than Sunday; or

(*b*) the week in which Good Friday falls,

if the Monday is not a holiday.

CLASSIFICATION OF EMPLOYEES

4. The following classification of employees in the industry is established:

Class A—A person who is given full-time employment.

Class B—A person who is given part-time work or casual employment.

MINIMUM RATES OF WAGES

5.—(1) The minimum rate of wages for all work performed in the industry by employees is,

(*a*) for a Class A employee, 70 per cent of the proceeds from the work performed by him or $45 a week, whichever is the greater; and

(*b*) for a Class B employee, 75 per cent of the proceeds from the work performed by him or $1.25 an hour, whichever is the greater.

(2) The percentages in subsection 1 shall be computed upon the gross receipts for work performed at not less than,

(*a*) the minimum charge for each operation established in section 7; or

(*b*) the prevailing charge established in the shop for each operation,

whichever is the greater.

6. No deductions shall be made from the minimum rate of wages for,

(*a*) materials supplied;

(*b*) laundry service; or

(*c*) operating expenses.

MINIMUM CHARGES

7.—(1) The minimum charge for each operation in the industry is as follows:

i. Facial massage, plain.....50 cents

ii. Hair-cut or trim for persons 14 of age and over.....60 cents

iii. Hair-cut for persons under 14 years of age.....35 cents

iv. Head-rub.....25 cents

v. Neck-clip for ladies.....25 cents

vi. Razor honing.....50 cents

vii. Shampoo, plain.....50 cents

viii. Shave.....30 cents

ix. Singe.....35 cents

(2) No employer or employee may,

(*a*) contract for or accept prices lower than those in subsection 1;

(*b*) combine any of the operations named in subsection 1 without charging for each operation in the combination; or

(*c*) give any article or premium to the customer without charging the full value of the article or premium. O. Reg. 221/65, Sched.

REGULATION 471

under The Industrial Standards Act

SCHEDULE—BARBERING INDUSTRY

GEORGETOWN

1. The Schedule is in force during pleasure within the Georgetown zone and is binding upon the employers and employees in the barbering industry. O. Reg. 218/68, s. 1.

Schedule

INTERPRETATION

1. In this Schedule,

(*a*) "holiday" means,

(i) Sunday,

(ii) New Year's Day,

(iii) Good Friday,

(iv) Victoria Day,

(v) Dominion Day,

(vi) Georgetown Civic Holiday,

(vii) Labour Day,

(viii) Thanksgiving Day,

(ix) Christmas Day, and

(x) the 26th day of December;

(*b*) "week" means the period beginning with Sunday and ending with the Saturday next following, both inclusive.

HOURS OF WORK

2. Subject to section 5, no person shall perform work in the industry,

(*a*) on a holiday;

(*b*) on a Monday;

(*c*) before 9 a.m. or after 6 p.m. on Tuesday, Wednesday or Thursday;

(*d*) before 9 a.m. or after 9 p.m. on Friday; or

(*e*) before 8.30 a.m. or after 5 p.m. on Saturday.

3. Notwithstanding section 2, work may be performed,

(*a*) between 9 a.m. and 6 p.m. on the Monday preceding Christmas Day and New Year's Day where Christmas Day or New Year's Day falls on a day other than Sunday; and

(*b*) between 9 a.m. and 9 p.m. on the Thursday preceding Good Friday.

OVERTIME WORK

4. Overtime work is work that is performed other than during the hours of work prescribed by sections 2 and 3.

5.—(1) Subject to subsection 3, no overtime work shall be performed in the industry without a permit from the advisory committee.

(2) Subsection 1 does not apply to overtime work performed for the purpose of completing any service, work, operation or art for a customer who who was in the shop prior to,

(*a*) 6 p.m. on Tuesday, Wednesday or Thursday;

(*b*) 9 p.m. on Friday; or

(*c*) 5 p.m. on Saturday.

(3) The advisory committee is authorized to issue the permits subject to this Schedule.

CLASSIFICATION OF EMPLOYEES

6. The following classification of employees in the industry is established:

Class A—A person who is given full-time employment.

Class B—A person who is given part-time or casual employment.

MINIMUM RATES OF WAGES

7.—(1) The minimum rate of wages for all work performed in the industry by employees is,

(*a*) for a Class A employee, 65 per cent of the proceeds from the work performed by him, or $50 a week, whichever is the greater; and

(*b*) for a Class B employee, 65 per cent of the proceeds from the work performed by him, or $1 an hour, whichever is the greater.

(2) The percentages in subsection 1 shall be computed upon the gross receipts for work performed at not less than,

(*a*) the minimum charge for each operation in section 9; or

(*b*) the prevailing charge established in the shop for each operation,

whichever is the greater.

8. No deductions shall be made from the minimum rate of wages for,

(*a*) materials supplied;

(*b*) laundry service; or

(*c*) operating expenses.

MINIMUM CHARGES

9.—(1) The minimum charge for each operation in the industry is as follows:

i. Facial massage, plain.....75 cents

ii. Hair-cut or trim for persons 14 years of age and over..... $1.00

iii. Hair-cut for persons under 14 years of age.....75 cents

iv. Head-rub.....35 cents

v. Shampoo, plain.....75 cents

vi. Shave.....75 cents

vii. Singe.....50 cents

(2) No employer or employee shall,

(*a*) contract for or accept prices lower than those in subsection 1;

(*b*) combine any of the operations named in subsection 1 without charging for each operation in the combination; or

(*c*) give any article or premium to the customer without charging the full value of the article or premium. O. Reg. 218/68, Sched.

REGULATION 472

under The Industrial Standards Act

SCHEDULE—BARBERING INDUSTRY

GUELPH

1. The Schedule is in force during pleasure within the Guelph zone and is binding upon the employers and employees in the barbering industry. O. Reg. 27/67, s. 1.

Schedule

INTERPRETATION

1. In this Schedule,

(*a*) "holiday" means,

(i) Sunday,

(ii) New Year's Day,

(iii) Good Friday,

(iv) Victoria Day,

(v) Dominion Day,

(vi) Guelph Civic Holiday,

(vii) Labour Day,

(viii) Thanksgiving Day,

(ix) Christmas Day, and

(x) the 26th day of December in a year in which Christmas Day falls on a day other than a Saturday, or the 27th day of December in a year in which Christmas Day falls on a Saturday;

(*b*) "week" means the period beginning with Sunday and ending with the Saturday next following, both inclusive.

HOURS OF WORK

2. No person shall perform work in the industry,

(*a*) on a holiday;

(*b*) on a day immediately following a holiday, where the holiday falls on a Monday;

(*c*) on a Monday; or

(*d*) before,

(i) 9 a.m. or after 6 p.m. on Tuesday, Wednesday, Thursday or Friday, or

(ii) 8 a.m. or after 5 p.m. on Saturday.

3. Notwithstanding clause *c* of section 2, work may be performed between 9 a.m. and 6 p.m. on Monday,

(*a*) in a week in which Christmas Day or New Year's Day falls on a day other than Sunday; and

(*b*) in the week in which Good Friday falls if the Monday is not a holiday.

CLASSIFICATION OF EMPLOYEES

4. The following classification of employees in the industry is established:

Class A—A person who is given full-time employment.

Class B—A person who is given part-time work or casual employment.

MINIMUM RATES OF WAGES

5.—(1) The minimum rate of wages for all work performed in the industry by employees is,

(*a*) for a Class A employee, 70 per cent of the proceeds from the work performed by him or $50 a week, whichever is the greater; and

(*b*) for a Class B employee, 70 per cent of the proceeds from the work performed by him or $1.25 an hour, whichever is the greater.

(2) The percentages in subsection 1 shall be computed upon the gross receipts for work performed at not less than,

(*a*) the minimum charge for each operation established in section 7; or

(*b*) the prevailing charge established in the shop for each operation,

whichever is the greater.

6. No deductions shall be made from the minimum rate of wages for,

(*a*) materials supplied;

(*b*) laundry service; or

(*c*) operating expenses.

MINIMUM CHARGES

7.—(1) The minimum charge for each operation in the industry is as follows:

i. Facial massage, plain.....75 cents

ii. Hair-cut or trim for persons 14 years of age and over..... $1.00

iii. Hair-cut for persons under 14 years of age.....75 cents

iv. Head-rub.....35 cents

v. Shampoo, plain.....75 cents

vi. Shave.....75 cents

vii. Singe.....50 cents

(2) No employer or employee may,

(*a*) contract for or accept prices lower than those in subsection 1;

(*b*) combine any of the operations named in subsection 1 without charging for each operation in the combination; or

(*c*) give any article or premium to the customer without charging the full value of the article or premium. O. Reg. 27/67, Sched.

REGULATION 473

under The Industrial Standards Act

SCHEDULE—BARBERING INDUSTRY

HAMILTON

1. The Schedule is in force during pleasure within the Hamilton zone and is binding upon the employers and employees in the barbering industry. O. Reg. 310/62, s. 1.

Schedule

INTERPRETATION

1. In this Schedule,

(*a*) "holiday" means,

(i) Sunday,

(ii) New Year's Day,

(iii) the 2nd day of January,

(iv) Good Friday,

(v) Victoria Day,

(vi) Dominion Day,

(vii) Hamilton Civic Holiday,

(viii) Labour Day,

(ix) Thanksgiving Day,

(x) Christmas Day, and

(xi) the 26th day of December;

(*b*) "week" means the period beginning with Sunday and ending with the Saturday next following, both inclusive.

HOURS OF WORK

2. No person shall perform work in the industry,

(*a*) on a holiday;

(*b*) on a Monday;

(*c*) for more than 8½ hours a day; or

(*d*) before 8.30 a.m. or after 6 p.m. on Tuesday, Wednesday, Thursday, Friday or Saturday.

3. Notwithstanding clause *b* of section 2, an employee may perform 8½ hours of work between 8.30 a.m. and 6 p.m. on the Monday preceding New Year's Day, Good Friday or Christmas Day if,

(*a*) the employee does not perform more than a total of forty-eight hours of work during the week in which the Monday falls; and

(*b*) the Monday is not a holiday.

CLASSIFICATION OF EMPLOYEES

4. The following classification of employees in the industry is established:

Class A—A person who is given full-time employment.

Class B—A person who is given part-time work or casual employment.

MINIMUM RATES OF WAGES

5.—(1) The minimum rate of wages for all work performed in the industry by employees is,

(*a*) for a Class A employee, $40 a week plus 60 per cent of the proceeds in excess of $45 from the work performed by him in a week; and

(*b*) for a Class B employee,

(i) who works for 8½ hours a day, $6 plus 60 per cent of the proceeds in excess of $8.40 from the work performed by him in a day, or

(ii) who works for four hours a day between 2 p.m. and 6 p.m., $2.50 plus 60 per cent of the proceeds in excess of $3.50 from the work performed by him in a day.

(2) The percentages in subsection 1 shall be computed upon the gross receipts for work performed at not less than,

(*a*) the minimum charge for each operation established in section 7; or

(*b*) the prevailing charge established in the shop for each operation,

whichever is the greater.

6. No deductions shall be made from the minimum rate of wages for,

(*a*) materials supplied;

(*b*) laundry service; or

(*c*) operating expenses.

MINIMUM CHARGES

7.—(1) The minimum charge for each operation in the industry is as follows:

i. Facial massage, plain.....50 cents

ii. Hair-cut or trim for persons 14 years of age and over.....60 cents

iii. Hair-cut for persons under 14 years of age.....35 cents

(iv) Head-rub.....25 cents

v. Neck-clip for ladies.....25 cents

vi. Razor honing.....50 cents

vii. Shampoo, plain.....50 cents

viii. Shave.....30 cents

ix. Singe.....35 cents

(2) No employer or employee may,

(*a*) contract for or accept prices lower than those in subsection 1;

(*b*) combine any of the operations named in subsection 1 without charging for each operation in the combination; or

(*c*) give any article or premium to the customer without charging the full value of the article or premium. O. Reg. 310/62, Sched.

REGULATION 474

under The Industrial Standards Act

SCHEDULE—BARBERING INDUSTRY

KENT COUNTY

1. The Schedule is in force during pleasure within the Kent County zone and is binding upon the employers and employees in the barbering industry. O. Reg. 142/67, s. 1.

Schedule

INTERPRETATION

1. In this Schedule,

(*a*) "Civic Holiday" means a holiday only for that part of the zone where it is so proclaimed under a by-law of a municipality;

(*b*) "holiday" means,

(i) Sunday,

(ii) New Year's Day,

(iii) Good Friday,

(iv) Victoria Day,

(v) Dominion Day,

(vi) Civic Holiday,

(vii) Labour Day,

(viii) Thanksgiving Day,

(ix) Christmas Day, and

(x) the 26th day of December;

(*c*) "week" means the period beginning with Sunday and ending with the Saturday next following, both inclusive.

HOURS OF WORK

2. Subject to section 6, no person shall perform work in the industry,

(*a*) in that part of the zone which consists of the City of Chatham,

(i) on a holiday,

(ii) on a Thursday, or

(iii) before 8.00 a.m. or after 6.00 p.m. in a day; and

(*b*) in that part of the zone not described in clause *a*,

(i) on a holiday,

(ii) before 8.00 a.m. or after 6.00 p.m. in a day, except Friday,

(iii) before 8.00 a.m. or after 9.00 p.m. on Friday, or

(iv) on a Thursday.

3. Notwithstanding section 2, nine hours of work may be performed between 8.00 a.m. and 6.00 p.m. on Thursday or on the day elected under subsection 1 or 2 of section 4,

(*a*) of a week where Christmas Day or New Year's Day falls on a day other than a Sunday if Thursday or the day elected is not the holiday; or

(*b*) in the week on which Good Friday occurs.

4.—(1) In that part of the zone that consists of the City of Chatham, an employer may elect Monday of each week as a day during which work is not to be performed by his employees.

(2) In that part of the zone not described in subsection 1, an employer may elect Monday or Wednesday of each week as a day during which work is not to be performed by his employees.

(3) An election under subsection 1 or 2 shall be made by filing with the advisory committee an application for a permit to perform overtime work on a Thursday.

(4) Notwithstanding section 2 and subject to section 3, the advisory committee may in its discretion issue a permit authorizing the performance of overtime work on a Thursday provided that,

(*a*) the employer posts the permit conspicuously in a place on the premises where the work, for which the permit is issued, is performed; and

(*b*) the employer or employee does not work more than,

(i) nine hours in a day, and

(ii) five days in a week.

(5) Where an employer changes his election he shall,

(*a*) file the application under subsection 3 with the advisory committee; and

(*b*) notify his employees in writing of the change,

thirty days before the new day elected becomes the day on which work is not to be performed by his employees.

OVERTIME WORK

5. Overtime work is work that is performed other than during the hours of work prescribed by sections 2 and 3.

6.—(1) Subject to subsection 3, no overtime work shall be performed in the industry without a permit from the advisory committee.

(2) The advisory committee is authorized to issue the permits subject to this Schedule.

(3) Subsection 1 does not apply to overtime work performed for the purpose of completing any service, work, operation or art for a customer who was in the shop prior to,

(*a*) 6.00 p.m. on Monday, Tuesday, Wednesday, Thursday or Saturday; and

(*b*) 9.00 p.m. on Friday.

MINIMUM RATES OF WAGES

7.—(1) The minimum rate of wages for all work performed in the industry by employees is 70 per cent of the proceeds from the work performed by him, or $1.75 an hour, whichever is the greater.

(2) The percentage in subsection 1 shall be computed upon the gross receipts for work performed at not less than,

(*a*) the minimum charge for each operation established in section 10; or

(*b*) the prevailing charge established in the shop for each operation,

whichever is greater.

8. No deduction shall be made from the minimum rate of wages for,

(*a*) materials supplied;

(*b*) laundry service; or

(*c*) operating expenses.

MINIMUM CHARGES

9.—(1) The minimum charge for each operation in the industry is as follows:

i.	Facial massage, plain	$1.25
ii.	Hair-cut or trim for persons 14 years of age and over	1.50
iii.	Hair-cut for persons under 14 years of age	1.25
iv.	Head-rub	50 cents
v.	Neck-clip for ladies	1.25
vi.	Shampoo, plain	1.00
vii.	Shave	1.00
viii.	Singe	75 cents

(2) No employer or employee shall,

(*a*) contract for or accept prices lower than those in subsection 1;

(*b*) combine any of the operations named in subsection 1 without charging for each operation in the combination; or

(*c*) give any article or premium to the customer, the value of which would have the effect of reducing the charge for any operation or combination of operations below the minimum established in subsection 1. O. Reg. 142/67, Sched.; O. Reg. 547/70, ss. 1-6.

REGULATION 475

under The Industrial Standards Act

SCHEDULE—BARBERING INDUSTRY

KITCHENER-WATERLOO

1. The Schedule is in force during pleasure within the Kitchener-Waterloo zone and is binding upon the employers and employees in the barbering industry. O. Reg. 308/70, s. 1.

Schedule

INTERPRETATION

1. In this Schedule,

(*a*) "holiday" means,

(i) Sunday,

(ii) New Year's Day,

(iii) Good Friday,

(iv) Victoria Day,

(v) Dominion Day,

(vi) Civic Holiday,

(vii) Labour Day,

(viii) Thanksgiving Day,

(ix) Christmas Day, and

(x) the 26th day of December;

(*b*) "week" means the period beginning with Sunday and ending the Saturday next following, both inclusive.

2.—(1) No person shall perform work in the industry,

(*a*) on a holiday;

(*b*) on a Monday;

(*c*) on the Tuesday of a week in which Monday is a holiday;

(*d*) for more than,

(i) nine hours on Tuesday, Wednesday, Thursday or Friday, or

(ii) eight hours on Saturday; or

(*e*) before 8 a.m. or after,

(i) 6 p.m. on Tuesday, Wednesday, Thursday, or Friday, or

(ii) 5 p.m. on Saturday.

(2) Notwithstanding clause *b* of subsection 1, during a week in which Christmas Day falls on a day other than a Sunday or a Monday, work may be performed for not more than nine hours between 8 a.m. and 6 p.m. on Monday of that week.

(3) Notwithstanding clauses *d* and *e* of subsection 1 and subsection 2, work performed for the purpose of completing any service, work, operation or art for a customer who was in the barbershop prior to 6 p.m. on Tuesday, Wednesday, Thursday or Friday or prior to 5 p.m. on a Saturday or, in the case mentioned in subsection 2, prior to 6 p.m. on a Monday, shall not be a contravention of the said clauses *d* and *e* and subsection 2.

CLASSIFICATION OF EMPLOYEES

3. The following classification of employees in the industry is established:

Class A—A person who is given full-time employment.

Class B—A person who is given part-time work or casual employment.

MINIMUM RATES OF WAGES

4.—(1) The minimum rate of wages for all work performed in the industry by employees is,

(*a*) for a Class A employee, 65 per cent of the proceeds from the work performed by him or $65 a week, whichever is the greater; and

(*b*) for a Class B employee, $1.50 an hour.

(2) The percentage in subsection 1 shall be computed upon the gross receipts for work performed at not less than,

(*a*) the minimum charges for each operation established in section 6; or

(*b*) the prevailing charge established in the shop for each operation,

whichever is the greater.

5. No deductions shall be made from the minimum rate of wages for,

(*a*) materials supplied;

(*b*) laundry service; or

(*c*) operating expenses.

MINIMUM CHARGES

6.—(1) The minimum charge for each operation in the industry is as follows:

i. Facial massage, plain	$1.00
ii. Hair-cut or trim for persons 14 years of age and over	1.25
iii. Hair-cut for persons under 14 years of age	.75
iv. Head-rub	$ .35
v. Shampoo, plain	1.00
vi. Shave	1.00
vii. Singe	.50

(2) No employer or employee shall,

(*a*) contract for or accept prices lower than those in subsection 1;

(*b*) combine any of the operations named in subsection 1 without charging for each operation in the combination; or

(*c*) give any article or premium to the customer without charging the full value of the article or premium. O. Reg. 308/70, Sched.

REGULATION 476

under The Industrial Standards Act

SCHEDULE—BARBERING INDUSTRY
LONDON

1. The Schedule is in force during pleasure within the London zone and is binding upon the employers and employees in the barbering industry. O. Reg. 189/61, s. 1.

Schedule

INTERPRETATION

1. In this Schedule,

(*a*) "holiday" means,

(i) Sunday,

(ii) New Year's Day,

(iii) Good Friday,

(iv) Victoria Day,

(v) Dominion Day,

(vi) London Civic Holiday,

(vii) Labour Day,

(viii) Thanksgiving Day,

(ix) Christmas Day, and

(x) the 26th day of December;

(*b*) "week" means the period beginning with Sunday and ending with the Saturday next following, both inclusive.

HOURS OF WORK

2. No person shall perform work in the industry

(*a*) on a holiday;

(*b*) for more than,

(i) nine hours on Monday, Tuesday, Wednesday, Thursday or Friday, or

(ii) eight hours on Saturday; or

(*c*) before 8 a.m. or after,

(i) 6 p.m. on Monday, Tuesday, Wednesday, Thursday or Friday, or

(ii) 5 p.m. on Saturday.

3.—(1) The employer shall elect either Monday or Wednesday as a day during which work is not to be performed by his employees.

(2) The employer shall,

(*a*) post conspicuously in a place where his employees are engaged in their duties; and

(*b*) file with the advisory committee,

a notice setting out the day during which work is not to be performed by his employees.

(3) Where an employer changes his election, he shall give thirty days notice in writing to his employees and to the advisory committee of the new day elected.

(4) Notwithstanding section 2, where Christmas Day falls on a day other than,

(*a*) the day elected by his employer; or

(*b*) Sunday,

an employee may perform nine hours of work between 8 a.m. and 6 p.m. on the day elected in the same week, if the day elected is not a holiday.

CLASSIFICATION OF EMPLOYEES

4. The following classification of employees in the industry is established:

Class A—A person who is given full-time employment.

Class B—A person who is given part-time work or casual employment.

MINIMUM RATES OF WAGES

5.—(1) The minimum rate of wages for all work performed in the industry is,

(*a*) for a Class A employee, $60 a week, plus 65 per cent of the proceeds in excess of $85 from the work performed by him in a week; and

(*b*) for a Class B employee, 75 per cent of the proceeds from the work performed by him with a minimum rate of wages of $1.25 an hour.

(2) The percentages in subsection 1 shall be computed upon the gross receipts for work performed at not less than,

(*a*) the minimum charge for each operation established in section 7; or

(*b*) the prevailing charge established in the shop for each operation,

whichever is greater,

6. No deductions shall be made from the minimum rate of wages for,

(*a*) materials supplied;

(*b*) laundry service; or

(*c*) operating expenses.

MINIMUM CHARGES

7.—(1) The minimum charge for each operation in the industry is as follows:

i. Facial massage, plain ..... $ .75

ii. Hair-cut or trim for persons 14 years of age and over ..... $ 1.00

iii. Hair-cut for persons under 14 years of age ..... .75

iv. Head-rub ..... .35

v. Shampoo, plain ..... .75

vi. Shave ..... .75

vii. Singe ..... .50

(2) No employer or employee shall,

(*a*) contract for or accept prices lower than those in subsection 1;

(*b*) combine any of the operations named in subsection 1 without charging for each operation in the combination; or

(*c*) give any article or premium to the customer without charging the full value of the article or premium. O. Reg. 189/61, Sched.; O. Reg. 90/67, ss. 1-4.

REGULATION 477

under The Industrial Standards Act

SCHEDULE—BARBERING INDUSTRY

NIAGARA FALLS

1. The Schedule is in force during pleasure within the Niagara Falls zone and is binding upon the employers and employees in the barbering industry. O. Reg. 190/61, s. 1.

Schedule

INTERPRETATION

1. In this Schedule,

(*a*) "holiday" means,

(i) Sunday,

(ii) New Year's Day,

(iii) Good Friday,

(iv) Victoria Day,

(v) Dominion Day,

(vi) Niagara Falls Civic Holiday,

(vii) Labour Day,

(viii) Thanksgiving Day,

(ix) Christmas Day,

(x) the 26th day of December, and

(xi) the 27th day of December in a year in which Christmas Day falls on a Saturday;

(*b*) "week" means the period beginning with Sunday and ending with the Saturday next following, both inclusive.

HOURS OF WORK

2. No person shall perform work in the industry,

(*a*) on a holiday;

(*b*) on a Wednesday;

(*c*) for more than nine hours a day; or

(*d*) before 8 a.m. or after,

(i) 6 p.m. on Monday, Tuesday, Thursday or Friday, or

(ii) 5 p.m. on Saturday.

3. Notwithstanding clause *b* of section 2, an employee may perform nine hours of work between 8 a.m. and 6 p.m. on the Wednesday preceding New Year's Day, Good Friday or Christmas Day if,

(*a*) the employee does not perform more than a total of forty-eight hours of work during the week in which the Wednesday falls; and

(*b*) the Wednesday is not a holiday.

CLASSIFICATION OF EMPLOYEES

4. The following classification of employees in the industry is established:

Class A—A person who is given full-time employment.

Class B—A person who is given part-time work or casual employment.

MINIMUM RATES OF WAGES

5.—(1) The minimum rate of wages for all work performed in the industry by employees is,

(*a*) for a Class A employee, 65 per cent of the proceeds from the work performed by him or $50 a week, whichever is the greater; and

(*b*) for a Class B employee, 65 per cent of the proceeds from the work performed by him or $1 an hour, whichever is the greater.

(2) The percentages in subsection 1 shall be computed upon the gross receipts for work performed at not less than,

(*a*) the minimum charge for each operation established in section 7; or

(*b*) the prevailing charge established in the shop for each operation,

whichever is the greater.

6. No deductions shall be made from the minimum rate of wages for,

(*a*) materials supplied;

(*b*) laundry service; or

(*c*) operating expenses of any kind.

MINIMUM CHARGES

7.—(1) The minimum charge for each operation in the industry is as follows:

i. Facial massage, plain.....75 cents

ii. Hair-cut or trim for persons 14 years of age and over..... $1.00

iii. Hair-cut for persons under 14 years of age.....75 cents

iv. Head-rub.....35 cents

v. Shampoo, plain.....75 cents

vi. Shave.....75 cents

vii. Singe.....50 cents

(2) No employer or employee may,

(*a*) contract for or accept lower prices than those in subsection 1;

(*b*) combine any of the operations named in subsection 1 without charging for each operation in the combination; or

(*c*) give any article or premium to the customer without charging the full value of the article or premium. O. Reg. 190/61; O. Reg. 139/68, Sched.

REGULATION 478

under The Industrial Standards Act

SCHEDULE—BARBERING INDUSTRY

NORFOLK-HALDIMAND

1. The Schedule is in force during pleasure within the Norfolk-Haldimand zone and is binding upon the employers and employees in the barbering industry. O. Reg. 19/68, s. 1.

Schedule

INTERPRETATION

1. In this Schedule,

(*a*) "Civic Holiday" means a holiday only for that part of the zone where it is so proclaimed by a municipality;

(*b*) "holiday" means,

(i) Sunday,

(ii) New Year's Day,

(iii) Good Friday,

(iv) Victoria Day,

(v) Dominion Day,

(vi) Civic Holiday,

(vii) Labour Day,

(viii) Thanksgiving Day,

(ix) Christmas Day, and

(x) the 26th day of December;

(*c*) "week" means the period beginning with Sunday and ending with the Saturday next following, both inclusive.

HOURS OF WORK

2. Subject to section 6, no person shall perform work in the industry,

(*a*) on a holiday;

(*b*) before 8.30 a.m. or after 6 p.m. on Monday, Tuesday, Wednesday, Thursday or Saturday;

(*c*) before 8.30 a.m. or after 9 p.m. on Friday; or

(*d*) on a day that the employer elects under section 3.

3.—(1) The employer shall elect either Monday, Wednesday or Thursday in each week as a day during which work is not to be performed by his employees.

(2) The employer shall,

(*a*) post conspicuously in a place where his employees are engaged in their duties; and

(*b*) file with the advisory committee,

a notice setting out the day during which work is not to be performed by his employees.

(3) Where an employer changes his election, he shall give thirty days notice in writing to his employees and to the advisory committee of the new day elected.

4. Notwithstanding clause *d* of section 2 and subsection 1 of section 5, where the day elected under section 3 precedes New Year's Day, Good Friday or Christmas Day, an employee may perform eight and one-half hours of work between 8.30 a.m. and 6 p.m. on the day elected if,

(*a*) the employee does not perform more than a total of forty-eight hours of work during the week in which the day elected falls; and

(*b*) the day elected is not a holiday.

OVERTIME WORK

5. Overtime work is work,

(*a*) that is performed before,

(i) 8.30 a.m. or after 6 p.m. on Monday, Tuesday, Wednesday, Thursday or Saturday; or

(ii) 8.30 a.m. or after 9 p.m. on Friday; or

(*b*) that is performed on a holiday.

6.—(1) Subject to subsection 2 no overtime work shall be performed in the industry without a permit from the advisory committee.

(2) Subsection 1 does not apply to overtime work performed for the purpose of completing any service, operation, work or art for a customer who was in the shop prior to,

(*a*) 6 p.m. on Monday, Tuesday, Wednesday, Thursday or Saturday; or

(*b*) 9 p.m. on Friday.

(3) The advisory committee is authorized to issue the permits subject to this Schedule.

7. No permit shall be issued by the advisory committee for overtime work, except where the permit is necessary to prevent the loss of employment to persons regularly employed in the place of business.

CLASSIFICATION OF EMPLOYEES

8. The following classification of employees in the industry is established:

Class A—A person who is given full-time employment.

Class B—A person who is given part-time work or casual employment.

MINIMUM RATES OF WAGES

9.—(1) The minimum rate of wages for all work performed in the industry by employees is,

(*a*) for a Class A employee, 65 per cent of the proceeds from the work performed by him or $50 a week, whichever is the greater; and

(*b*) for a Class B employee, 65 per cent of the proceeds from the work performed by him or $1.25 an hour, whichever is the greater.

(2) The percentage in subsection 1 shall be computed upon the gross receipts for work performed at not less than,

(*a*) the minimum charge for each operation established in section 11; or

(*b*) the prevailing charge established in the shop for each operation,

whichever is the greater.

10. No deductions shall be made from the minimum rate of wages for,

(*a*) materials supplied;

(*b*) laundry service; or

(*c*) operating expenses.

MINIMUM CHARGES

11.—(1) The minimum charge for each operation in the industry is as follows:

i. Facial massage, plain	$ .75
ii. Hair-cut or trim for persons 14 years of age and over	1.00
iii. Hair-cut for persons under 14 years of age	.75
iv. Head-rub	.35
v. Shampoo, plain	.75
vi. Shave	.75
vii. Singe	.50

(2) No employer or employee shall,

(*a*) contract for or accept lower prices than those in subsection 1;

(*b*) combine any of the operations named in subsection 1 without charging for each operation in the combination; or

(*c*) give any article or premium to the customer without charging the full value of the article or premium.

12. The advisory committee is authorized to fix the minimum rate of wages lower than the rate fixed by this Schedule for persons who are handicapped. O. Reg. 19/68, Sched.

REGULATION 479

under The Industrial Standards Act

SCHEDULE—BARBERING INDUSTRY

NORTH BAY

1. The Schedule is in force during pleasure within the North Bay zone and is binding upon the employers and employees in the barbering industry. O. Reg. 136/65, s. 1.

Schedule

INTERPRETATION

1. In this Schedule,

(*a*) "Civic Holiday" means a holiday only for that part of the zone where it is so proclaimed by a municipality;

(*b*) "holiday" means,

(i) Sunday,

(ii) New Year's Day,

(iii) Good Friday,

(iv) Victoria Day,

(v) Dominion Day,

(vi) Civic Holiday,

(vii) Labour Day,

(viii) Thanksgiving Day,

(ix) Christmas Day, and

(x) the 26th day of December;

(*c*) "week" means the period beginning with Sunday and ending with the Saturday next following, both inclusive.

HOURS OF WORK

2. No person shall perform work in the industry,

(*a*) on a holiday;

(*b*) for more than nine hours a day;

(*c*) before 8 a.m. or after 6 p.m. in a day; or

(*d*) on a day that the employer elects under section 3.

3.—(1) The employer shall elect either Monday or Wednesday as the day in each week during which work is not to be performed by his employees.

(2) The employer shall,

(*a*) post conspicuously in a place where his employees are engaged in their duties; and

(*b*) file with the advisory committee,

a notice setting out the day during which work is not to be performed by his employees.

(3) Where an employer changes his election, he shall give thirty days notice in writing to his employees and to the advisory committee of the new day elected.

4. Notwithstanding section 2, work may be performed between 8 a.m. and 6 p.m. on the day elected under section 3 in,

(*a*) a week where Christmas Day or New Year's Day falls on a day other than Sunday; or

(*b*) the week in which Good Friday falls,

if the day elected under section 3 is not a holiday.

CLASSIFICATION OF EMPLOYEES

5. The following classification of employees in the industry is established:

Class A—A person who is given full-time employment.

Class B—A person who is given part-time work or casual employment.

MINIMUM RATES OF WAGES

6.—(1) The minimum rate of wages for all work performed in the industry by employees is,

(*a*) for a Class A employee, 70 per cent of the proceeds from the work performed by him or $65 a week, whichever is the greater; and

(*b*) for a Class B employee, 70 per cent of the proceeds from the work performed by him or $1.50 an hour, whichever is the greater.

(2) The percentages in subsection 1 shall be computed upon the gross receipts for work performed at not less than,

(*a*) the minimum charge for each operation established in section 8; or

(*b*) the prevailing charge established in the shop for each operation,

whichever is the greater.

7. No deductions shall be made from the minimum rate of wages for,

(*a*) materials supplied;

(*b*) laundry service; or

(*c*) operating expenses of any kind.

8.—(1) The minimum charge for each operation in the industry is as follows:

i. Facial massage, plain..... $1.00

ii. Hair-cut or trim for persons 14 years of age and over..... $1.25

iii. Hair-cut for persons under 14 years of age.....75 cents

iv. Head-rub.....35 cents

v. Shampoo, plain.....75 cents

vi. Shave..... $1.00

vii. Singe.....50 cents

(2) No employer or employee may,

(*a*) contract for or accept prices lower than those in subsection 1;

(*b*) combine any of the operations named in subsection 1 without charging for each operation in the combination; or

(*c*) give any article or premium to the customer without charging the full value of the article or premium. O. Reg. 136/65, Sched.; O. Reg. 73/70.

REGULATION 480

under The Industrial Standards Act

SCHEDULE—BARBERING INDUSTRY

OAKVILLE

1. The Schedule is in force during pleasure within the Oakville zone and is binding upon the employers and employees in the barbering industry. O. Reg. 366/67, s. 1.

Schedule

INTERPRETATION

1. In this Schedule,

(*a*) "holiday" means,

(i) Sunday,

(ii) New Year's Day,

(iii) Good Friday,

(iv) Victoria Day,

(v) Dominion Day,

(vi) Oakville Civic Holiday,

(vii) Labour Day,

(viii) Thanksgiving Day,

(ix) Christmas Day, and

(x) the 26th day of December in a year in which Christmas Day falls on a day other than a Saturday, or the 27th day of December in a year in which Christmas Day falls on a Saturday;

(*b*) "week" means the period beginning with Sunday and ending with the Saturday next following, both inclusive.

HOURS OF WORK

2. No person shall perform work in the industry,

(*a*) on a holiday;

(*b*) for more than,

(i) nine hours on Monday, Tuesday, Wednesday, Thursday or Friday, or

(ii) eight hours on Saturday;

(*c*) before 8 a.m. or after,

(i) 6 p.m. on Monday, Tuesday, Wednesday, Thursday or Friday, or

(ii) 5 p.m. on Saturday; or

(*d*) on a day that the employer elects under section 3.

3.—(1) The employer shall elect either Monday or Wednesday as the day in each week during which work is not to be performed by his employees.

(2) The employer shall,

(*a*) post conspicuously in a place where his employees are engaged in their duties; and

(*b*) file with the advisory committee,

a notice setting out the day during which work is not to be performed by his employees.

(3) Where an employer changes his election, he shall give thirty days notice in writing to his employees and to the advisory committee of the new day elected.

4. Notwithstanding section 2, where a holiday falls on a day in a week other than,

(*a*) the day elected by his employer under section 3; or

(*b*) Sunday,

an employee may perform nine hours of work between 8 a.m. and 6 p.m. on the day elected in the same week.

CLASSIFICATION OF EMPLOYEES

5. The following classification of employees in the industry is established:

Class A—A person who is given full-time employment.

Class B—A person who is given part-time work or casual employment.

MINIMUM RATES OF WAGES

6.—(1) The minimum rate of wages for all work performed in the industry by employees is,

(*a*) for a Class A employee, 70 per cent of the proceeds from the work performed by him or $75 a week, whichever is the greater; and

(*b*) for a Class B employee, 75 per cent of the proceeds from the work performed by him or $2 an hour, whichever is the greater.

(2) The percentages in subsection 1 shall be computed upon the gross receipts for work performed at not less than,

(*a*) the minimum charge for each operation established in section 8; or

(*b*) the prevailing charge established in the shop for each operation,

whichever is the greater.

7. No deductions shall be made from the minimum rate of wages for,

(*a*) materials supplied;

(*b*) laundry service; or

(*c*) operating expenses.

MINIMUM CHARGES

8.—(1) The minimum charge for each operation in the industry is as follows:

i. Facial massage, plain	$1.00
ii. Hair-cut or trim for persons 15 years of age and over	1.50
iii. Hair-cut for persons under 15 years of age	1.00
iv. Head-rub	.35
v. Shampoo, plain	1.00
vi. Shave	1.00
vii. Singe	.75

(2) No employer or employee shall,

(*a*) contract for or accept prices lower than those in subsection 1;

(*b*) combine any of the operations named in subsection 1 without charging for each operation in the combination; or

(*c*) give any article or premium to the customer without charging the full value of the article or premium. O. Reg. 366/67, Sched.; O. Reg. 400/70, ss. 1-2.

REGULATION 481

under The Industrial Standards Act

SCHEDULE—BARBERING INDUSTRY

ORILLIA

1. The Schedule is in force during pleasure within the Orillia zone and is binding upon the employers and employees in the barbering industry. O. Reg. 403/67, s. 1.

Schedule

INTERPRETATION

1. In this Schedule,

(*a*) "Civic Holiday" means a holiday only for that part of the zone where it is so proclaimed by a municipality;

(*b*) "holiday" means,

(i) Sunday,

(ii) New Year's Day,

(iii) Good Friday,

(iv) Victoria Day,

(v) Dominion Day,

(vi) Civic Holiday,

(vii) Labour Day,

(viii) Thanksgiving Day,

(ix) Christmas Day, and

(x) the 26th day of December;

(*c*) "week" means the period beginning with Sunday and ending with the Saturday next following, both inclusive.

HOURS OF WORK

2. No person shall perform work in the industry,

(*a*) on a holiday;

(*b*) before 8 a.m. or after 6 p.m. on a day other than Friday;

(*c*) before 8 a.m. or after 8 p.m. on Friday; or

(*d*) on a day that the employer elects under section 3.

3.—(1) The employer shall elect either Monday or Wednesday in each week as a day during which work is not to be performed by his employees.

(2) The employer shall,

(*a*) post conspicuously in a place where his employees are engaged in their duties; and

(*b*) file with the advisory committee,

a notice setting out the day during which work is not to be performed by his employees.

(3) Where an employer changes his election, he shall give thirty days notice in writing to his employees and to the advisory committee of the new day elected.

4. Where in any week a holiday falls on a Thursday, nine hours of work may be performed in that week between 8 a.m. and 6 p.m. on the day elected by the employer under section 3.

CLASSIFICATION OF EMPLOYEES

5. The following classification of employees in the industry is established:

Class A—A person who is given full-time employment.

Class B—A person who is given part-time work or casual employment.

MINIMUM RATES OF WAGES

6. The minimum rate of wages for all work performed in the industry by employees is,

(*a*) for a Class A employee, 70 per cent of the proceeds from the work performed by him or $50 a week, whichever is the greater; and

(*b*) for a Class B employee, 70 per cent of the proceeds from the work performed by him or $1 an hour, whichever is the greater.

7. No deductions shall be made from the minimum rate of wages for,

(*a*) materials supplied;

(*b*) laundry service; or

(*c*) operating expenses.

MINIMUM CHARGES

8.—(1) The minimum charge for each operation in the industry is as follows:

i. Facial massage, plain.....75 cents

ii. Hair-cut or trim for persons 14 years of age and over..... $1.00

iii. Hair-cut for persons under 14 years of age.....75 cents

iv. Head-rub.....35 cents

v. Shampoo, plain.....75 cents

vi. Shave.....75 cents

vii. Singe.....50 cents

(2) No employer or employee may,

(*a*) contract for or accept prices lower than those in subsection 1;

(*b*) combine any of the operations named in subsection 1 without charging for each operation in the combination; or

(*c*) give any article or premium to the customer without charging the full value of the article or premium. O. Reg. 403/67, Sched.

REGULATION 482

under The Industrial Standards Act

SCHEDULE—BARBERING INDUSTRY

OSHAWA

1. The Schedule is in force during pleasure within the Oshawa zone and is binding upon the employers and employees in the barbering industry. O. Reg. 10/63, s. 1.

Schedule

INTERPRETATION

1. In this Schedule,

(*a*) "holiday" means,

(i) Sunday,

(ii) New Year's Day,

(iii) Good Friday,

(iv) Victoria Day,

(v) Dominion Day,

(vi) Oshawa Civic Holiday,

(vii) Labour Day,

(viii) Thanksgiving Day,

(ix) Christmas Day, and

(x) the 26th day of December;

(*b*) "week" means the period beginning with Sunday and ending with the Saturday next following, both inclusive.

HOURS OF WORK

2. No person shall perform work in the industry,

(*a*) on a holiday;

(*b*) on a Wednesday;

(*c*) for more than nine hours a day; or

(*d*) before 8 a.m. or after 6 p.m. in a day.

3. Notwithstanding clause *b* of section 2, an employee may perform nine hours of work between 8 a.m. and 6 p.m. on each of the last two Wednesdays of December if,

(*a*) the employee does not perform more than a total of forty-eight hours of work during the week in which the Wednesday falls; and

(*b*) the Wednesday is not a holiday.

CLASSIFICATION OF EMPLOYEES

4. The following classification of employees in the industry is established:

Class A—A person who is given full-time employment.

Class B—A person who is given part-time work or casual employment.

MINIMUM RATES OF WAGES

5.—(1) The minimum rate of wages for all work performed in the industry by employees is,

(*a*) for a Class A employee, $40 a week plus 60 per cent of the proceeds in excess of $55 from the work performed by him in a week; and

(*b*) for a Class B employee, 70 per cent of the proceeds from the work performed by him with a minimum rate of wages of 75 cents an hour.

(2) The percentages in subsection 1 shall be computed upon the gross receipts for work performed at not less than,

(*a*) the minimum charge for each operation established in section 7; or

(*b*) the prevailing charge established in the shop for each operation,

whichever is the greater.

6. No deductions shall be made from the minimum rate of wages for,

(*a*) materials supplied;

(*b*) laundry service; or

(*c*) operating expenses.

MINIMUM CHARGES

7.—(1) The minimum charge for each operation in the industry is as follows:

i. Facial massage, plain	$ .50
ii. Hair-cut or trim for persons 14 years of age and over	.60
iii. Hair-cut for persons under 14 years of age	.35
iv. Head-rub	.25
v. Neck-clip for ladies	.25
vi. Razor honing	.50
vii. Shampoo, plain	$ .50
viii. Shave	.30
ix. Singe	.35

(2) No employer or employee may,

(*a*) contract for or accept prices lower than those in subsection 1;

(*b*) combine any of the operations named in subsection 1 without charging for each operation in the combination; or

(*c*) give any article or premium to the customer without charging the full value of the article or premium. O. Reg. 10/63, Sched.

REGULATION 483

under The Industrial Standards Act

SCHEDULE—BARBERING INDUSTRY
OTTAWA

1. The Schedule is in force during pleasure within the Ottawa zone and is binding upon the employers and employees in the barbering industry. O. Reg. 341/62, s. 1.

Schedule

INTERPRETATION

1. In this Schedule,

(*a*) "holiday" means,

(i) Sunday,

(ii) New Year's Day,

(iii) the 2nd day of January,

(iv) Good Friday,

(v) Victoria Day,

(vi) Dominion Day,

(vii) Ottawa Civic Holiday,

(viii) Labour Day,

(ix) Thanksgiving Day,

(x) Remembrance Day,

(xi) Christmas Day, and

(xii) the 26th day of December;

(*b*) "week" means the period beginning with Sunday and ending with the Saturday next following, both inclusive.

HOURS OF WORK

2. No person shall perform work in the industry,

(*a*) on a holiday;

(*b*) for more than nine hours a day;

(*c*) before 8 a.m. or after 6 p.m. in a day; or

(*d*) on a day that the employer elects under section 3.

3.—(1) The employer shall elect one day of Monday, Wednesday or Saturday in each week, during which work is not to be performed by his employees.

(2) The employer shall,

(*a*) post conspicuously in a place where his employees are engaged in their duties; and

(*b*) file with the advisory committee,

a notice setting out the day during which work is not to be performed by his employees.

(3) Where an employer changes his election, he shall give thirty days notice in writing to his employees and to the advisory committee of the new day elected.

4. Notwithstanding section 2, during a week in which,

(*a*) New Year's Day;

(*b*) Good Friday; or

(*c*) Christmas Day,

falls on a day other than a Sunday, nine hours of work may be performed between 8 a.m. and 6 p.m. on each day that is not a holiday.

CLASSIFICATION OF EMPLOYEES

5. The following classification of employees in the industry is established:

Class A—A person who is given full-time employment.

Class B—A person who is given part time work or casual employment.

MINIMUM RATES OF WAGES

6.—(1) The minimum rate of wages for all work performed in the industry by employees is,

(*a*) for a Class A employee, 70 per cent of the proceeds from the work performed by him or $50 a week, whichever is the greater; and

(*b*) for a Class B employee, 75 per cent of the proceeds from the work performed by him or $1.25 an hour, whichever is the greater.

(2) The percentages in subsection 1 shall be computed upon the gross receipts for work performed at not less than,

(*a*) the minimum charge for each operation established in section 8; or

(*b*) the prevailing charge established in the shop for each operation,

whichever is the greater.

7. No deductions shall be made from the minimum rate of wages for,

(*a*) materials supplied;

(*b*) laundry service; or

(*c*) operating expenses of any kind.

8.—(1) The minimum charge for each operation in the industry is as follows:

i. Facial massage, plain ..... $ .75

ii. Hair-cut or trim for persons 14 years of age and over ..... $ 1.00

iii. Hair-cut for persons under 14 years of age ..... .75

iv. Head-rub ..... .35

v. Shampoo, plain ..... .75

vi. Shave ..... .75

vii. Singe ..... .50

(2) No employer or employee may,

(*a*) contract for or accept prices lower than those in subsection 1;

(*b*) combine any of the operations named in subsection 1 without charging for each operation in the combination; or

(*c*) give any article or premium to the customer without charging the full value of the article or premium. O. Reg. 341/62; O. Reg. 333/66, Sched.

REGULATION 484

under The Industrial Standards Act

SCHEDULE—BARBERING INDUSTRY

OWEN SOUND

1. The Schedule is in force during pleasure within the Owen Sound zone and is binding upon the employers and employees in the barbering industry. O. Reg. 191/61, s. 1.

Schedule

INTERPRETATION

1. In this Schedule,

(*a*) "holiday" means,

(i) Sunday,

(ii) New Year's Day,

(iii) Good Friday,

(iv) Victoria Day,

(v) Dominion Day,

(vi) Owen Sound Civic Holiday,

(vii) Labour Day,

(viii) Thanksgiving Day,

(ix) Christmas Day, and

(x) the 26th day of December;

(*b*) "week" means the period beginning with Sunday and ending with the Saturday next following, both inclusive.

HOURS OF WORK

2. No person shall perform work in the industry,

(*a*) on a holiday:

(*b*) on a Wednesday;

(*c*) for more than nine hours on Monday, Tuesday, Thursday, Friday or Saturday; or

(*d*) before 8 a.m. or after 6 p.m. on Monday, Tuesday, Thursday, Friday or Saturday.

CLASSIFICATION OF EMPLOYEES

3. The following classification of employees in the industry is established:

Class A—A person who is given full-time employment.

Class B—A person who is given part-time work or casual employment.

MINIMUM RATE OF WAGES

4.—(1) The minimum rate of wages for all work performed in the industry by employees is,

(*a*) for a Class A employee, $68 a week plus 60 per cent of the proceeds in excess of $90 from the work performed by him in a week; and

(*b*) for a Class B employee, 70 per cent of the proceeds from the work performed by him with a minimum rate of wages of $1.50 an hour.

(2) The percentages in subsection 1 shall be computed upon the gross receipts for work performed at not less than,

(*a*) the minimum charge for each operation established in section 6; or

(*b*) the prevailing charge established in the shop for each operation,

whichever is the greater.

5. No deductions shall be made from the minimum rate of wages for,

(*a*) materials suppled;

(*b*) laundry service; or

(*c*) operating expenses.

MINIMUM CHARGES

6.—(1) The minimum charge for each operation in the industry is as follows:

i. Facial massage, plain	$1.00
ii. Hair-cut or trim for persons 14 years of age and over	1.25

iii. Hair-cut for persons under 14 years of age	$ .75
iv. Head-rub	.35
v. Shampoo, plain	1.00
vi. Shave	1.00
vii. Singe	.50

(2) No employer or employee shall,

(*a*) contract for or accept lower prices than those in subsection 1;

(*b*) combine any of the operations named in subsection 1 without charging for each operation in the combination; or

(*c*) give any article or premium to the customer without charging the full value of the article or premium. O. Reg. 191/61, Sched.; O. Reg. 493/69, ss. 1-3.

REGULATION 485

under The Industrial Standards Act

SCHEDULE—BARBERING INDUSTRY

PARIS

1. The Schedule is in force during pleasure within the Paris zone and is binding upon the employers and employees in the barbering industry. O. Reg. 60/67, s. 1.

Schedule

INTERPRETATION

1. In this Schedule,

(*a*) "holiday" means,

(i) Sunday,

(ii) New Year's Day,

(iii) Good Friday,

(iv) Victoria Day,

(v) Dominion Day,

(vi) Paris Civic Holiday,

(vii) Labour Day,

(viii) Thanksgiving Day,

(ix) Christmas Day, and

(x) the 26th day of December;

(*b*) "week" means the period beginning with Sunday and ending with the Saturday next following, both inclusive.

HOURS OF WORK

2. No person shall perform work in the industry,

(*a*) on a holiday;

(*b*) for more than,

(i) 8½ hours on Monday, Tuesday, Wednesday, Thursday or Friday, or

(ii) 7½ hours on Saturday;

(*c*) before 8.30 a.m. or after,

(i) 6 p.m. on Monday, Tuesday, Wednesday, Thursday or Friday, or

(ii) 5 p.m. on Saturday; or

(*d*) on a day that the employer elects under section 3.

3.—(1) The employer shall elect either Monday or Wednesday in each week as a day during which work is not to be performed by his employees.

(2) The employer shall,

(*a*) post conspicuously in a place where his employees are engaged in their duties; and

(*b*) file with the advisory committee,

a notice setting out the day during which work is not to be performed by his employees.

(3) Where an employer changes his election he shall give thirty days notice in writing to his employees and to the advisory committee of the new day elected.

4. Notwithstanding clause *d* of section 2, in a week in which the day elected under section 3 precedes New Year's Day or Christmas Day and in the week in which Good Friday falls, an employee may perform 8½ hours of work between 8.30 a.m. and 6 p.m. on the day so elected if,

(*a*) the employee does not perform more than a total of forty-eight hours of work during that week; and

(*b*) the day elected is not a holiday.

CLASSIFICATION OF EMPLOYEES

5. The following classification of employees in the industry is established:

Class A—A person who is given full-time employment.

Class B—A person who is given part-time or casual employment.

MINIMUM RATES OF WAGES

6.—(1) The minimum rate of wages for all work performed in the industry by employees is,

(*a*) for a Class A employee, 70 per cent of the proceeds from work performed by him or $50 a week, whichever is the greater; and

(*b*) for a Class B employee, 70 per cent of the proceeds from the work performed by him or $1.25 an hour, whichever is the greater.

(2) The percentages in subsection 1 shall be computed upon the gross receipts for work performed at not less than,

(*a*) the minimum charge for each operation established in section 8; or

(*b*) the prevailing charge established in the shop for each operation,

whichever is the greater.

7. No deductions shall be made from the minimum rate of wages for,

(*a*) materials supplied;

(*b*) laundry service; or

(*c*) operating expenses.

MINIMUM CHARGES

8.—(1) The minimum charge for each operation in the industry is as follows:

i.	Facial massage, plain	$ .60
ii.	Hair-cut or trim for persons 14 years of age and over	$ .75
iii.	Hair-cut for persons under 14 years of age	.60
iv.	Head-rub	.35
v.	Neck-clip for ladies	.35
vi.	Razor honing	.60
vii.	Shampoo, plain	.60
viii.	Shave	.50
ix.	Singe	.50

(2) No employer or employee may,

(*a*) contract for or accept prices lower than those in subsection 1;

(*b*) combine any of the operations named in subsection 1 without charging for each operation in the combination; or

(*c*) give any article or premium to the customer without charging the full value of the article or premium. O. Reg. 60/67, Sched.

REGULATION 486

under The Industrial Standards Act

SCHEDULE—BARBERING INDUSTRY

PEMBROKE

1. The Schedule is in force during pleasure within the Pembroke zone and is binding upon the employers and employees in the barbering industry. O. Reg. 367/67, s. 1.

Schedule

INTERPRETATION

1. In this Schedule,

(*a*) "holiday" means,

(i) Sunday,

(ii) New Year's Day,

(iii) Good Friday,

(iv) Victoria Day,

(v) Dominion Day,

(vi) Pembroke Civic Holiday,

(vii) Labour Day,

(viii) Thanksgiving Day,

(ix) Christmas Day, and

(x) the 26th day of December;

(*b*) "week" means the period beginning with Sunday and ending with the Saturday next following, both inclusive.

HOURS OF WORK

2. No person shall perform work in the industry,

(*a*) on a holiday,

(*b*) before 9 a.m. or after,

(i) 6 p.m. on a day other than Thursday, or

(ii) 9 p.m. on Thursday; or

(*c*) on a day that the employer elects under section 3.

3.—(1) The employer shall elect either Monday or Wednesday in each week as a day during which work is not to be performed by his employees.

(2) The employer shall,

(*a*) post conspicuously in a place where his employees are engaged in their duties; and

(*b*) file with the advisory committee,

a notice setting out the day during which work is not to be performed by his employees.

(3) Where an employer changes his election, he shall give thirty days notice in writing to his employees and to the advisory committee of the new day elected.

4. Notwithstanding clause *c* of section 2, where the day elected under section 3 precedes New Year's Day, Good Friday or Christmas Day, an employee may perform eight hours of work between 9 a.m. and 6 p.m. on the day elected, if the elected day is not a holiday.

CLASSIFICATION OF EMPLOYEES

5. The following classification of employees in the industry is established:

Class A—A person who is given full-time employment.

Class B—A person who is given part-time work or casual employment.

MINIMUM RATES OF WAGES

6.—(1) The minimum rate of wages for all work performed in the industry by employees is,

(*a*) for a Class A employee, 70 per cent of the proceeds from the work performed by him, or $50 a week, whichever is the greater; and

(*b*) for a Class B employee, 70 per cent of the proceeds from the work performed by him, or $1 an hour, whichever is the greater.

(2) The percentages in subsection 1 shall be computed upon the gross receipts for work performed at not less than,

(*a*) the minimum charge for each operation established in section 8; or

(*b*) the prevailing charge established in the shop for each operation,

whichever is the greater.

7. No deductions shall be made from the minimum rate of wages for,

(*a*) materials supplied;

(*b*) laundry service; or

(*c*) operating expenses.

MINIMUM CHARGES

8.—(1) The minimum charge for each operation in the industry is as follows:

i. Facial massage, plain	$ .75
ii. Hair-cut or trim for persons 14 years of age and over	1.00
iii. Hair-cut for persons under 14 years of age	$ .75
iv. Head-rub	.35
v. Shampoo, plain	.75
vi. Shave	.75
vii. Singe	.75

(2) No employer or employee shall,

(*a*) contract for or accept lower prices than those in subsection 1;

(*b*) combine any of the operations named in subsection 1 without charging for each operation in the combination; or

(*c*) give any article or premium to the customer without charging the full value of the article or premium. O. Reg. 367/67, Sched.

REGULATION 487

under The Industrial Standards Act

SCHEDULE—BARBERING INDUSTRY

PERTH

1. The Schedule is in force during pleasure within the Perth zone and is binding upon the employers and employees in the barbering industry. O. Reg. 285/68, s. 1.

Schedule

INTERPRETATION

1. In this Schedule,

(*a*) "holiday" means,

(i) Sunday,

(ii) New Year's Day,

(iii) Good Friday,

(iv) Victoria Day,

(v) Dominion Day,

(vi) Perth Civic Holiday,

(vii) Labour Day,

(viii) Thanksgiving Day,

(ix) Christmas Day, and

(x) the 26th day of December;

(*b*) "week" means the period beginning with Sunday and ending with the Saturday next following, both inclusive.

HOURS OF WORK

2. Subject to section 4, no person shall perform work in the industry,

(*a*) on a holiday;

(*b*) before 8.30 a.m. or after 6 p.m. in a day; or

(*c*) on a day that the employer elects under section 3.

3.—(1) The employer shall elect Monday, Wednesday or Saturday as the day during which work is not to be performed by his employees.

(2) The employer shall,

(*a*) post conspicuously in a place where his employees are engaged in their duties; and

(*b*) file with the advisory committee,

a notice setting out the day during which work is not to be performed by his employees.

(3) Where an employer changes his election, he shall give thirty days notice in writing to his employees and to the advisory committee of the new day elected.

4. Notwithstanding section 2, where a holiday falls on a day in a week other than,

(*a*) the day elected by his employer under section 3; or

(*b*) Sunday,

an employee may perform work in the same week on the day elected.

MINIMUM RATE OF WAGES

5. The minimum rate of wages for all work performed in the industry by employees is $1 an hour.

6. No deductions shall be made from the minimum rate of wages for,

(*a*) materials supplied;

(*b*) laundry service; or

(*c*) operating expenses.

MINIMUM CHARGES

7.—(1) The minimum charge for each operation in the industry is as follows:

i. Facial massage, plain	$ .75
ii. Hair-cut or trim for persons 14 years of age and over	1.00
iii. Hair-cut for persons under 14 years of age	.75
iv. Head-rub	.35
v. Shampoo, plain	.75

vi. Shave..... $ .75

vii. Singe..... .75

(2) No employer or employee shall,

(*a*) contract for or accept prices lower than those in subsection 1;

(*b*) combine any of the operations named in subsection 1 without charging for each operation in the combination; or

(*c*) give any article or premium to the customer without charging the full value of the article or premium. O. Reg. 285/68, Sched.

REGULATION 488

under The Industrial Standards Act

SCHEDULE—BARBERING INDUSTRY

PETERBOROUGH

1. The Schedule is in force during pleasure within the Peterborough zone and is binding upon the employers and employees in the barbering industry. O. Reg. 398/68, s. 1.

Schedule

INTERPRETATION

1. In this Schedule,

(*a*) "holiday" means,

(i) Sunday,

(ii) New Year's Day,

(iii) Good Friday,

(iv) Victoria Day,

(v) Dominion Day,

(vi) Peterborough Civic Holiday,

(vii) Labour Day,

(viii) Thanksgiving Day,

(ix) Christmas Day, and

(x) the 26th day of December;

(*b*) "week" means the period beginning with Sunday and ending with the Saturday next following, both inclusive.

HOURS OF WORK

2. No person shall perform work in the industry,

(*a*) on a holiday;

(*b*) before 8 a.m. or after,

(i) 6 p.m. on Monday, Tuesday, Wednesday, Thursday or Friday; or

(ii) 5 p.m. on Saturday; or

(*c*) on a day that the employer elects under section 3.

3.—(1) The employer shall elect either Monday or Wednesday in each week as a day during which work is not to be performed by his employees.

(2) The employer shall,

(*a*) post conspicuously in a place where his employees are engaged in their duties; and

(*b*) file with the advisory committee,

a notice setting out the day during which work is not to be performed by his employees.

(3) Where an employer changes his election, he shall give thirty days notice in writing to his employees and to the advisory committee of the new day elected.

4. Notwithstanding section 2, where a holiday falls on a day in a week other than,

(*a*) the day elected by his employer under section 3; or

(*b*) Sunday,

an employee may perform work in the same week on the day elected.

CLASSIFICATION OF EMPLOYEES

5. The following classification of employees in the industry is established:

Class A—A person who is given full-time employment.

Class B—A person who is given part-time work or casual employment.

MINIMUM RATES OF WAGES

6.—(1) The minimum rate of wages for all work performed in the industry by employees is,

(*a*) for a Class A employee, 70 per cent of the proceeds from the work performed by him or $50 a week, whichever is the greater; and

(*b*) for a Class B employee, 70 per cent of the proceeds from the work performed by him or $1 an hour, whichever is the greater.

(2) The percentages in subsection 1 shall be computed upon the gross receipts for work performed at not less than,

(*a*) the minimum charge for each operation established in section 8; or

(*b*) the prevailing charge established in the shop for each operation,

whichever is the greater.

7. No deductions shall be made from the minimum rate of wages for,

(*a*) materials supplied;

(*b*) laundry service; or

(*c*) operating expenses of any kind.

MINIMUM CHARGES

8.—(1) The minimum charge for each operation in the industry is as follows:

i. Facial massage, plain	$ .75
ii. Hair-cut or trim for persons 14 years of age and over	$1.00
iii. Hair-cut for persons under 14 years of age	.75
iv. Head-rub	.35
v. Shampoo, plain	.75
vi. Shave	.75
vii. Singe	.50

(2) No employer or employee shall,

(*a*) contract for or accept prices lower than those in subsection 1;

(*b*) combine any of the operations named in subsection 1 without charging for each operation in the combination; or

(*c*) give any article or premium to the customer without charging the full value of the article or premium. O. Reg. 398/68, Sched.

REGULATION 489

under The Industrial Standards Act

SCHEDULE—BARBERING INDUSTRY

PICTON

1. This Schedule is in force during pleasure within the Picton zone and is binding on the employers and employees in the barbering industry. O. Reg. 28/68, s. 1.

Schedule

INTERPRETATION

1. In this Schedule,

(*a*) "holiday" means,

(i) Sunday,

(ii) New Year's Day,

(iii) the 2nd day of January,

(iv) Good Friday,

(v) Victoria Day,

(vi) Dominion Day,

(vii) Picton Civic Holiday,

(viii) Labour Day,

(ix) Thanksgiving Day, and

(x) Christmas Day, and

(xi) the 26th day of December;

(*b*) "week" means the period beginning with Sunday and ending with the Saturday next following, both inclusive.

HOURS OF WORK

2. No person shall perform work in the industry,

(*a*) on a holiday;

(*b*) before 8.30 a.m. or after 6 p.m. on Monday, Tuesday, Wednesday, Thursday, or Saturday or before 8.30 a.m. or after 9 p.m. on Friday; or

(*c*) on a day that the employer elects under section 3.

3.—(1) The employer shall elect either Monday or Wednesday as a day during which work is not to be performed by his employees.

(2) The employer shall,

(*a*) post conspicuously in a place where his employees are engaged in their duties; and

(*b*) file with the advisory committee,

a notice setting out the day during which work is not to be performed by his employees.

(3) Where an employer changes his election, he shall give thirty days notice in writing to his employees and to the advisory committee of the new day elected.

CLASSIFICATION OF EMPLOYEES

4. The following classification of employees in the industry is established:

Class A—A person who is given full-time employment.

Class B—A person who is given part-time work or casual employment.

MINIMUM RATES OF WAGES

5.—(1) The minimum rate of wages for all work performed in the industry by employees is,

(*a*) for a Class A employee, 65 per cent of the proceeds from the work performed by him or $50 a week, whichever is the greater; and

(*b*) for a Class B employee, 65 per cent of the proceeds from the work performed by him or $1 an hour, whichever is the greater.

(2) The percentages in subsection 1 shall be computed upon the gross receipts for work performed at not less than,

(*a*) the minimum charge for each operation established in section 7; or

(*b*) the prevailing charge established in the shop for each operation,

whichever is the greater.

6. No deductions shall be made from the minimum rate of wages for,

(*a*) materials supplied;

(*b*) laundry service; or

(*c*) operating expenses.

MINIMUM CHARGES

7.—(1) The minimum charge for each operation in the industry is as follows:

i. Facial massage, plain ..... $ .60

ii. Hair-cut or trim for persons 14 years of age and over ..... .75

iii. Hair-cut or trim for persons under 14 years of age ..... .60

iv. Head-rub ..... .35

v. Shampoo, plain ..... $ .60

vi. Shave ..... .50

vii. Singe ..... .50

(2) No employer or employee shall,

(*a*) contract for or accept prices lower than those in subsection 1;

(*b*) combine any of the operations named in subsection 1 without charging for each operation in the combination; or

(*c*) give any article or premium to the customer without charging the full value of the article or premium. O. Reg. 28/68, Sched.

REGULATION 490

under The Industrial Standards Act

SCHEDULE—BARBERING INDUSTRY

PORT COLBORNE

1. The Schedule is in force during pleasure within the Port Colborne zone and is binding upon the employers and employees in the barbering industry. O. Reg. 41/68, s. 1.

Schedule

INTERPRETATION

1. In this Schedule,

(*a*) "holiday" means,

(i) Sunday,

(ii) New Year's Day,

(iii) Good Friday,

(iv) Victoria Day,

(v) Dominion Day,

(vi) Port Colborne Civic Holiday,

(vii) Labour Day,

(viii) Thanksgiving Day,

(ix) Christmas Day, and

(x) the 26th day of December in a year in which Christmas Day falls on a day other than a Saturday, or the 27th day of December in a year in which Christmas Day falls on a Saturday;

(*b*) "week" means the period beginning with Sunday and ending with the Saturday next following, both inclusive.

HOURS OF WORK

2. No person shall perform work in the industry,

(*a*) on a holiday;

(*b*) on a Wednesday; or

(*c*) before,

(i) 8.30 a.m. or after 6 p.m. on Monday, Tuesday, Thursday or Friday, or

(ii) 8.30 a.m. or after 5 p.m. on Saturday.

3. Notwithstanding clause *b* of section 2, during a week in which New Year's Day or Christmas Day falls on a day other than a Sunday and during the week in which Good Friday falls, 8½ hours of work may be performed between 8.30 a.m. and 6 p.m. on Wednesday of that week, if the Wednesday is not a holiday.

CLASSIFICATION OF EMPLOYEES

4. The following classifications of employees in the industry are established:

Class A—A person who is given full-time employment.

Class B—A person who is given part-time work or casual employment.

MINIMUM RATES OF WAGES

5.—(1) The minimum rate of wages for all work performed in the industry by employees is,

(*a*) for a Class A employee, 65 per cent of the proceeds from the work performed by him or $50 a week, whichever is the greater; and

(*b*) for a Class B employee, 65 per cent of the proceeds from the work performed by him or $1.25 an hour, whichever is the greater.

(2) The percentages in subsection 1 shall be computed upon the gross receipts for work performed at not less than,

(*a*) the minimum charge for each operation established in section 7; or

(*b*) the prevailing charge established in the shop for each operation,

whichever is the greater.

6. No deductions shall be made from the minimum rate of wages for,

(*a*) materials supplied;

(*b*) laundry services; or

(*c*) operating expenses.

MINIMUM CHARGES

7.—(1) The minimum charge for each operation in the industry is as follows:

i. Facial massage, plain	$ .75
ii. Hair-cut or trim for persons 14 years of age and over	1.00
iii. Hair-cut for persons under 14 years of age	.75
iv. Head-rub	.35
v. Shampoo, plain	.75
vi. Shave	$ .75
vii. Singe	.50

(2) No employer or employee shall,

(*a*) contract for or accept lower prices than those in subsection 1;

(*b*) combine any of the operations named in subsection 1 without charging for each operation in the combination; or

(*c*) give any article or premium to the customer without charging the full value of the article or premium. O. Reg. 41/68, Sched.

REGULATION 491

under The Industrial Standards Act

SCHEDULE—BARBERING INDUSTRY

PRESCOTT, CARDINAL, IROQUOIS AND MORRISBURG

1. The Schedule is in force during pleasure within the Prescott, Cardinal, Iroquois and Morrisburg zone and is binding upon the employers and employees in the barbering industry. O. Reg. 444/67, s. 1.

Schedule

INTERPRETATION

1. In this Schedule,

(*a*) "Civic Holiday" means a holiday only for that part of the zone where it is so proclaimed by a municipality;

(*b*) "holiday" means,

(i) Sunday,

(ii) New Year's Day,

(iii) Good Friday,

(iv) Victoria Day,

(v) Dominion Day,

(vi) Civic Holiday,

(vii) Labour Day,

(viii) Thanksgiving Day,

(ix) Christmas Day, and

(x) the 26th day of December;

(*c*) "week" means the period beginning with Sunday and ending with the Saturday next following, both inclusive.

HOURS OF WORK

2. No person shall perform work in the industry,

(*a*) on a holiday;

(*b*) before 8 a.m. or after,

(i) 6 p.m. on Monday, Tuesday, Wednesday, Thursday or Saturday, or

(ii) 9 p.m. on Friday; or

(*c*) on a day that the employer elects under section 3.

3.—(1) The employer shall elect either Monday or Wednesday in each week as a day during which work is not to be performed by his employees.

(2) The employer shall,

(*a*) post conspicuously in a place where his employees are engaged in their duties; and

(*b*) file with the advisory committee,

a notice setting out the day during which work is not to be performed by his employees.

(3) Where an employer changes his election he shall give thirty days notice in writing to his employees and to the advisory committee of the new day elected.

4. Notwithstanding clause *c* of section 2, where the day elected under section 3 precedes New Year's Day, Good Friday or Christmas Day, an employee may perform nine hours of work between 8 a.m. and 6 p.m. on the day elected if,

(*a*) the employee does not perform more than a total of forty-eight hours of work during the week in which the day elected falls; and

(*b*) the day elected is not a holiday.

CLASSIFICATION OF EMPLOYEES

5. The following classification of employees in the industry is established:

Class A—A person who is given full-time employment.

Class B—A person who is given part-time work or casual employment.

MINIMUM RATES OF WAGES

6.—(1) The minimum rate of wages for all work performed in the industry by employees is,

(*a*) for a Class A employee, 65 per cent of the proceeds from the work performed by him, or $50 a week, whichever is the greater; and

(*b*) for a Class B employee, 65 per cent of the proceeds from the work performed by him, or $1 an hour, whichever is the greater.

(2) The percentages in subsection 1 shall be computed upon the gross receipts for work performed at not less than,

(*a*) the minimum charge for each operation established in section 8; or

(*b*) the prevailing charge established in the shop for each operation,

whichever is the greater.

7. No deductions shall be made from the minimum rate of wages for,

(*a*) materials supplied;

(*b*) laundry service; or

(*c*) operating expenses.

MINIMUM CHARGES

8.—(1) The minimum charge for each operation in the industry is as follows:

i.	Facial massage, plain	$ .75
ii.	Hair-cut or trim for persons 14 years of age and over	1.00
iii.	Hair-cut for persons under 14 years of age	.75
iv.	Head-rub	.35
v.	Shampoo, plain	.75
vi.	Shave	.75
vii.	Singe	.50

(2) No employer or employee shall,

(*a*) contract for or accept prices lower than those in subsection 1;

(*b*) combine any of the operations named in subsection 1 without charging for each operation in the combination; or

(*c*) give any article or premium to the customer without charging the full value of the article or premium. O. Reg. 444/67, Sched.

REGULATION 492

under The Industrial Standards Act

SCHEDULE—BARBERING INDUSTRY RENFREW

1. The Schedule is in force during pleasure within the Renfrew zone and is binding upon the employers and employees in the barbering industry. O. Reg. 411/67, s. 1.

Schedule

INTERPRETATION

1. In this Schedule,

(*a*) "holiday" means,

(i) Sunday,

(ii) New Year's Day,

(iii) Good Friday,

(iv) Victoria Day,

(v) Dominion Day,

(vi) Renfrew Civic Holiday,

(vii) Labour Day,

(viii) Thanksgiving Day,

(ix) Christmas Day, and

(x) the 26th day of December;

(*b*) "week" means the period beginning with Sunday and ending with the Saturday next following, both inclusive.

HOURS OF WORK

2. No person shall perform work in the industry,

(*a*) on a holiday;

(*b*) before 9 a.m. or after 6 p.m. on a day except Friday;

(*c*) before 9 a.m. or after 9 p.m. on Friday; or

(*d*) on a day that the employer elects under section 3.

3.—(1) The employer shall elect either Monday or Wednesday in each week as a day during which work is not to be performed by his employees.

(2) The employer shall,

(*a*) post conspicuously in a place where his employees are engaged in their duties; and

(*b*) file with the advisory committee,

a notice setting out the day during which work is not to be performed by his employees.

(3) Where an employer changes his election, he shall give thirty days notice in writing to his employees and to the advisory committee of the new day elected.

4. Notwithstanding clause *d* of section 2, where the day elected under section 3 precedes Good Friday or Christmas Day, an employee may perform eight hours of work between 9 a.m. and 6 p.m. on the day elected, if the day elected is not a holiday.

MINIMUM RATES OF WAGES

5. The minimum rate of wages for all work performed in the industry by employees is $1 an hour.

6. No deductions shall be made from the minimum rate of wages for,

(*a*) materials supplied;

(*b*) laundry service; or

(*c*) operating expenses.

MINIMUM CHARGES

7.—(1) The minimum charge for each operation in the industry is as follows:

i. Facial massage, plain	$ .75
ii. Hair-cut or trim for persons 14 years of age and over	1.00
iii. Hair-cut for persons under 14 years of age	.75
iv. Head-rub	.35
v. Shampoo, plain	.75
vi. Shave	.75

vii. Singe..... $ .75

(2) No employer or employee shall,

(*a*) contract for or accept prices lower than those in subsection 1;

(*b*) combine any of the operations named in subsection 1 without charging for each operation in the combination; or

(*c*) give any article or premium to the customer without charging the full value of the article or premium. O. Reg. 411/67, Sched.; O. Reg. 418/68, ss. 1-3.

REGULATION 493

under The Industrial Standards Act

SCHEDULE—BARBERING INDUSTRY

ST. CATHARINES

1. The Schedule is in force during pleasure within the St. Catharines zone and is binding upon the employers and employees in the barbering industry. O. Reg. 193/61, s. 1.

Schedule

INTERPRETATION

1. In this Schedule,

(*a*) "holiday" means,

(i) Sunday,

(ii) New Year's Day,

(iii) Good Friday,

(iv) Victoria Day,

(v) Dominion Day,

(vi) St. Catharines Civic Holiday,

(vii) Labour Day,

(viii) Thanksgiving Day,

(ix) Christmas Day,

(x) the 26th day of December, and

(xi) the 27th day of December in a year in which Christmas Day falls on a Saturday;

(*b*) "week" means the period beginning with Sunday and ending with the Saturday next following, both inclusive.

HOURS OF WORK

2. No person shall perform work in the industry,

(*a*) on a holiday;

(*b*) before 8 a.m. or after 6 p.m. on Monday, Tuesday, Wednesday, Thursday and Friday;

(*c*) before 8 a.m. or after 5 p.m. on Saturday; or

(*d*) on the day elected by the employer under section 3.

3.—(1) The employer shall elect either Monday or Wednesday as a day during which work is not to be performed by his employees.

(2) The employer shall,

(*a*) post conspicuously in a place where his employees are engaged in their duties; and

(*b*) file with the advisory committee,

a notice setting out the day during which work is not to be performed by his employees.

(3) Where an employer changes his election he shall give thirty days notice in writing to his employees and to the advisory committee of the new day elected.

4. Notwithstanding clause *d* of section 2, where a holiday falls on a day in a week other than,

(*a*) the day elected by his employer under section 3; or

(*b*) Sunday,

an employee may perform nine hours of work between 8 a.m. and 6 p.m. on the day elected in that week.

MINIMUM RATE OF WAGES

5. The minimum rate of wages for all work performed in the industry is $1.75 an hour.

6. No deductions shall be made from the minimum rate of wages for,

(*a*) materials supplied;

(*b*) laundry service; or

(*c*) operating expenses of any kind.

MINIMUM CHARGES

7.—(1) The minimum charge for each operation in the industry is as follows:

i. Facial massage, plain	$1.00
ii. Hair-cut or trim for persons 14 years of age or over	1.75
(iii) Hair-cut for persons under 14 years of age	1.25

iv. Head-rub ..... $ .50

v. Shampoo, plain 1.00

vi. Shave 1.25

vii. Singe ..... .75

(2) No employer or employee shall,

(*a*) contract for or accept prices lower than those in subsection 1;

(*b*) combine any of the operations named in subsection 1 without charging for each operation in the combination; or

(*c*) give any article or premium to a customer the value of which would have the effect of reducing the charge for any operation or combination of operations below the minimum established in subsection 1. O. Reg. 193/61, Sched.; O. Reg. 175/68, ss. 1-3; O. Reg. 477/70, ss. 2-3.

REGULATION 494

under The Industrial Standards Act

SCHEDULE—BARBERING INDUSTRY

ST. THOMAS

1. The Schedule is in force during pleasure within the St. Thomas zone and is binding upon the employers and employees in the barbering industry. O. Reg. 116/65, s. 1.

Schedule

INTERPRETATION

1. In this Schedule,

(*a*) "Civic Holiday" means a holiday only for that part of the zone where it is so proclaimed by a municipality;

(*b*) "holiday" means,

(i) Sunday;

(ii) New Year's Day;

(iii) Good Friday;

(iv) Victoria Day;

(v) Dominion Day;

(vi) Civic Holiday;

(vii) Labour Day;

(viii) Thanksgiving Day;

(ix) Christmas Day; and

(x) the 26th day of December;

(*c*) "week" means the period beginning with Sunday and ending with the Saturday next following, both inclusive.

HOURS OF WORK

2. No person shall perform work in the industry,

(*a*) on a holiday;

(*b*) on a Wednesday;

(*c*) for more than nine hours a day; or

(*d*) before 8 a.m. or after 6 p.m. on Monday, Tuesday, Thursday, Friday or Saturday.

3. Notwithstanding clause *b* of section 2, during a week in which Christmas Day falls on a day other than a Sunday, nine hours of work may be performed between 8 a.m. and 6 p.m. on Wednesday of that week, if the Wednesday is not a holiday.

CLASSIFICATION OF EMPLOYEES

4. The following classification of employees in the industry is established:

Class A—A person who is given full-time employment.

Class B—A person who is given part-time work or casual employment.

MINIMUM RATES OF WAGES

5.—(1) The minimum rate of wages for all work performed in the industry by employees is,

(*a*) for a Class A employee, 60 per cent of the proceeds from the work performed by him or $50 a week, whichever is the greater; and

(*b*) for a Class B employee, 70 per cent of the proceeds from the work performed by him or $1.25 an hour, whichever is the greater.

(2) The percentage in subsection 1 shall be computed upon the gross receipts for work performed at not less than,

(*a*) the minimum charge for each operation established in section 7; or

(*b*) the prevailing charge established in the shop for each operation,

whichever is the greater.

6. No deductions shall be made from the minimum rate of wages for,

(*a*) materials supplied;

(*b*) laundry service; or

(*c*) operating expenses.

MINIMUM CHARGES

7.—(1) The minimum charge for each operation in the industry is as follows:

(i) Facial massage, plain	$ .60
(ii) Haircut or trim for persons 14 years of age and over	.75
(iii) Haircut or trim for persons under 14 years of age	.60
(iv) Head-rub	.35
(v) Neck-clip for ladies	.35
(vi) Razor honing	.60
(vii) Shampoo, plain	$ .60
(viii) Shave	.50
(ix) Singe	.50

(2) No employer or employee may,

(*a*) contract for or accept prices lower than those in subsection 1;

(*b*) combine any of the operations named in subsection 1 without charging for each operation in the combination; or

(*c*) give any article or premium to the customer without charging the full value of the article or premium. O. Reg. 116/65, Sched.

REGULATION 495

under The Industrial Standards Act

SCHEDULE—BARBERING INDUSTRY

SARNIA-POINT EDWARD

1. The Schedule is in force during pleasure within the Sarnia-Point Edward zone and is binding upon the employers and employees in the barbering industry. O. Reg. 309/66, s. 1.

Schedule

INTERPRETATION

1. In this Schedule,

(*a*) "holiday" means,

(i) Sunday;

(ii) New Year's Day;

(iii) Good Friday;

(iv) Victoria Day;

(v) Dominion Day;

(vi) Sarnia Civic Holiday;

(vii) Labour Day;

(viii) Thanksgiving Day;

(ix) Christmas Day, and

(x) the 26th day of December in a year in which Christmas Day falls on a day other than a Saturday, or the 27th day of December in a year in which Christmas Day falls on a Saturday;

(*b*) "week" means the period beginning with Sunday and ending with the Saturday next following, both inclusive.

HOURS OF WORK

2. No person shall perform work in the industry,

(*a*) on a holiday;

(*b*) for more than,

(i) 8½ hours on Monday, Tuesday, Wednesday, Thursday or Friday, or

(ii) eight hours on Saturday;

(*c*) before 8.30 a.m. or after,

(i) 6 p.m. on Monday, Tuesday, Wednesday, Thursday or Friday, or

(ii) 4.30 p.m. on Saturday; or

(*d*) on a day that the employer elects under section 3.

3.—(1) The employer shall elect either Monday or Wednesday as a day during which work is not to be performed by his employees.

(2) The employer shall,

(*a*) post conspicuously in a place where his employees are engaged in their duties; and

(*b*) file with the advisory committee,

a notice setting out the day during which work is not to be performed by his employees.

(3) Where an employer changes his election, he shall give thirty days notice in writing to his employees and to the advisory committee of the new day elected.

4. Notwithstanding section 2, where a holiday falls on a day in a week other than,

(*a*) the day elected by his employer under section 3; or

(*b*) Sunday,

an employee may perform in the same week 8½ hours of work between 8.30 a.m. and 6 p.m. on the day elected.

CLASSIFICATION OF EMPLOYEES

5. The following classification of employees in the industry is established:

Class A—A person who is given full-time employment.

Class B—A person who is given part-time work or casual employment.

MINIMUM RATES OF WAGES

6.—(1) The minimum rate of wages for all work performed in the industry by employees is,

(*a*) for a Class A employee, 65 per cent of the proceeds from the work performed by him or $65 a week, whichever is the greater; and

(*b*) for a Class B employee, 65 per cent of the proceeds from the work performed by him or $1.50 an hour, whichever is the greater.

(2) The percentages in subsection 1 shall be computed upon the gross receipts for work performed at not less than,

(*a*) the minimum charge for each operation established in section 8; or

(*b*) the prevailing charge established in the shop for each operation,

whichever is the greater.

7. No deductions shall be made from the minimum rate of wages for,

(*a*) materials supplied;

(*b*) laundry service; or

(*c*) operating expenses.

MINIMUM CHARGES

8.—(1) The minimum charge for each operation in the industry is as follows:

i. Facial massage, plain	$1.00
ii. Hair-cut or trim for persons 14 years of age and over	1.25
iii. Hair-cut for persons under 14 years of age	.75
iv. Head-rub	.35
v. Shampoo, plain	1.00
vi. Shave	1.00
vii. Singe	.50

(2) No employer or employee shall,

(*a*) contract for or accept prices lower than those in subsection 1;

(*b*) combine any of the operations named in subsection 1 without charging for each operation in the combination; or

(*c*) give any article or premium to the customer without charging the full value of the article or premium. O. Reg. 309/66, Sched.; O. Reg. 279/70, ss. 1-3.

REGULATION 496

under The Industrial Standards Act

SCHEDULE—BARBERING INDUSTRY

SAULT STE. MARIE

1. The Schedule is in force during pleasure within the Sault Ste. Marie zone and is binding upon the employers and employees in the barbering industry. O. Reg. 412/67, s. 1.

Schedule

INTERPRETATION

1. In this Schedule,

(*a*) "Civic Holiday" means a holiday only for that part of the zone where it is so proclaimed by a municipality;

(*b*) "holiday" means,

(i) Sunday,

(ii) New Year's Day,

(iii) Good Friday,

(iv) Victoria Day,

(v) Dominion Day,

(vi) Civic Holiday,

(vii) Labour Day,

(viii) Thanksgiving Day, and

(ix) Christmas Day;

(*c*) "week" means the period beginning with Sunday and ending with the Saturday next following, both inclusive.

HOURS OF WORK

2. Subject to section 6, no person shall perform work in the industry,

(*a*) on a holiday;

(*b*) before 8.30 a.m. or after 6 p.m. on a day other than Friday;

(*c*) before 8.30 a.m. or after 8 p.m. on Friday; or

(*d*) on a day that the employer elects under section 4.

3. Notwithstanding section 2, work may be performed between 8.30 a.m. and 6 p.m. on the day elected under section 4 of,

(*a*) a week where Christmas Day or New Year's Day falls on a day other than Sunday; or

(*b*) the week of Good Friday,

if the day elected is not a holiday.

4.—(1) The employer shall elect either Monday or Wednesday in each week as a day during which work is not to be performed by his employees.

(2) The employer shall,

(*a*) post conspicuously in a place where his employees are engaged in their duties; and

(*b*) file with the advisory committee,

a notice setting out the day during which work is not to be performed by his employees.

(3) Where an employer changes his election, he shall give thirty days notice in writing to his employees and to the advisory committee of the new day elected.

OVERTIME WORK

5. Overtime work is work that is performed other than during the hours of work prescribed by sections 2 and 3.

6.—(1) Subject to subsection 3, no overtime work shall be performed in the industry without a permit from the advisory committee.

(2) The advisory committee is authorized to issue the permits subject to this Schedule.

(3) Subsection 1 does not apply to overtime work performed for the purpose of completing any service, work, operation or art for a customer who was in the shop prior to,

(*a*) 6.00 p.m. on Monday, Tuesday, Wednesday, Thursday or Saturday; and

(*b*) 8.00 p.m. on Friday.

CLASSIFICATION OF EMPLOYEES

7. The following classification of employees in the industry is established:

Class A—A person who is given full-time employment.

Class B—A person who is given part-time work or casual employment.

MINIMUM RATES OF WAGES

8.—(1) The minimum rate of wages for all work performed in the industry by employees is,

(*a*) for a Class A employee, 65 per cent of the proceeds from the work performed by him, or $50 a week, whichever is the greater; and

(*b*) for a Class B employee, 65 per cent of the proceeds from the work performed by him, or $1 an hour, whichever is the greater.

(2) The percentages in subsection 1 shall be computed upon the gross receipts for work performed at not less than,

(*a*) the minimum charge for each operation in section 10; or

(*b*) the prevailing charges established in the shop for each operation,

whichever is the greater.

9. No deductions shall be made from the minimum rate of wages for,

(*a*) materials supplied;

(*b*) laundry service; or

(*c*) operating expenses.

MINIMUM CHARGES

10.—(1) The minimum charge for each operation in the industry is as follows:

i.	Facial massage, plain	$ .75
ii.	Hair-cut or trim for persons 14 years of age and over	1.00
iii.	Hair-cut for persons under 14 years of age	.75
iv.	Head-rub	.35
v.	Shampoo, plain	.75
vi.	Shave	.75
vii.	Singe	.50

(2) No employer or employee may,

(*a*) contract for or accept prices lower than those in subsection 1;

(*b*) combine any of the operations named in subsection 1 without charging for each operation in the combination; or

(*c*) give any article or premium to the customer without charging the full value of the article or premium. O. Reg. 412/67, Sched.

REGULATION 497

under The Industrial Standards Act

SCHEDULE—BARBERING INDUSTRY

SMITHS FALLS

1. The Schedule is in force during pleasure within the Smiths Falls zone and is binding upon the employers and employees in the barbering industry. O. Reg. 426/67, s. 1.

Schedule

INTERPRETATION

1. In this Schedule,

(*a*) "holiday" means,

(i) Sunday,

(ii) New Year's Day,

(iii) Good Friday,

(iv) Victoria Day,

(v) Dominion Day,

(vi) Smiths Falls Civic Holiday,

(vii) Labour Day,

(viii) Thanksgiving Day,

(ix) Christmas Day, and

(x) the 26th day of December in a year in which Christmas Day falls on a day other than a Saturday, or the 27th day of December in a year in which Christmas Day falls on a Saturday;

(*b*) "week" means the period beginning with Sunday and ending with Saturday next following, both inclusive.

HOURS OF WORK

2. No person shall perform work in the industry,

(*a*) on a holiday;

(*b*) before 8 a.m. or after,

(i) 6 p.m. on Monday, Tuesday, Wednesday, Thursday or Friday, or

(ii) 5.30 p.m. on Saturday; or

(*c*) on a day that the employer elects under section 3.

3.—(1) The employer shall elect either Monday or Wednesday in each week as a day during which work is not to be performed by his employees.

(2) The employer shall,

(*a*) post conspicuously in a place where his employees are engaged in their duties; and

(*b*) file with the advisory committee,

a notice setting out the day during which work is not to be performed by his employees.

(3) Where an employer changes his election, he shall give thirty days notice in writing to his employees and to the advisory committee of the new day elected.

4. Notwithstanding clause *c* of section 2, in a week where the day elected by the employer under section 3 precedes New Year's Day, Good Friday, Dominion Day or Christmas Day an employee may perform eight hours of work between 8 a.m. and 6 p.m. on the day elected if that day is not a holiday.

CLASSIFICATION OF EMPLOYEES

5. The following classification of employees in the industry is established:

Class A—A person who is given full-time employment.

Class B—A person who is given part-time work or casual employment.

MINIMUM RATES OF WAGES

6.—(1) The minimum rate of wages for all work performed in the industry by employees is,

(*a*) for a Class A employee, 70 per cent of the proceeds from the work performed by him or $50 a week, whichever is the greater; and

(*b*) for a Class B employee, 70 per cent of the proceeds from the work performed by him or $1 an hour, whichever is the greater.

(2) The percentages in subsection 1 shall be computed upon the gross receipts for work performed at not less than,

(*a*) the minimum charge for each operation established in section 8; or

(*b*) the prevailing charge established in the shop for each operation,

whichever is the greater.

7. No deductions shall be made from the minimum rate of wages for,

(*a*) materials supplied;

(*b*) laundry service; or

(*c*) operating expenses.

MINIMUM CHARGES

8.—(1) The minimum charge for each operation in the industry is as follows:

i. Facial massage, plain.....$ .75

ii Hair-cut or trim for persons 14 years of age and over.....$1.00

iii. Hair-cut for persons under 14 years of age..... .75

iv. Head-rub..... .35

v. Shampoo, plain..... .75

vi. Shave..... .75

vii. Singe..... .50

(2) No employer or employee shall,

(*a*) contract for or accept prices lower than those in subsection 1;

(*b*) combine any of the operations named in subsection 1 without charging for each operation in the combination; or

(*c*) give any article or premium to the customer without charging the full value of the article or premium. O. Reg. 426/67, Sched.; O. Reg. 243/68, s. 1.

REGULATION 498

under The Industrial Standards Act

SCHEDULE—BARBERING INDUSTRY

STONEY CREEK—SALTFLEET

1. The Schedule is in force during pleasure within the Stoney Creek-Saltfleet zone and is binding upon employers and employees in the barbering industry. O. Reg. 234/64, s. 1.

Schedule

INTERPRETATION

1. In this Schedule,

(*a*) "holiday" means,

(i) Sunday,

(ii) New Year's Day,

(iii) the 2nd day of January,

(iv) Good Friday,

(v) Victoria Day,

(vi) Dominion Day,

(vii) Stoney Creek-Saltfleet Civic Holiday,

(viii) Labour Day,

(ix) Thanksgiving Day,

(x) Christmas Day, and

(xi) the 26th day of December;

(*b*) "week" means the period beginning with Sunday and ending with the Saturday next following, both inclusive.

HOURS OF WORK

2. No person shall perform work in the industry,

(*a*) on a holiday;

(*b*) on a Monday; and

(*c*) before 8.00 a.m. or after 6.00 p.m. on Tuesday, Wednesday, Thursday or Saturday and before 8.30 a.m. or after 8.30 p.m. on Friday.

3. Notwithstanding clause *b* of section 2, an employee may perform work between 8.30 a.m. and 6.00 p.m. on the Monday preceding New Year's Day, Good Friday or Christmas Day if,

(*a*) the employee does not perform more than a total of forty-eight hours of work during the week in which the Monday falls; and

(*b*) the Monday is not a holiday.

MINIMUM RATES OF WAGES

4.—(1) The minimum rate of wages for all work performed in the industry by employees is $1. an hour plus 60 per cent of the proceeds in excess of $68. from the work performed by the employee in a week.

(2) The percentage in subsection 1 shall be computed upon the gross receipts for work performed at not less than,

(*a*) the minimum charge for each operation established in section 6; or

(*b*) the prevailing charge established in the shop for each operation,

whichever is the greater.

5. No deductions shall be made from the minimum rate of wages for,

(*a*) materials suppled;

(*b*) laundry service; or

(*c*) operating expenses.

MINIMUM CHARGES

6.—(1) The minimum charge for each operation in the industry is as follows:

i. Facial massage, plain	$ .60
ii. Hair-cut or trim for persons 14 years and over	.75
iii. Hair-cut for persons under 14 years	.60
iv. Head-rub	.35
v. Neck-clip for ladies	.35
vi. Razor honing	.60

vii. Shampoo, plain ..... $ .60

viii. Shave ..... .50

ix. Singe ..... .50

(2) No employer or employee may,

(*a*) contract for or accept prices lower than those in subsection 1;

(*b*) combine any of the operations named in subsection 1 without charging for each operation in the combination; or

(*c*) give any article or premium to the customer without charging the full value of the article or premium. O. Reg. 234/64, Sched.

REGULATION 499

under The Industrial Standards Act

SCHEDULE—BARBERING INDUSTRY

STRATFORD

1. The Schedule is in force during pleasure within the Stratford zone and is binding upon the employers and employees in the barbering industry. O. Reg. 497/70, s. 1.

Schedule

INTERPRETATION

1. In this Schedule,

(*a*) "holiday" means,

(i) Sunday,

(ii) New Year's Day,

(iii) Good Friday,

(iv) Victoria Day,

(v) Dominion Day,

(vi) Civic Holiday as appointed for the part of the zone lying within the municipality that appoints it,

(vii) Labour Day,

(viii) Thanksgiving Day,

(ix) Christmas Day, and

(x) the 26th day of December in a year in which Christmas Day falls on a day other than a Saturday, or the 27th day of December in a year in which Christmas Day falls on a Saturday; and

(*b*) "week" means the period beginning with Sunday and ending with the Saturday next following, both inclusive.

HOURS OF WORK

2.—(1) The regular working periods for the industry are,

(*a*) a regular working week consisting of not more than 41½ hours of work performed during the regular working days; and

(*b*) subject to section 5, a regular working day consisting of not more than 8½ hours of work performed on Monday, Tuesday, Thursday, or Friday between the hours of 8:30 a.m. and 6:00 p.m. and 7½ hours of work performed on Saturday between 8:30 a.m. and 5:00 p.m.

(2) No work shall be performed in the industry,

(*a*) on a holiday; or

(*b*) on Wednesday.

3. Notwithstanding subsection 2 of section 2, 8½ hours of work may be performed between 8:30 a.m. and 6:00 p.m.

(*a*) on Wednesday of a week in which Christmas Day falls, or a day other than Wednesday; or

(*b*) on the day of the week for which an overtime permit has been issued by the advisory committee to a person under section 6 of this Schedule providing that the day for which the permit has been issued is not a holiday.

OVERTIME WORK

4. Overtime work is work performed other than during the hours prescribed in subsection 1 of section 2 and clause *a* of section 3.

5.—(1) Subject to subsection 3, no overtime work shall be performed in the industry without a permit from the advisory committee.

(2) The advisory committee is authorized to issue permits subject to this Schedule.

(3) Subsection 1 does not apply to overtime work performed for the purpose of completing any service, work, operation or art for a customer who was in the shop prior to 6:00 p.m. on Monday, Tuesday, Wednesday, Thursday or Friday, or 5:00 p.m. on Saturday.

6.—(1) An employer may elect Monday of each week as a day during which work is not to be performed by his employees.

(2) Such election shall be made by filing with the advisory committee an application for a permit to perform overtime work on a Wednesday.

(3) Notwithstanding section 2 and subject to section 3, the advisory committee may in its discretion issue a permit authorizing the performance of work on Wednesday provided that,

(*a*) the employer posts the permit conspicuously in a place on the premises where the work, for which the permit is issued, is performed; and

(*b*) the employer or employee does not work more than,

(i) 41½ hours, and

(ii) five days, in a week.

(4) Where an employer changes his election he shall,

(*a*) file the application under subsection 3 with the advisory committee; and

(*b*) notify his employees in writing of the change,

thirty days before the new day elected becomes the day on which work is not to be performed by his employees.

MINIMUM RATES OF WAGES

7.—(1) The minimum rate of wages for all work performed in the industry by an employee is 70 per cent of the proceeds from such work performed by him or $1.75 an hour, whichever is the greater.

(2) The percentage in subsection 1 shall be computed upon the gross receipts from work performed at not less than,

(*a*) the prevailing charge established in section 8; or

(*b*) the prevailing charge established in the shop for each operation,

whichever is the greater.

(3) No deductions shall be made from the minimum rate of wages for,

(*a*) materials supplied;

(*b*) laundry service; or

(*c*) operating expenses of any kind.

MINIMUM CHARGES

8.—(1) The minimum charge for each operation in the industry is as follows:

i. Facial massage, plain	$1.00
ii. Hair-cut or trim for persons 14 years of age and over	1.50
iii. Hair-cut for persons under 14 years of age	1.25
iv. Head-rub	.35
v. Shampoo, plain	1.00
vi. Shave	1.00
vii. Singe	.50

(2) No employer or employee shall,

(*a*) contract for or accept lower prices than those in subsection 1;

(*b*) combine any of the operations named in subsection 1 without charging for each operation in the combination; or

(*c*) give any article or premium to a customer, the value of which would have the effect of reducing the charge for any operation below the minimum established in subsection 1. O. Reg. 497/70, Sched.

REGULATION 500

under The Industrial Standards Act

SCHEDULE—BARBERING INDUSTRY

SUDBURY

1. The Schedule is in force during pleasure within the Sudbury zone and is binding upon the employers and employees in the barbering industry. O. Reg. 134/65, s. 1.

Schedule

INTERPRETATION

1. In this Schedule,

(*a*) "Civic Holiday" means a holiday only for that part of the zone where it is so proclaimed by a municipality;

(*b*) "holiday" means,

(i) Sunday,

(ii) New Year's Day,

(iii) the 2nd day of January,

(iv) Good Friday,

(v) Victoria Day,

(vi) Dominion Day,

(vii) Civic Holiday,

(viii) Labour Day,

(ix) Thanksgiving Day,

(x) Christmas Day, and

(xi) the 26th day of December;

(*c*) "week" means the period beginning with Sunday and ending with the Saturday next following, both inclusive.

HOURS OF WORK

2. No person shall perform work in the industry,

(*a*) on a holiday;

(*b*) for more than nine hours a day;

(*c*) before 8 a.m. or after 6 p.m. in a day; or

(*d*) on a day that the employer elects under section 3.

3.—(1) The employer shall elect Monday or Wednesday as the day in each week during which work is not to be performed by his employees.

(2) The employer shall,

(*a*) post conspicuously in a place where his employees are engaged in their duties; and

(*b*) file with the advisory committee,

a notice setting out the day during which work is not to be performed by his employees.

(3) Where an employer changes his election, he shall give thirty days notice in writing to his employees and to the advisory committee of the new day elected.

4. Notwithstanding section 2, work may be performed between 8 a.m. and 6 p.m. on the day elected under section 3 in,

(*a*) a week where Christmas Day or New Year's Day falls on a day other than Sunday; or

(*b*) the week in which Good Friday falls,

if the day elected under section 3 is not a holiday.

CLASSIFICATION OF EMPLOYEES

5. The following classification of employees in the industry is established:

Class A—A person who is given full-time employment.

Class B—A person who is given part-time work or casual employment.

MINIMUM RATES OF WAGES

6.—(1) The minimum rate of wages for all work performed in the industry by employees is,

(*a*) for a Class A employee, 70 per cent of the proceeds for work performed by him or $68 a week, whichever is the greater; and

(*b*) for a Class B employee, 70 per cent of the proceeds for work performed by him or $1.50 an hour, whichever is the greater.

(2) The percentages in subsection 1 shall be computed upon the gross receipts for work performed at not less than,

(*a*) the minimum charge for each operation established in section 8; or

(*b*) the prevailing charge established in the shop for each operation,

whichever is the greater.

7. No deductions shall be made from the minimum rate of wages for,

(*a*) materials supplied;

(*b*) laundry service; or

(*c*) operating expenses of any kind.

MINIMUM CHARGES

8.—(1) The minimum charge for each operation in the industry is as follows:

(i) Facial massage, plain..... $1.00

(ii) Hair-cut or trim for persons 14 years of age or over..... $ 1.25

(iii) Hair-cut for persons under 14 years of age..... .75

(iv) Head-rub..... .35

(v) Shampoo, plain..... 1.00

(vi) Shave..... 1.00

(vii) Singe..... .50

(2) No employer or employee may,

(*a*) contract for or accept prices lower than those in subsection 1;

(*b*) combine any of the operations named in subsection 1 without charging for each operation in the combination; or

(*c*) give any article or premium to the customer without charging the full value of the article or premium. O. Reg. 134/65, Sched.; O. Reg. 75/70.

REGULATION 501

under The Industrial Standards Act

SCHEDULE—BARBERING INDUSTRY

THUNDER BAY

1. The Schedule is in force during pleasure within the Thunder Bay zone and is binding upon the employers and employees in the barbering industry. R.R.O. 1960, Reg. 271, s. 1.

Schedule

INTERPRETATION

1. In this Schedule,

(*a*) "holiday" means,

(i) Sunday,

(ii) New Year's Day,

(iii) Good Friday,

(iv) Victoria Day,

(v) Dominion Day,

(vi) Thunder Bay Civic Holiday,

(vii) Labour Day,

(viii) Thanksgiving Day,

(ix) Christmas Day, and

(x) the 26th day of December;

(*b*) "week" means the period beginning with Sunday and ending with the Saturday next following, both inclusive.

HOURS OF WORK

2. No person shall perform work in the industry,

(*a*) on a holiday;

(*b*) on a Monday;

(*c*) for more than 8½ hours a day; or

(*d*) before 8.30 a.m. or after 6 p.m. in a day.

3. Notwithstanding clause *b* of section 2, an employee may perform 8½ hours of work between 8.30 a.m. and 6 p.m. on the Monday preceding Christmas Day if,

(*a*) the employee does not perform more than a total of forty-eight hours of work during the week in which the Monday falls; and

(*b*) the Monday is not a holiday.

CLASSIFICATION OF EMPLOYEES

4. The following classification of employees in the industry is established:

Class A—A person who is given full-time employment.

Class B—A person who is given part-time or casual employment.

MINIMUM RATES OF WAGES

5.—(1) The minimum rate of wages for all work performed in the industry by employees is,

(*a*) for a Class A employee, 70 per cent of the proceeds from the work performed by him or $50 a week, whichever is the greater; and

(*b*) for a Class B employee, 70 per cent of the proceeds from the work performed by him or $1 an hour, whichever is the greater.

(2) The percentages in subsection 1 shall be computed upon the gross receipts for work performed at not less than,

(*a*) the minimum charge for each operation established in section 7; or

(*b*) the prevailing charge established in the shop for each operation,

whichever is the greater.

6. No deduction shall be made from the minimum rate of wages for,

(*a*) materials supplied;

(*b*) laundry service; or

(*c*) operating expenses.

MINIMUM CHARGES

7.—(1) The minimum charge for each operation in the industry is as follows:

i. Facial massage, plain	$ .75
ii. Hair-cut or trim for persons 14 years of age and over	1.00
iii. Hair-cut for persons under 14 years of age	.75
iv. Head-rub	.35
v. Shampoo, plain	.75
vi. Shave	.75
vii. Singe	$ .50

(2) No employer or employee shall,

(*a*) contract for or accept lower prices than those in subsection 1;

(*b*) combine any of the operations named in subsection 1 without charging for each operation in the combination; or

(*c*) give any article or premium to the customer without charging the full value of the article or premium. R.R.O. 1960, Reg. 271, Sched.; O. Reg. 210/64 and O. Reg. 138/68.

REGULATION 502

under The Industrial Standards Act

SCHEDULE—BARBERING INDUSTRY

TILLSONBURG

1. The Schedule is in force during pleasure within the Tillsonburg zone and is binding on the employers and employees in the barbering industry. O. Reg. 40/68, s. 1.

Schedule

INTERPRETATION

1. In this Schedule,

(*a*) "Civic Holiday" means a holiday only for that part of the zone where it is so proclaimed by a municipality;

(*b*) "holiday" means,

(i) Sunday,

(ii) New Year's Day,

(iii) Good Friday,

(iv) Victoria Day,

(v) Dominion Day,

(vi) Civic Holiday,

(vii) Labour Day,

(viii) Thanksgiving Day,

(ix) Christmas Day, and

(x) the 26th day of December;

(*c*) "week" means the period beginning with Sunday and ending with the Saturday next following, both inclusive.

HOURS OF WORK

2. No person shall perform work in the industry,

(*a*) on a holiday;

(*b*) on a Wednesday; or

(*c*) before 9 a.m. or after,

(i) 6 p.m. on Monday, Tuesday, Thursday or Saturday, or

(ii) 9 p.m. on Friday.

3. Notwithstanding section 2, work may be performed between 9 a.m. and 6 p.m. on Wednesday in,

(*a*) a week where Christmas Day or New Year's Day falls on a day other than Sunday; or

(*b*) the week in which Good Friday falls,

if the Wednesday is not a holiday.

OVERTIME WORK

4. Overtime work is work,

(*a*) that is not performed between 9 a.m. and,

(i) 6 p.m. on Monday, Tuesday, Thursday or Saturday, or

(ii) 9 p.m. on Friday; or

(*b*) that is performed on a holiday.

5.—(1) Subject to subsection 3, no overtime work shall be performed in the industry without a permit from the advisory committee.

(2) The advisory committee is authorized to issue the permits subject to this Schedule.

(3) Subsection 1 does not apply to overtime work performed for the purpose of completing any service, work, operation or art for a customer who was in the shop prior to,

(*a*) 6 p.m. on Monday, Tuesday, Thursday or Saturday; or

(*b*) 9 p.m. on Friday.

CLASSIFICATION OF EMPLOYEES

6. The following classification of employees in the industry is established:

Class A—A person who is given full-time employment;

Class B—A person who is given part-time or casual employment.

MINIMUM RATES OF WAGES

7.—(1) The minimum rate of wages for all work performed in the industry by employees is,

(*a*) for a Class A employee, 65 per cent of the proceeds from the work performed by him, or $50 a week, whichever is the greater; and

(*b*) for a Class B employee, 65 per cent of the proceeds from the work performed by him, or $1 an hour, whichever is the greater.

(2) The percentages in subsection 1 shall be computed upon the gross receipts for work performed at not less than,

(*a*) the minimum charge for each operation in section 9; or

(*b*) the prevailing charge established in the shop for each operation,

whichever is the greater.

8. No deductions shall be made from the minimum rate of wages for,

(*a*) materials supplied;

(*b*) laundry service; or

(*c*) operating expenses.

MINIMUM CHARGES

9.—(1) The minimum charge for each operation in the industry is as follows:

i.	Facial massage, plain	$ .75
ii.	Hair-cut or trim for persons 14 years of age and over	1.00
iii.	Hair-cut for persons under 14 years of age	.75
iv.	Head-rub	.35
v.	Shampoo, plain	.75
vi.	Shave	.75
vii.	Singe	.50

(2) No employer or employee shall,

(*a*) contract for or accept prices lower than those in subsection 1;

(*b*) combine any of the operations named in subsection 1 without charging for each operation in the combination; or

(*c*) give any article or premium to the customer without charging the full value of the article or premium. O. Reg. 40/68, Sched.

REGULATION 503

under The Industrial Standards Act

SCHEDULE—BARBERING INDUSTRY

WELLAND

1. The Schedule is in force during pleasure within the Welland zone and is binding upon the employers and employees in the barbering industry. O. Reg. 364/61, s. 1.

Schedule

INTERPRETATION

1. In this Schedule,

(*a*) "holiday" means,

(i) Sunday,

(ii) New Year's Day,

(iii) Good Friday,

(iv) Victoria Day,

(v) Dominion Day,

(vi) Welland Civic Holiday,

(vii) Labour Day,

(viii) Thanksgiving Day,

(ix) Christmas Day, and

(x) the 26th day of December in a year in which Christmas Day falls on a day other than a Saturday, or the 27th day of December in a year in which Christmas Day falls on a Saturday;

(*b*) "week" means the period beginning with Sunday and ending with the Saturday next following, both inclusive.

HOURS OF WORK

2. No person shall perform work in the industry,

(*a*) on a holiday;

(*b*) on a Wednesday;

(*c*) for more than,

(i) 8½ hours on Monday, Tuesday, Thursday or Friday, or

(ii) eight hours on Saturday; or

(*d*) before 8.30 a.m. or after,

(i) 6 p.m. on Monday, Tuesday, Thursday or Friday, or

(ii) 5.30 p.m. on Saturday.

3. Notwithstanding clause *b* of section 2, an employee may perform 8½ hours of work between 8.30 a.m. and 6 p.m. on the Wednesday preceding New Year's Day, Good Friday or Christmas Day if,

(*a*) the employee does not perform more than a total of forty-eight hours of work during the week in which the Wednesday falls; and

(*b*) the Wednesday is not a holiday.

CLASSIFICATION OF EMPLOYEES

4. The following classification of employees in the industry is established:

Class A—A person who is given full-time employment.

Class B—A person who is given part-time work or casual employment.

MINIMUM RATES OF WAGES

5.—(1) The minimum rate of wages for all work performed in the industry by employees is,

(*a*) for a Class A employee, 70 per cent of the proceeds from the work performed by him with a minimum rate of wages of $40 a week; and

(*b*) for a Class B employee, 75 per cent of the proceeds from the work performed by him with a minimum rate of wages of $1 an hour.

(2) The percentages in subsection 1 shall be computed upon the gross receipts for work performed at not less than,

(*a*) the minimum charge for each operation established in section 7; or

(*b*) the prevailing charge established in the shop for each operation,

whichever is the greater.

6. No deductions shall be made from the minimum rate of wages for,

(*a*) materials supplied;

(*b*) laundry service; or

(*c*) operating expenses.

MINIMUM CHARGES

7.—(1) The minimum charge for each operation in the industry is as follows:

i. Facial massage, plain	$ .50
ii. Hair-cut or trim for persons 14 years and over	.60
iii. Hair-cut for persons under 14 years	.35
iv. Head-rub	.25
v. Neck-clip for ladies	$ .25
vi. Razor honing	.50
vii. Shampoo, plain	.50
viii. Shave, not including neck-shave	.30
ix. Singe	.35

(2) No employer or employee may,

(*a*) contract for or accept prices lower than those in subsection 1;

(*b*) combine any of the operations named in subsection 1 without charging for each operation in the combination; or

(*c*) give any article or premium to the customer without charging the full value of the article or premium. O. Reg. 364/61, Sched.

REGULATION 504

under The Industrial Standards Act

SCHEDULE—BARBERING INDUSTRY

WHITBY

1. The Schedule is in force during pleasure within the Whitby zone and is binding upon the employers and employees in the barbering industry. O. Reg. 195/62, s. 1.

Schedule

INTERPRETATION

1. In this Schedule,

(*a*) "holiday" means,

(i) Sunday,

(ii) New Year's Day,

(iii) Good Friday,

(iv) Victoria Day,

(v) Dominion Day,

(vi) Whitby Civic Holiday,

(vii) Labour Day,

(viii) Thanksgiving Day,

(ix) Christmas Day, and

(x) the 26th day of December;

(*b*) "week" means the period beginning with Sunday and ending with the Saturday next following, both inclusive.

HOURS OF WORK

2. No person shall perform work in the industry,

(*a*) on a holiday;

(*b*) on a Monday;

(*c*) for more than nine hours a day;

(*d*) before 8 a.m. or after 6 p.m. on Tuesday, Wednesday, Thursday or Friday; or

(*e*) before 8 a.m. or after 5 p.m. on a Saturday.

3. Notwithstanding clauses *c*, *d* and *e* of section 2, work performed for the purpose of completing any service, work, operation or art for a customer who was in a barbershop prior to 6 p.m. on Tuesday, Wednesday, Thursday or Friday or prior to 5 p.m. on a Saturday shall not be a contravention of the said clause *c*, *d* or *e*, as the case may be.

4. Notwithstanding clause *b* of section 2, an employee may perform nine hours of work between 8 a.m. and 6 p.m. on each of the last two Mondays of December if,

(*a*) the employee does not perform more than a total of forty-eight hours of work during the week in which the Monday falls; and

(*b*) the Monday is not a holiday.

CLASSIFICATION OF EMPLOYEES

5. The following classification of employees in the industry is established:

Class A—A person who is given full-time employment.

Class B—A person who is given part-time work or casual employment.

MINIMUM RATES OF WAGES

6. The minimum rate of wages for all work performed in the industry by employees is,

(*a*) for a Class A employee, 70 per cent of the proceeds from the work performed by him or $65 a week, whichever is the greater; and

(*b*) for a Class B employee, 75 per cent of the proceeds from the work performed by him or $1.50 an hour, whichever is the greater.

7. No deductions shall be made from the minimum rate of wages for,

(*a*) materials supplied;

(*b*) laundry service; or

(*c*) operating expenses.

MINIMUM CHARGES

8.—(1) The minimum charge for each operation in the industry is as follows:

i. Facial massage, plain ..... $ 1.00

ii. Hair-cut or trim for persons 14 years of age or over..... 1.25

iii. Hair-cut for persons under 14 years of age..... .75

iv. Head-rub..... .75

v. Razor honing ..... .75

vi. Shampoo, plain..... 1.00

vii. Shave..... $ 1.00

viii. Singe ..... .50

(2) No employer or employee may,

(*a*) contract for or accept prices lower than those in subsection 1;

(*b*) combine any of the operations named in subsection 1 without charging for each operation in the combination; or

(*c*) give any article or premium to the customer without charging the full value of the article or premium. O. Reg. 195/62, Sched.; O. Reg. 158/70, ss. 1-4.

REGULATION 505

under The Industrial Standards Act

SCHEDULE—BARBERING INDUSTRY

WOODSTOCK

1. The Schedule is in force during pleasure within the Woodstock zone and is binding upon the employers and employees in the barbering industry. O. Reg. 212/69, s. 1.

Schedule

INTERPRETATION

1. In this Schedule,

(*a*) "holiday" means,

(i) Sunday,

(ii) New Year's Day,

(iii) Good Friday,

(iv) Victoria Day,

(v) Dominion Day,

(vi) Woodstock Civic Holiday,

(vii) Labour Day,

(viii) Thanksgiving Day,

(ix) Christmas Day, and

(x) the 26th day of December in a year in which Christmas Day falls on a day other than a Saturday, or the 27th day of December in a year in which Christmas Day falls on a Saturday;

(*b*) "week" means the period beginning with Sunday and ending with the Saturday next following, both inclusive.

HOURS OF WORK

2. No person shall perform work in the industry,

(*a*) on a holiday;

(*b*) before 9 a.m. or after 6 p.m. on a day; or

(*c*) on a day that the employer elects under section 3.

3.—(1) The employer shall elect either Monday or Wednesday as a day during which work is not to be performed by his employees.

(2) Where a holiday falls on a Monday, in the case of an employer who elects Monday as his day of closing, Tuesday of that week shall be a day during which work is not to be performed.

(3) The employer shall,

(*a*) post conspicuously in a place where his employees are engaged in their duties; and

(*b*) file with the advisory committee,

a notice setting out the day during which work is not to be performed by his employees.

4. Where an employer changes his election under subsection 1 of section 3, he shall give thirty days notice in writing to his employees and to the advisory committee of the new day elected.

CLASSIFICATION OF EMPLOYEES

5. The following classification of employees in the industry is established:

Class A—A person who is given full-time employment.

Class B—A person who is given part-time or casual employment.

MINIMUM RATES OF WAGES

6.—(1) The minimum rate of wages for all work performed in the industry by employees is,

(*a*) for a Class A employee, 70 per cent of the proceeds from the work performed by him or $60 a week, whichever is the greater; and

(*b*) for a Class B employee, 70 per cent of the proceeds from the work performed by him or $1.30 an hour, whichever is the greater.

(2) The percentages in subsection 1 shall be computed upon the gross receipts for work performed at not less than,

(*a*) the minimum charge for each operation in section 8; or

(*b*) the prevailing charge established in the shop for each operation,

whichever is the greater.

7. No deductions shall be made from the minimum rate of wages for,

(*a*) materials supplied;

(*b*) laundry service; or

(*c*) operating expenses of any kind.

MINIMUM CHARGES

8.—(1) The minimum charge for each operation in the industry is as follows:

i. Facial massage, plain	$ .75
ii. Hair-cut or trim for persons 14 years of age and over	1.00
iii. Hair-cut for persons under 14 years of age	$ .75
iv. Head-rub	.35
v. Shampoo, plain	.75
vi. Shave	.75
vii. Singe	.50

(2) No employer or employee shall,

(*a*) contract for or accept prices lower than those in subsection 1;

(*b*) combine any of the operations named in subsection 1 without charging for each operation in the combination; or

(*c*) give any article or premium to the customer without charging the full value of the article or premium. O. Reg. 212/69, Sched.

REGULATION 506

under The Industrial Standards Act

SCHEDULE—BRICKLAYING AND STONEMASONRY INDUSTRY

HAMILTON

1. The Schedule is in force during pleasure within the Hamilton zone and is binding upon the employers and employees in the bricklaying and stonemasonry industry. O. Reg. 184/65, s. 1.

Schedule

INTERPRETATION

1. In this Schedule, "holiday" means,

(*a*) Saturday;

(*b*) Sunday;

(*c*) New Year's Day;

(*d*) Good Friday;

(*e*) Victoria Day;

(*f*) Dominion Day;

(*g*) Hamilton Civic Holiday;

(*h*) Labour Day;

(*i*) Thanksgiving Day; and

(*j*) Christmas Day.

HOURS OF WORK

2. The regular working periods for the industry are,

(*a*) a regular working week consisting of not more than forty-five hours of work performed during the regular working days; and

(*b*) a regular working day consisting of not more than nine hours of work performed on Monday, Tuesday, Wednesday, Thursday or Friday between 7.30 a.m. and 5 p.m.

3.—(1) Night work is work performed other than,

(*a*) on a holiday; or

(*b*) during a regular working day,

and consisting of not more than eight hours of work in a period of twenty-four hours.

(2) Where work cannot be performed during a regular working day, it may be performed by night work.

(3) An employee working on night work is entitled, as a minimum, to wages for nine hours for work of eight hours.

MINIMUM RATES OF WAGES

4. The minimum rate of wages for work performed during a regular working day, for night work and for overtime work performed under the authority of section 8, is $4.88 an hour.

SHIFT WORK

5.—(1) Where work is performed in two or more regular shifts, an employee shall be deemed to be employed during a regular working day for the purposes of this Schedule if,

(*a*) the shifts of not more than eight hours each are operated between 1 a.m. on Monday and 8 a.m. on the following Saturday; and

(*b*) no employee, other than a foreman, works on more than one shift in a period of twenty-four hours.

(2) One of the shifts that begin in a period of twenty-four hours is a day shift and the rest are night shifts.

(3) An employee who works on a night shift is entitled, as a minimum, to wages for eight hours for work of seven hours.

OVERTIME WORK

6. Overtime work is work,

(*a*) that is not night work and is not performed during a regular working day; or

(*b*) that is performed on a holiday.

7.—(1) No overtime work shall be performed in the industry without a permit from the advisory committee.

(2) The advisory committee is authorized to issue the permits subject to this Schedule.

8.—(1) No permit shall be issued by the advisory committee for overtime work except,

(*a*) in cases of extreme necessity, where life or property is jeopardized; or

(*b*) for repairs or alterations to buildings, where the overtime work is necessary to prevent the loss of employment to persons who are regularly employed in the buildings being altered or repaired.

(2) Subject to subsection 3, where an employee is prevented by inclement weather from performing forty-five hours of work during a regular working week, the employee may perform up to five hours of overtime work on the Saturday of that week between the hours of 7 a.m. and 12 o'clock noon, if the total number of hours of work performed by the employee during that week, including the hours of of work performed on the Saturday, does not exceed forty-five hours.

(3) The advisory committee shall not issue a permit for overtime work under subsection 2, where the employee has performed more than forty hours of work in the regular working week next preceding the Saturday of that week.

RATE OF WAGES FOR OVERTIME WORK

9. Subject to section 4, the rate of wages for overtime work is $9.76 an hour.

RATE FOR HANDICAPPED

10. The advisory committee is authorized to fix a minimum rate of wages lower than the rate fixed by this Schedule for a person who is handicapped.

VACATIONS

11.—(1) In this section, "period of entitlement" means the period from the 1st day of July in any year to the 30th day of June in the year next following.

(2) Where an employee has not ceased to be employed by his employer, the employee is entitled to be paid by the employer on the 30th day of June in each year, as vacation with pay, an amount equal to 4 per cent of the employee's gross earnings during his period of entitlement.

(3) Where an employee has ceased to be employed by his employer, the employee is entitled to be paid by the employer, within ten days of the cessation of employment, as vacation with pay, an amount equal to 4 percent of the employee's gross earnings for that part of the employee's period of entitlement that he was in the employ of the employer. O. Reg. 184/65, Sched.; O. Reg. 393/68, ss. 1-3, *amended*.

REGULATION 507

under The Industrial Standards Act

SCHEDULE—BRICKLAYING AND STONEMASONRY INDUSTRY

OTTAWA

1. The Schedule is in force during pleasure within the Ottawa zone and is binding upon the employers and employees, in the bricklaying and stonemasonry industry. O. Reg. 115/65, s. 1.

Schedule

INTERPRETATION

1. In this Schedule "holiday" means,

(*a*) Saturday;

(*b*) Sunday;

(*c*) New Year's Day;

(*d*) Good Friday;

(*e*) Victoria Day;

(*f*) Dominion Day;

(*g*) Labour Day;

(*h*) Thanksgiving Day; and

(*i*) Christmas Day.

HOURS OF WORK

2.—(1) The regular working periods for the industry are,

(*a*) a regular working week consisting of not more than forty hours of work performed during the regular working days; and

(*b*) a regular working day consisting of not more than eight hours of work performed on Monday, Tuesday, Wednesday, Thursday or Friday, between 7.45 a.m. and 4.30 p.m.

(2) Where the work cannot reasonably be performed during the hours prescribed in clause *b* of subsection 1, it may be performed during any other hours if an employee does not work more than eight hours, and this work is night work.

3. The minimum rate of wages for work performed during the regular working day and for night work is $5.35 an hour.

SHIFT WORK

4.—(1) Where work is performed in two or more regular shifts and if an employee works not more than eight hours in a twenty-four hour period, the employee is deemed to be employed during a regular working day for the purpose of this Schedule.

(2) One of the shifts that begin in a twenty-four hour period is a day shift and the rest are night shifts.

(3) An employee who works on a night shift is entitled, as a minimum, to wages for eight hours for work of seven hours.

(4) In all cases governed by subsection 1, no overtime work shall be preformed.

OVERTIME WORK

5. Overtime work is work,

(*a*) that is not night work and is not performed during a regular working day; or

(*b*) that is performed on a holiday.

6.—(1) No overtime work shall be performed in the industry without a permit from the advisory committee.

(2) The advisory committee is authorized to issue the permits subject to the terms and conditions of this Schedule.

7.—(1) No permit for overtime work shall be issued to any person other than an employer.

(2) No permit shall be issued by the advisory committee for overtime work on a holiday except,

(*a*) in cases of extreme necessity where life or property is jeopardized; or

(*b*) where the overtime work is necessary to prevent the loss of employment to persons who are regularly employed in the buildings being altered or repaired.

RATE OF WAGES FOR OVERTIME WORK

8. The rate of wages for overtime work is,

(*a*) for overtime work performed during the two-hour period immediately following the regular working day, $8.02½ an hour, and

(*b*) for all other overtime work, $10.70 an hour.

VACATIONS

9.—(1) In this section, "period of entitlement" means the period from the 1st day of July in any year to the 30th day of June in the year next following.

(2) Where an employee has not ceased to be employed by his employer, the employee is entitled to be paid by the employer on the 30th day of June in each year, as vacation with pay, an amount equal to 4 per cent of the employee's gross earnings during his period of entitlement.

(3) Where an employee has ceased to be employed by his employer, the employee is entitled to be paid by the employer, within ten days of the cessation of employment, as vacation with pay, an amount equal to 4 per cent of the employee's gross earnings for that part of the employee's period of entitlement that he was in the employ of the employer.

ADVISORY COMMITTEE

10. The advisory committee is authorized to fix a minimum rate of wages lower than the rate fixed by this Schedule for an individual,

(*a*) whose work is only partly subject to the Schedule; or

(*b*) who is handicapped. O. Reg. 115/65, Sched.; O. Reg. 11/67, ss. 1-3; O. Reg. 74/70, ss. 1-2, *amended*.

REGULATION 508

under The Industrial Standards Act

SCHEDULE—BRICKLAYING AND STONEMASONRY INDUSTRY

SARNIA

1. The Schedule is in force during pleasure within the Sarnia zone and is binding upon the employers and employees in the bricklaying and stonemasonry industry. R.R.O. 1960, Reg. 319, s. 1.

Schedule

INTERPRETATION

1. In this Schedule, "holiday" means,

(*a*) Saturday;

(*b*) Sunday;

(*c*) New Year's Day;

(*d*) Good Friday;

(*e*) Victoria Day;

(*f*) Dominion Day;

(*g*) Sarnia Civic Holiday;

(*h*) Labour Day;

(*i*) Thanksgiving Day;

(*j*) Remembrance Day; and

(*k*) Christmas Day.

HOURS OF WORK

2. The regular working periods for the industry are,

(*a*) a regular working week consisting of not more than forty hours of work performed during the regular working days; and

(*b*) a regular working day consisting of not more than eight hours of work performed on Monday, Tuesday, Wednesday, Thursday or Friday between 8 a.m. and 4.30 p.m.

3.—(1) Night work is work performed other than,

(*a*) on a holiday; or

(*b*) during a regular working day,

and consisting of not more than eight hours of work in a period of twenty-four hours.

(2) Where work cannot be performed during a regular working day, it may be performed by night work.

MINIMUM RATES OF WAGES

4. The minimum rate of wages for work performed during the regular working day and for night work is $5.15 an hour.

SHIFT WORK

5.—(1) Where work is performed in two or more regular shifts, and if an employee works not more than eight hours in a period of twenty-four hours, the employee shall be deemed to be employed during a regular working day for the purposes of this Schedule.

(2) One of the shifts that begin in a period of twenty-four hours is a day shift and the rest are night shifts.

(3) An employee who works on a night shift is entitled, as a minimum, to wages for eight hours for work of seven hours.

OVERTIME WORK

6. Overtime work is work,

(*a*) that is not night work and is not performed during a regular working day; or

(*b*) that is performed on a holiday.

7.—(1) No overtime work shall be performed in the industry without a permit from the advisory committee.

(2) The advisory committee is authorized to issue the permits subject to this Schedule.

RATES OF WAGES FOR OVERTIME WORK

8. The rate of wages for overtime work is $10.30 an hour.

RATE FOR HANDICAPPED

9. The advisory committee is authorized to fix a minimum rate of wages lower than the rate fixed by this Schedule for a person who is handicapped.

VACATIONS

10.—(1) In this section, "period of entitlement" means the period from the 1st day of July in any year to the 30th day of June in the year next following.

(2) Where an employee has not ceased to be employed by his employer, the employee is entitled to be paid by the employer on the 30th day of June in each year, as vacation with pay, an amount equal to 4 per cent of the employee's gross earnings during his period of entitlement.

(3) Where an employee has ceased to be employed by his employer, the employee is entitled to be paid by the employer, within ten days of the cessation of employment, as vacation with pay, an amount equal to 4 per cent of the employee's gross earnings for that part of the employee's period of entitlement that he was in the employ of the employer. R.R.O. 1960, Reg. 319, Sched.; O. Reg. 66/69, ss. 1-5, *amended*.

REGULATION 509

under The Industrial Standards Act

SCHEDULE—BRICKLAYING AND STONEMASONRY INDUSTRY

THUNDER BAY

1. The Schedule is in force during pleasure within the Thunder Bay zone and is binding upon the employers and employees in the bricklaying and stonemasonry industry. R.R.O. 1960, Reg. 318, s. 1, *amended*.

Schedule

INTERPRETATION

1. In this Schedule,

(*a*) "Civic Holiday" means a holiday only for that part of the zone where it is so proclaimed by a municipality;

(*b*) "holiday" means,

(i) Saturday,

(ii) Sunday,

(iii) New Year's Day,

(iv) Good Friday,

(v) Victoria Day,

(vi) Dominion Day,

(vii) Civic Holiday,

(viii) Labour Day,

(ix) Thanksgiving Day,

(x) Christmas Day, and

(xi) the 26th day of December.

HOURS OF WORK

2. The regular working periods for the industry are,

(*a*) a regular working week consisting of not more than forty hours of work performed during the regular working days; and

(*b*) a regular working day consisting of not more than eight hours of work performed on Monday, Tuesday, Wednesday, Thursday or Friday between 8 a.m. and 5 p.m.

MINIMUM RATE OF WAGES

3. The minimum rate of wages for work performed during a regular working day is $4 an hour.

SHIFT WORK

4.—(1) Where an employee performs work in one of two or more regular shifts, the employee shall be deemed to be employed during a regular working day for the purposes of this Schedule in respect of work that,

(*a*) is not in excess of eight hours in a period of twenty-four hours; or

(*b*) consists of the instruction of the employees of an on-coming shift.

(2) One of the shifts that begin in a period of twenty-four hours is a day shift and the rest are night shifts.

(3) An employee who works on a night shift is entitled, as a minimum, to wages for eight hours for work of seven hours.

OVERTIME WORK

5. Overtime work is work,

(*a*) that is not performed during a regular working day; or

(*b*) that is performed on a holiday.

6.—(1) No overtime work shall be performed in the industry without a permit from the advisory committee.

(2) The advisory committee is authorized to issue the permits subject to this Schedule.

RATE OF WAGES FOR OVERTIME WORK

7. The rate of wages for overtime work is $8 an hour.

8. No permit for overtime work shall be issued to any person other than an employer.

RATE FOR HANDICAPPED

9. The advisory committee is authorized to fix a minimum rate of wages lower than the rate fixed by this Schedule for a person who is handicapped.

VACATIONS

10.—(1) In this section, "period of entitlement" means the period from the 1st day of July in any year to the 30th day of June in the year next following.

(2) Where an employee has not ceased to be employed by his employer, the employee is entitled to be paid by the employer on the 30th day of June in each year, as vacation with pay, an amount equal to 4 per cent of the employee's gross earnings during his period of entitlement.

(3) Where an employee has ceased to be employed by his employer, the employee is entitled to be paid by the employer, within ten days of the cessation of employment, as vacation with pay, an amount equal to 4 per cent of the employee's gross earnings for that part of the employee's period of entitlement that he was in the employ of the employer. R.R.O. 1960, Reg. 318, Sched.; O. Reg. 83/68, ss. 1-5, *amended*.

REGULATION 510

under The Industrial Standards Act

SCHEDULE—BRICKLAYING AND STONEMASONRY INDUSTRY

TORONTO

1. The Schedule is in force during pleasure within the Toronto zone and is binding upon the employers and employees in the bricklaying and stonemasonry industry. O. Reg. 28/66, s. 1.

Schedule

INTERPRETATION

1. In this Schedule "holiday" means,

(*a*) Saturday;

(*b*) Sunday;

(*c*) New Year's Day;

(*d*) Good Friday;

(*e*) Victoria Day;

(*f*) Dominion Day;

(*g*) Toronto Civic Holiday;

(*h*) Labour Day;

(*i*) Thanksgiving Day; and

(*j*) Christmas Day.

HOURS OF WORK

2. The regular working periods for the industry are,

(*a*) a regular working week consisting of not more than forty hours of work performed during the regular working days; and

(*b*) a regular working day consisting of not more than eight hours of work performed on Monday, Tuesday, Wednesday, Thursday, or Friday between 8 a.m. and 4.30 p.m.

3.—(1) Night work is work performed other than,

(*a*) on a holiday; or

(*b*) during a regular working day,

and consisting of not more than eight hours of work in a period of twenty-four hours.

(2) Where work cannot be performed during a regular working day, it may be performed by night work.

(3) An employee working on night work is entitled, as a minimum, to wages for eight hours for work of seven hours.

MINIMUM RATES OF WAGES

4. The minimum rate of wages for work performed during a regular working day and, subject to subsection 3 of section 3, for night work is $5.50 an hour.

SHIFT WORK

5.—(1) Where work is performed in two or more regular shifts, an employee shall be deemed to be employed during a regular working day for the purposes of this Schedule if,

(*a*) the shifts of not more than eight hours each are operated between 1 a.m. on Monday, and 8 a.m. on the following Saturday; and

(*b*) no employee, other than a foreman, works on more than one shift in a period of twenty-four hours.

(2) One of the shifts that begin in a period of twenty-four hours is a day shift and the rest are night shifts.

(3) An employee who works on a night shift is entitled, as a minimum, to wages for eight hours for work of seven hours.

OVERTIME WORK

6. Overtime work is work,

(*a*) that is not night work and is not performed during a regular working day; or

(*b*) that is performed on a holiday.

7.—(1) No overtime work shall be performed in the industry without a permit from the advisory committee.

(2) The advisory committee is authorized to issue the permits subject to this Schedule.

8.—(1) No permit shall be issued by the advisory committee for overtime work except,

(*a*) for overtime work performed under subsection 2;

(*b*) in cases of extreme necessity, where life or property is jeopardized; or

(*c*) for repairs or alterations to buildings, where the overtime work is necessary to prevent the loss of employment to persons who are regularly employed in the buildings being altered or repaired.

(2) Subject to subsection 3, where an employee is prevented by inclement weather from performing forty hours of work during a regular working week, the employee may perform up to eight hours of overtime work on the Saturday of that week, if the total number of hours of work performed by the employee during that week, including the hours of work performed on the Saturday, does not exceed forty hours.

(3) The advisory committee shall not issue a permit for overtime work under subsection 2 where the employee has performed more than thirty-two hours of work in the regular working week next preceding the Saturday of that week.

RATE OF WAGES FOR OVERTIME WORK

9. The rate of wages for overtime work is,

(*a*) for overtime work performed on a holiday, other than overtime work performed under subsection 2 of section 8, $11 an hour;

(*b*) for overtime work performed under subsection 2 of section 8, $5.50 an hour; and

(*c*) for all other overtime work, $8.25 an hour.

VACATIONS

10.—(1) In this section "period of entitlement" means the period from the 1st day of July in any year to the 30th day of June in the year next following.

(2) Where an employee has not ceased to be employed by his employer, the employee is entitled to be paid by the employer on the 30th day of June in each year, as vacation with pay, an amount equal to 6 per cent of the employee's gross earnings during his period of entitlement.

(3) Where an employee has ceased to be employed by his employer, the employee is entitled to be paid by the employer, within ten days of the cessation of employment, as vacation with pay, an amount equal to 6 per cent of the employee's gross earnings for that part of the employee's period of entitlement that he was in the employ of the employer.

RATES FOR HANDICAPPED

11. The advisory committee is authorized to fix a minimum rate of wages lower than the rate fixed by this Schedule for a person who is handicapped. O. Reg. 28/66, Sched.; O. Reg. 39/68, s. 2; O. Reg. 337/70, ss. 1-3, *amended*.

REGULATION 511

under The Industrial Standards Act

SCHEDULE—CARPENTRY INDUSTRY

HAMILTON

1. The Schedule is in force during pleasure within the Hamilton zone and is binding upon the employers and employees in the carpentry industry. O. Reg. 169/65, s. 1.

Schedule

INTERPRETATION

1. In this Schedule, "holiday" means,

(*a*) Saturday;

(*b*) Sunday;

(*c*) New Year's Day;

(*d*) Good Friday;

(*e*) Victoria Day;

(*f*) Dominion Day;

(*g*) Hamilton Civic Holiday;

(*h*) Labour Day;

(*i*) Thanksgiving Day; and

(*j*) Christmas Day.

HOURS OF WORK

2. The regular working periods for the industry are,

(*a*) a regular working week consisting of not more than forty-five hours of work performed during the regular working days; and

(*b*) a regular working day consisting of not more than nine hours of work performed on Monday, Tuesday, Wednesday, Thursday or Friday between 7.30 a.m. and 5 p.m.

3.—(1) Night work is work performed other than,

(*a*) on a holiday; or

(*b*) during a regular working day,

and consisting of not more than eight hours of work in a period of twenty-four hours.

(2) Where work cannot be performed during a regular working day, it may be performed by night work.

(3) An employee working on night work is entitled, as a minimum, to wages for nine hours for work of eight hours.

MINIMUM RATES OF WAGES

4. The minimum rate of wages for work performed during the regular working day and for night work is $4 an hour.

SHIFT WORK

5.—(1) Where work is performed in two or more regular shifts, an employee shall be deemed to be employed during a regular working day for the purposes of this Schedule if,

(*a*) the shifts of not more than eight hours each are operated between 1 a.m. on Monday and 8 a.m. on the following Saturday; and

(*b*) no employee, other than a foreman, works on more than one shift in a period of twenty-four hours.

(2) One of the shifts that begin in a period of twenty-four hours is a day shift and the rest are night shifts.

(3) An employee who works on a night shift is entitled, as a minimum, to wages for nine hours for work of eight hours.

OVERTIME WORK

6. Overtime work is work,

(*a*) that is not performed during a regular working day; or

(*b*) that is performed on a holiday.

7.—(1) No overtime work shall be performed in the industry without a permit from the advisory committee.

(2) The advisory committee is authorized to issue the permits subject to this Schedule.

8.—(1) No permit shall be issued by the advisory committee for overtime work except,

(*a*) for overtime work performed under subsection 2;

(*b*) in cases of extreme necessity, where life or property is jeopardized; or

(*c*) for repairs or alterations to buildings, where the overtime work is necessary to prevent the loss of employment to persons who are regularly employed in the buildings being altered or repaired.

(2) Where an employee is prevented by inclement weather from performing forty-five hours of work during a regular working week, the employee may perform up to five hours of overtime work on the Saturday of that week between the hours of 7 a.m. and 12 o'clock noon, if the total number of hours of work performed by the employee during that week, including the hours of work performed on the Saturday, does not exceed forty-five hours.

RATES OF WAGES FOR OVERTIME WORK

9. The rate of wages for overtime work is,

(*a*) for work performed during the three-hour period following the working period of a regular working day, $6 an hour;

(*b*) for overtime work performed under subsection 2 of section 8, $4 an hour; and

(*c*) for all other overtime work, $8 an hour.

10. The advisory committee is authorized to fix a minimum rate of wages lower than the rate fixed by this Schedule for a person who is handicapped. O. Reg. 169/65, Sched.; O. Reg. 6/69, ss. 1, 2, *amended*.

REGULATION 512

under The Industrial Standards Act

SCHEDULE—CARPENTRY INDUSTRY

OTTAWA

1. The Schedule is in force during pleasure within the Ottawa zone and is binding upon the employers and employees in the carpentry industry. O. Reg. 170/65, s. 1.

Schedule

INTERPRETATION

1. In this Schedule, "holiday" means,

(*a*) Saturday;

(*b*) Sunday;

(*c*) New Year's Day;

(*d*) Good Friday,

(*e*) Victoria Day;

(*f*) Dominion Day;

(*g*) Ottawa Civic Holiday;

(*h*) Labour Day;

(*i*) Thanksgiving Day; and

(*j*) Christmas Day.

HOURS OF WORK

2. The regular working periods for the industry are,

(*a*) a regular working week consisting of not more than forty hours of work performed during the regular working days; and

(*b*) a regular working day consisting of not more than eight hours of work performed on Monday, Tuesday, Wednesday, Thursday or Friday between 7.45 a.m. and 4.30 p.m.

3.—(1) Night work is work performed other than,

(*a*) on a holiday; or

(*b*) during a regular working day,

and consisting of not more than eight hours of work in a period of twenty-four hours.

(2) Where work cannot be performed during a regular working day, it may be performed by night work.

MINIMUM RATE OF WAGES

4. The minimum rate of wages is,

(*a*) for work performed during a regular working day, $5 an hour; and

(*b*) for night work, $6 an hour.

SHIFT WORK

5.—(1) Where work is performed in two or more regular shifts, and if an employee works not more than eight hours in a period of twenty-four hours, the employee shall be deemed to be employed during a regular working day for the purposes of this Schedule.

(2) One of the shifts that begin in a period of twenty-four hours is a day shift and the rest are night shifts.

(3) An employee who works on a night shift is entitled, as a minimum, to wages for eight hours for work of seven hours.

(4) In all cases governed by subsection 1, no overtime work shall be performed.

OVERTIME WORK

6. Overtime work is work,

(*a*) that is not night work and is not performed during a regular working day; or

(*b*) that is performed on a holiday.

7.—(1) No overtime work shall be performed in the industry without a permit from the advisory committee.

(2) The advisory committee is authorized to issue the permits subject to this Schedule.

8. No permit shall be issued by the advisory committee for overtime work on a holiday except,

(*a*) in cases of extreme necessity where life or property is jeopardized; or

(*b*) on repairs to buildings where the repair work is necessary to prevent the loss of employment to persons who are regularly employed in the buildings.

RATES OF WAGES FOR OVERTIME WORK

9. The rate of wages for overtime work is,

(*a*) for overtime work performed during the two-hour period immediately following the working period of a regular working day, $7.50 an hour; and

(*b*) for all other overtime work, $10 an hour.

RATE FOR HANDICAPPED

10. The advisory committee is authorized to fix a minimum rate of wages lower than the rate fixed by this Schedule for a person who is handicapped.

VACATIONS

11.—(1) In this section, "period of entitlement" means the period from the 1st day of July in any year to the 30th day of June in the year next following.

(2) Where an employee has not ceased to be employed by his employer, the employee is entitled to be paid by the employer on the 30th day of June in each year, as vacation with pay, an amount equal to 4 per cent of the employee's gross earnings during his period of entitlement.

(3) Where an employee has ceased to be employed by his employer, the employee is entitled to be paid by the employer, within ten days of the cessation of employment, as vacation with pay, an amount equal to 4 per cent of the employee's gross earnings for that part of the employee's period of entitlement that he was in the employ of the employer. O. Reg. 170/65, Sched.; O. Reg. 59/67, s. 3; O. Reg. 292/70, s. 1-3, *amended*.

REGULATION 513

under The Industrial Standards Act

SCHEDULE—CARPENTRY INDUSTRY

WINDSOR

1. The Schedule is in force during pleasure within the Windsor zone and is binding upon the employers and employees in the carpentry industry. O. Reg. 137/65, s. 1.

Schedule

INTERPRETATION

1. In this Schedule,

(*a*) "Civic Holiday" means a holiday only for that part of the zone where it is so proclaimed by a municipality;

(*b*) "holiday" means,

(i) Saturday,

(ii) Sunday,

(iii) New Year's Day,

(iv) Good Friday,

(v) Victoria Day,

(vi) Dominion Day,

(vii) Civic Holiday,

(viii) Labour Day,

(ix) Thanksgiving Day,

(x) Christmas Day, and

(xi) the 26th day of December;

(*c*) "week" means the period beginning with Sunday and ending with the Saturday next following, both inclusive.

HOURS OF WORK

2. The regular working periods for the industry are,

(*a*) a regular working week consisting of not more than forty hours of work performed during the regular working days; and

(*b*) a regular working day consisting of not more than eight hours of work performed on Monday, Tuesday, Wednesday, Thursday or Friday, between 8 a.m. and,

(i) 5 p.m. where one hour is given for noon recess, or

(ii) 4.30 p.m. where one-half hour is given for noon recess.

3.—(1) Night work is work performed other than,

(*a*) on a holiday; or

(*b*) during a regular working day,

and consisting of not more than eight hours of work in a period of twenty-four hours.

(2) Where work cannot be performed during a regular working day it may be performed by night work.

MINIMUM RATE OF WAGES

4. The minimum rate of wages for work performed during a regular working day and for night work is $4.40 an hour.

SHIFT WORK

5.—(1) Where work is performed in two or more regular shifts and an employee,

(*a*) works not more than eight hours in a period of twenty-four hours; and

(*b*) is not employed elsewhere while engaged in shift work,

the employee shall be deemed to be employed during a regular working day for the purposes of this Schedule.

(2) One of the shifts that begin in a period of twenty-four hours is a day shift and the rest are night shifts.

(3) An employee who works on a night shift is entitled, as a minimum, to wages for eight hours for work of seven hours.

OVERTIME WORK

6. Overtime work is work,

(*a*) that is not night work and is not performed during a regular working day; or

(*b*) that is performed on a holiday.

7.—(1) No work shall be performed in the industry on a holiday except,

(*a*) in cases of extreme necessity where life or property is jeopardized; or

(*b*) on repairs to buildings where the repair work is necessary to prevent the loss of employment to persons who are regularly employed in the buildings.

(2) All work performed under subsection 1 shall be performed only if the advisory committee has issued a permit therefor.

(3) The advisory committee is authorized to issue the permits subject to the terms and conditions of this Schedule.

8. The rate of wages for overtime work is $8.80 an hour. O. Reg. 8/69, s. 2.

RATE FOR HANDICAPPED

9. The advisory committee is authorized to fix a minimum rate of wages lower than the rate fixed by this Schedule for an individual who is handicapped.

VACATIONS

10.—(1) In this section "period of entitlement" means the period from the 1st day of July in any year to the 30th day of June in the year next following.

(2) Where an employee has not ceased to be employed by his regular employer, the employee is entitled to be paid by the employer on the 30th day of June in each year, as vacation with pay, an amount equal to 4 per cent of the employee's gross earnings during his period of entitlement.

(3) Where an employee has ceased to be employed by his employer, the employee is entitled to be paid by the employer, within ten days of the cessation of employment, as vacation with pay, an amount equal to 4 per cent of the employee's gross earnings for that part of the employee's period of entitlement that he was in the employ of the employer. O. Reg. 137/65, Sched.; O. Reg. 8/69, ss. 1,2, *amended*.

REGULATION 514

under The Industrial Standards Act

SCHEDULE—COMMON LABOURERS CONSTRUCTION INDUSTRY

WINDSOR

1. The Schedule is in force during pleasure within the Windsor zone and is binding upon the employers and employees in the common labourers construction industry. R.R.O. 1960, Reg. 335, s. 1.

Schedule

INTERPRETATION

1. In this Schedule, "holiday" means,

(*a*) Saturday;

(*b*) Sunday;

(*c*) New Year's Day;

(*d*) Good Friday;

(*e*) Victoria Day;

(*f*) Dominion Day;

(*g*) Windsor Civic Holiday;

(*h*) Labour Day;

(*i*) Thanksgiving Day;

(*j*) Christmas Day; and

(*k*) the 26th day of December.

HOURS OF WORK

2. The regular working periods for the industry are,

(*a*) a regular working week consisting of not more than 42½ hours of work performed during the regular working days; and

(*b*) a regular working day consisting of not more than 8½ hours of work performed on Monday, Tuesday, Wednesday, Thursday or Friday, between 7.30 a.m. and 4.30 p.m. with one-half hour for noon recess.

3.—(1) Night work is work performed other than,

(*a*) on a holiday; or

(*b*) during a regular working day,

and consisting of not more than 8½ hours of work in a period of twenty-four hours.

(2) Where work cannot be performed during a regular working day it may be performed by night work.

4. The minimum rate of wages for work performed during a regular working day and for night work is $3.77 an hour.

5.—(1) Where work is performed in two or more regular shifts and an employee,

(*a*) works not more than 8½ hours in a period of twenty-four hours; and

(*b*) is not employed elsewhere while engaged in shift work,

the employee shall be deemed to be employed during a regular working day for the purposes of this Schedule.

(2) One of the shifts that begin in a period of twenty-four hours is a day shift and the rest are night shifts.

(3) An employee who works on a night shift is entitled, as a minimum, to wages for 8½ hours for work of 7½ hours.

OVERTIME WORK

6. Overtime work is work,

(*a*) that is not night work and is not performed during a regular working day; or

(*b*) that is performed on a holiday.

7.—(1) No work shall be performed in the industry on a holiday except,

(*a*) in cases of extreme necessity where life or property is jeopardized; or

(*b*) on repairs to buildings where the work is necessary to prevent the loss of employment to persons who are regularly employed in the buildings being repaired.

(2) All work performed under subsection 1 shall be performed only if the advisory committee has issued a permit therefor.

(3) Subject to this Schedule, the advisory committee is authorized to issue the permits at its discretion.

8. The rate of wages for overtime work is $7.54 an hour.

9. The advisory committee is authorized to fix a minimum rate of wages lower than the rate fixed by this Schedule for a person who is handicapped.

VACATIONS

10.—(1) In this section, "period of entitlement" means the period from the 1st day of July in any year to the 30th day of June in the year next following.

(2) Where an employee has not ceased to be employed by his employer, the employee is entitled to be paid by the employer on the 30th day of June in each year, as vacation with pay, an amount equal to 4 per cent of the employee's gross earnings during his period of entitlement.

(3) Where an employee has ceased to be employed by his employer, the employee is entitled to be paid by the employer, within ten days of the cessation of employment, as vacation with pay, an amount equal to 4 per cent of the employee's period of entitlement that he was in the employ of the employer. R.R.O. 1960, Reg. 335, Sched.; O. Reg. 9/69, ss. 1-4, *amended*.

REGULATION 515

under The Industrial Standards Act

SCHEDULE—ELECTRICAL REPAIR AND CONSTRUCTION INDUSTRY

OTTAWA

1. The Schedule is in force during pleasure within the Ottawa zone and is binding upon the employers and employees in the electrical repair and construction industry. O. Reg. 265/64, s. 1.

Schedule

INTERPRETATION

1. In this Schedule, "holiday" means,

(*a*) Saturday;

(*b*) Sunday;

(*c*) New Year's Day;

(*d*) Good Friday;

(*e*) Victoria Day;

(*f*) Dominion Day;

(*g*) Ottawa Civic Holiday;

(*h*) Labour Day;

(*i*) Thanksgiving Day; and

(*j*) Christmas Day.

HOURS OF WORK

2. The regular working periods for the industry are,

(*a*) a regular working week consisting of not more than forty hours of work performed during the regular working days; and

(*b*) a regular working day consisting of not more than eight hours of work performed on Monday, Tuesday, Wednesday, Thursday, or Friday between 8 a.m. and,

(i) 5 p.m. where one hour is given for noon recess, or

(ii) 4.30 p.m. where one-half hour is given for noon recess.

3.—(1) Night work is work perfromed other than,

(*a*) (i) on a holiday, or

(ii) during a regular working day; or

(*b*) on a job completed in a three-day period,

and consisting of not more than eight hours of work in a period of twenty-four hours.

(2) Where work cannot be performed during a regular working day, it may be performed by night work.

MINIMUM RATES OF WAGES

4. The minimum rate of wages is,

(*a*) for work performed during a regular working day, $6.00 an hour; and

(*b*) for night work, $6.86 an hour.

SHIFT WORK

5.—(1) Where work is performed in two or more regular shifts, and the day shift is between the hours in clause *b* of section 2, seven hours of work in a period of twenty-four hours performed on a night shift shall be considered to be performed during a regular working day for the purposes of this Schedule.

(2) One of the shifts that begin in a period of twenty-four hours is a day shift and the rest are night shifts.

(3) An employee who works on a night shift is entitled, as a minimum, to wages for eight hours for work of seven hours.

OVERTIME WORK

6. Overtime work is work,

(*a*) that is not night work and is not performed during a regular working day; or

(*b*) that is performed on a holiday.

7.—(1) Subject to subsection 3, no overtime work shall be performed in the industry without a permit from the advisory committee.

(2) The advisory committee is authorized to issue the permits subject to this Schedule.

(3) Subsection 1 does not apply to overtime work performed on emergency repairs where life may be endangered or property damaged.

8. No permit for overtime work shall be issued by the advisory committee for overtime work on a holiday, except for repairs to buildings, where the overtime work is necessary to prevent the loss of employment to persons who are regularly employed in the buildings.

RATES OF WAGES FOR OVERTIME WORK

9. The rate of wages for overtime work is,

(*a*) for overtime work performed during the four-hour period immediately following the working period of a regular working day, and for overtime work referred to in subsection 3 of section 7, $9 an hour; and

(*b*) for all other overtime work, $12 an hour.

RATE FOR HANDICAPPED

10. The advisory committee is authorized to fix a minimum rate of wages lower than the rate fixed by this Schedule for an individual who is handicapped.

11. This Schedule does not apply to any person who is performing work in the course of employment as a regular employee of a municipal corporation or a public utility commission in the production or distribution of electrical power.

VACATIONS

12.—(1) In this section, "period of entitlement" means the period from and including the 1st day of July in any year to and including the 30th day of June in the year next following.

(2) Where an employee has not ceased to be employed by his employer, the employee is entitled to be paid by the employer on the 30th day of June in each year, as vacation with pay, an amount equal to 4 per cent of the employee's gross earnings during his period of entitlement.

(3) Where an employee has ceased to be employed by his employer during the period of entitlement for any cause, the employer shall within ten days of the cessation of employment, pay to the employee, as vacation with pay, an amount equal to 4 per cent of the employee's gross earnings for the portion of the period of entitlement during which he was in the employ of the employer. O. Reg. 265/64, Sched.; O. Reg. 338/70, ss. 1-3, *amended*.

REGULATION 516

under The Industrial Standards Act

SCHEDULE—ELECTRICAL REPAIR AND CONSTRUCTION INDUSTRY

ST. THOMAS

1. The Schedule is in force during pleasure within the St. Thomas zone and is binding on the employers and employees in the electrical repair and construction industry. O. Reg. 37/65, s. 1.

Schedule

INTERPRETATION

1. In this Schedule "holiday" means,

(*a*) Saturday;

(*b*) Sunday;

(*c*) New Year's Day;

(*d*) Good Friday;

(*e*) Victoria Day;

(*f*) Dominion Day;

(*g*) St. Thomas Civic Holiday;

(*h*) Labour Day;

(*i*) Thanksgiving Day; and

(*j*) Christmas Day.

HOURS OF WORK

2. The regular working periods for the industry are,

(*a*) a regular working week consisting of not more than forty hours of work performed during the regular working days; and

(*b*) a regular working day consisting of not more than eight hours of work performed on Monday, Tuesday, Wednesday, Thursday or Friday between 8.00 a.m. and,

(i) 5.00 p.m. where one hour is given for noon recess, or

(ii) 4.30 p.m. where one-half hour is given for noon recess.

MINIMUM RATES OF WAGES

3. The minimum rate of wages for work performed during a regular working day is $3 an hour.

OVERTIME WORK

4. Overtime work is work,

(*a*) that is not performed during a regular working day; or

(*b*) that is performed on a holiday.

5.—(1) Subject to subsection 2, no overtime work shall be performed in the industry without a permit from the advisory committee.

(2) Subsection 1 does not apply to overtime work performed on emergency repairs where life may be endangered or property damaged.

(3) No permit for overtime work shall be issued by the advisory committee for overtime work on a holiday, except for repairs to buildings, where the overtime work is necessary to prevent the loss of employment to persons who are regularly employed in the buildings.

(4) The advisory committee is authorized to issue the permits subject to this Schedule.

RATES OF WAGES FOR OVERTIME WORK

6. The rate of wages for overtime work is $6 an hour.

7. The advisory committee is authorized to fix a minimum rate of wages lower than the rate fixed by this Schedule for an individual who is handicapped. O. Reg. 37/65, Sched., *amended*.

REGULATION 517

under The Industrial Standards Act

SCHEDULE—ELECTRICAL REPAIR AND CONSTRUCTION INDUSTRY

TORONTO

1. The Schedule is in force during pleasure within the Toronto zone and, subject to section 10 of the Schedule, is binding upon the employers and employees in the electrical repair and construction industry. O. Reg. 117/65, s. 1.

Schedule

INTERPRETATION

1. In this Schedule,

(*a*) "Civic Holiday" means a holiday only for that part of the zone where it is so proclaimed by a municipality;

(*b*) "holiday" means,

(i) Saturday,

(ii) Sunday,

(iii) New Year's Day,

(iv) Good Friday,

(v) Dominion Day,

(vi) Civic Holiday,

(vii) Labour Day,

(viii) Thanksgiving Day,

(ix) Victoria Day, and

(x) Christmas Day;

(*c*) "maintenance work" means the work of keeping electrical equipment, apparatus or appliances in good working order or repair;

(*d*) "week" means with reference to maintenance work, a period consisting of seven consecutive days.

HOURS OF WORK

2. The regular working periods for the industry, except for employees engaged in maintenance work, are,

(*a*) a regular working week consisting of not more than forty hours of work performed during the regular working days in the period beginning on Monday and ending with Friday next following, both inclusive, and

(*b*) a regular working day consisting of not more than eight hours of work performed on Monday, Tuesday, Wednesday, Thursday or Friday between 8 a.m. and 5 p.m.

3. The regular working periods in the industry for employees engaged in maintenance work are,

(*a*) a regular working week consisting of not more than forty hours of work, and

(*b*) a regular working day consisting of not more than eight hours of work performed on any five days in a week.

MINIMUM RATE OF WAGES

4. The minimum rate of wages for work performed during the regular working day, including maintenance work and shift work, is $6.10 an hour.

SHIFT WORK

5. Where work cannot reasonably be performed during the hours prescribed in section 2 or where work is performed in two or more shifts, and an employee works not more than eight hours in a period of twenty-four hours, the employee shall be deemed to be employed during a regular working day for the purpose of this Schedule.

OVERTIME WORK

6.—(1) Overtime work is work,

(*a*) that is not shift work or is not performed during a regular working day; or

(*b*) subject to subsection 2, that is performed on a holiday.

(2) Maintenance work performed on a holiday is overtime work only where such maintenance work is not performed during a regular working day.

7.—(1) Subject to subsection 3, no overtime work shall be performed in the industry without a permit from the advisory committee.

(2) The advisory committee is authorized to issue permits subject to the terms and conditions of this Schedule.

(3) Subsection 1 does not apply to overtime work performed on emergency repairs where life may be endangered or property damaged.

RATE OF WAGES FOR OVERTIME WORK

8. The rate of wages for overtime work is $9.15 an hour.

ADVISORY COMMITTEE

9. The advisory committee is authorized to fix a minimum rate of wages lower than the rate fixed by this Schedule for an individual who is handicapped.

10. This Schedule applies to all operations in the industry other than operations performed by,

(*a*) persons in the course of employment as employees of a manufacturing institution or of a service organization owned or operated by a manufacturing institution when the employees of the service organization are engaged in the work of installing, altering, maintaining or repairing electrical equipment, apparatus or appliances;

(*b*) persons engaged in the installation of electrical appliances and the maintenance and repair of such installations and appliances; or

(*c*) persons in the course of employment as employees of The Hydro-Electric Power Commission of Ontario, The Toronto Transit Commission, The Consumers' Gas Company Limited or a municipal corporation or public utility commission producing or distributing electrical power. O. Reg. 117/65, Sched.; O. Reg. 448/69, ss. 1, 2, *amended*.

REGULATION 518

under The Industrial Standards Act

SCHEDULE—FUR INDUSTRY

ONTARIO

1. The Schedule is in force during pleasure within the Ontario zone and is binding upon the employers and employees in the fur industry. O. Reg. 4/67, s. 1.

Schedule

INTERPRETATION

1. In this Schedule,

(*a*) "Civic Holiday" means a holiday only for that part of the zone where it is so proclaimed by a municipality;

(*b*) "holiday" means, except as otherwise provided,

(i) Saturday,

(ii) Sunday,

(iii) New Year's Day,

(iv) Good Friday,

(v) Victoria Day,

(vi) Dominion Day,

(vii) Civic Holiday,

(viii) Labour Day,

(ix) Thanksgiving Day, and

(x) Christmas Day;

(*c*) "retail work" means work in the industry performed in a retail shop where not more than five persons perform such work.

PART I

2. This Part does not apply to retail work as defined in clause *c* of section 1 of this Schedule.

HOURS OF WORK

3. The regular working periods for the industry are,

(*a*) a regular working week consisting of not more than,

(i) thirty-six hours in the Judicial District of York, and

(ii) forty hours in all other parts of Ontario,

of work performed during the regular working days; and

(*b*) a regular working day consisting of not more than,

(i) 7½ hours of work performed on Monday, Tuesday, Wednesday, Thursday or Friday with one hour for noon recess, in the Judicial District of York, and

(ii) eight hours of work performed on Monday, Tuesday, Wednesday, Thursday or Friday with one hour for noon recess, in all other parts of Ontario.

4.—(1) The employer shall elect the period between,

(*a*) 8.00 a.m. and 5.00 p.m.;

(*b*) 8.30 a.m. and 5.30 p.m.; or

(*c*) 9.00 a.m. and 6.00 p.m.,

as the daily period during which work is to be performed by his employees and the period so elected shall apply to all the days during which work is performed by his employees until the period is changed by another election in accordance with subsection 3.

(2) The employer shall,

(*a*) post conspicuously in a place where his employees are engaged in their duties; and

(*b*) file with the advisory committee,

a notice that sets out the daily period during which work is to be performed by his employees.

(3) Where an employer changes his election, he shall give thirty days notice in writing to his employees and to the advisory committee of the new period elected.

OVERTIME WORK

5. Overtime work is work,

(*a*) that is not performed during a regular working day; or

(*b*) that is performed on a holiday.

6.—(1) No overtime work shall be performed in the industry after 7.30 p.m. on any day without a permit from the advisory committee.

(2) The advisory committee is authorized to issue the permits subject to this Schedule.

7.—(1) An application by an employer for an overtime permit shall be made in writing to the advisory committee.

(2) Where a permit from the advisory committee authorizing overtime work has been issued to an employer, he shall post the permit during the period it is in force in a conspicuous place where his employees are engaged in their duties.

8.—(1) In subsections 2 and 3, "holiday" does not include Saturday or Sunday.

(2) Where an employee does not perform work on a holiday, the employee shall be paid for the holiday the wages he would have earned if he had worked for the whole of a regular working day applicable to the employee under clause *b* of section 3.

(3) Where an employee does perform work on a holiday, the employee shall be paid,

(*a*) the wages he would have earned if he had worked for the whole of a regular working day; and

(*b*) 1½ times the wages he would have earned if he had worked for the whole of a regular working day.

CLASSIFICATION OF EMPLOYEES

9. The following classification of employees in the industry is established:

i. Class A, composed of skilled cutters, being persons who grade sizes on, make markers on or cut any fur.

ii. Class B, composed of,

(*a*) semi-skilled cutters, being persons who grade sizes on, make markers on or cut fur in the repair and remodelling of used fur garments only;

(*b*) skilled operators, being persons who perform sewing operations by machine on any fur; and

(*c*) skilled collar-makers and cuff-makers, being persons who cut and block collars or cuffs made of any fur to be used on garments made from textiles.

iii. Class C, composed of skilled finishers, being persons who,

(*a*) sew linings, buttons and other trimmings on fur garments or fur pieces; and

(*b*) fell, taper and underline fur garments or fur pieces.

iv. Class D, composed of examiners, being persons who examine finished fur garments or fur pieces for any defect in quality of fur and in workmanship.

v. Class E, composed of,

(*a*) skilled blockers, being persons who block fur garments or fur pieces after the sewing operations are completed by the skilled or semi-skilled operators; and

(*b*) skilled trimmers, being persons who trim fur garments or fur pieces after they have been blocked.

vi. Class F, composed of semi-skilled operators, being persons who perform sewing operations by machine in the repair and remodelling of used fur garments only.

vii. Class G, composed of semi-skilled finishers, being persons who sew linings, buttons and other trimmings in the repair and remodelling of used fur garments only.

viii. Class H, composed of semi-skilled trimmers, being persons who trim fur garments or fur pieces only in the repair and remodelling of used fur garments after they have been blocked.

ix. Class I, composed of lining cutters, being persons who,

(*a*) grade sizes or make markers on; or

(*b*) by hand or machine, cut,

any materials used for lining a fur garment or fur piece.

x. Class J, composed of,

(*a*) lining operators, being persons who join seams of linings;

(*b*) semi-skilled collar-makers and cuff-makers, being persons who cut and block collars or cuffs, in the repair and remodelling of used fur garments;

(*c*) semi-skilled blockers, being persons who block fur garments and fur pieces after sewing operations have been completed by the semi-skilled operators only in the repair and remodelling of used fur garments; and

(*d*) tapers, being persons who perform no work other than the application of tape to the edges of fur garments or fur pieces.

MINIMUM RATE OF WAGES

10. The minimum rate of wages for all work performed in the industry during the regular working periods by employees classified in section 9 is,

(*a*) in the Judicial District of York, the hourly rate set opposite the respective classes as follows:

i. Class A, $2.39,

ii. Class B, $2.11,

iii. Class C, $1.97,

iv. Class D, $1.88,

v. Class E, $1.83,

vi. Class F, $1.77,

vii. Class G, $1.72,

viii. Class H, $1.63,

ix. Class I, $1.58,

x. Class J, $1.44; and

(*b*) in all other parts of Ontario, the hourly rate set opposite the respective classes as follows:

i. Class A, $2.00,

ii. Class B, $1.75,

iii. Class C, $1.63,

iv. Class D, $1.55,

v. Class E, $1.50,

vi. Class F, $1.45,

vii. Class G, $1.40,

viii. Class H, $1.32,

ix. Class I, $1.28,

x. Class J, $1.14.

PART II

RETAIL WORK

11. This Part applies only to retail work as defined in clause *c* of section 1 of this Schedule.

HOURS OF WORK

12. The regular working periods for retail work in the industry are,

(*a*) a regular working week consisting of not more than forty hours of work performed during the regular working days; and

(*b*) a regular working day consisting of not more than eight hours of work performed on Monday, Tuesday, Wednesday, Thursday or Friday, with a recess for lunch of not less than one-half hour, provided that Saturday may be a regular working day in any part of the zone or in which retail shops are customarily closed on one of the other days named in the section.

13.—(1) The employer shall elect,

(*a*) in respect of Monday, Tuesday, Wednesday and Saturday the period between,

(i) 8.00 a.m. and 5.00 p.m.,

(ii) 8.30 a.m. and 5.30 p.m., or

(iii) 9.00 a.m. and 6.00 p.m.; and

(*b*) in respect of Thursday and Friday the period between,

(i) 8.00 a.m. and 8.00 p.m.,

(ii) 8.30 a.m. and 8.30 p.m., or

(iii) 9.00 a.m and 9 p.m.,

as the daily period during which work is to be performed by his employees and the period so elected shall apply to all the days during which work is performed by his employees until the period is changed by another election in accordance with subsection 3.

(2) The employer shall,

(*a*) post conspicuously in a place where his employees are engaged in their duties; and

(*b*) file with the advisory committee,

a notice that sets out the period during which work is to be performed by his employees.

(3) Where an employer changes his election, he shall give ten days notice in writing to his employees and to the advisory committee of the new period elected.

OVERTIME WORK

14. Overtime work is retail work,

(*a*) that is not performed during a regular working day; or

(*b*) that is performed on a holiday.

15.—(1) No overtime work shall be performed after 7.30 p.m. on Monday, Tuesday or Wednesday or after 9.30 p.m. on Thursday or Friday without a permit from the advisory committee.

(2) The advisory committee may, on request from an employer, issue one permit for the period from the fifteenth day of September in any year to the fifteenth day of January in the year next following.

(3) The advisory committee is authorized to issue the permits subject to this Schedule.

16.—(1) An application by an employer for an overtime permit shall be made in writing to the advisory committee.

(2) Where a permit from the advisory committee authorizing overtime work has been issued to an employer, he shall post the permit during the period it is in force in a conspicuous place where his employees are engaged in their duties.

17.—(1) In subsections 2 and 3, "holiday" does not include Saturday or Sunday.

(2) Where an employee does not perform work on a holiday, the employee shall be paid for the holiday the wages he would have earned if he had worked for the whole of a regular working day.

(3) Where an employee does perform work on a holiday, the employee shall be paid,

(*a*) the wages he would have earned if he had worked for the whole of a regular working day; and

(*b*) 1½ times the wages he would have earned if he had worked for the whole of the regular working day.

CLASSIFICATION OF EMPLOYEES

18. The following classification of employees in retail work in the industry is established:

i. Class A, composed of semi-skilled cutters, being persons who perform the operations of grading sizes on, making markers on or cutting fur in the repair and remodelling of used fur garments or fur pieces only.

ii. Class B, composed of semi-skilled operators, being persons who perform sewing operations by machine in the repair and remodelling of used fur garments or fur pieces only.

iii. Class C, composed of semi-skilled finishers, being persons who sew linings, buttons and other trimmings in the repair and remodelling of used fur garments or fur pieces only.

iv. Class D, composed of,

(*a*) semi-skilled blockers, being persons who block fur garments or fur pieces in the repair and remodelling of used fur garments or fur pieces only; and

(*b*) tapers, being persons who perform no work other than the application of tape to the edges of fur garments or fur pieces.

19. The minimum hourly rate of wages for all work performed in retail work during the regular working periods by employees classified in section 18 is as follows:

i. Class A, $1.75,

ii. Class B, $1.45,

iii. Class C, $1.40,

iv. Class D, $1.14.

20. Where an employee in a retail shop performs work in the making or manufacture of new fur garments or fur pieces, he shall be paid the minimum rate of wages set out in section 10 opposite the class into which such work falls.

PART III

GENERAL

21. This Part applies to all work performed in the industry.

RATE OF WAGES FOR OVERTIME WORK

22. Subject to subsection 3 of section 8 and subsection 3 of section 17, the rate of wages for overtime work performed in the industry,

(*a*) by an employee classified in section 9, is 1½ times the average hourly rate of wages he earns during the pay period in which such overtime is performed; or

(*b*) by an employee classified in section 18, is 1½ times the average hourly rate of wages he earns during the pay period during which such overtime is performed.

ASSESSMENT

23. Subject to the approval of the Director,

(*a*) each employer in the industry is assessed one-half of 1 per cent of his pay roll; and

(*b*) each employee in the industry is assessed one-half of 1 pr cent of his wages,

to provide revenue for the enforcement of this Schedule.

ADVISORY COMMITTEE

24. The advisory committee is authorized to fix a minimum rate of wages lower than the rates fixed by this Schedule for a person,

(*a*) who performs work included in more than one classification of employees;

(*b*) whose work is only partly subject to this Schedule; or

(*c*) who is handicapped.

25. Subject to the approval of the Director, the advisory committee is authorized,

(*a*) generally to administer and enforce this Schedule; and

(*b*) to collect the assessments under section 23 and, out of the revenue collected, to engage inspectors and other personnel and to make such expenditures as are necessary for the administration and enforcement of this Schedule. O. Reg. 4/67, Sched.

REGULATION 519

under The Industrial Standards Act

SCHEDULE—LADIES' CLOAK AND SUIT INDUSTRY

ONTARIO

1. The Schedule is in force during pleasure within the Ontario zone and is binding upon the employers and employees in the ladies' cloak and suit industry. R.R.O. 1960, Reg. 348, s. 1.

Schedule

INTERPRETATION

1. In this Schedule,

(*a*) "holiday" means,

(i) New Year's Day,

(ii) Good Friday,

(iii) Victoria Day,

(iv) Dominion Day,

(v) Labour Day,

(vi) Thanksgiving Day, and

(vii) Christmas Day,

(*b*) "week" means the period beginning with Sunday and ending with the Saturday next following, both inclusive.

HOURS OF WORK

2. The regular working periods for the industry are,

(*a*) a regular working week consisting of not more than 37½ hours of work performed during the regular working days; and

(*b*) a regular working day consisting of not more than 7½ hours of work performed on Monday, Tuesday, Wednesday, Thursday or Friday between 8 a.m. and 4.30 p.m. with one hour for noon recess.

3. No person shall perform work in the industry on a holiday.

4. Where an employee has been,

(*a*) employed in the industry for twelve months or longer; and

(*b*) in the employ of an employer for three months or longer,

the employee is entitled to the wages for 7½ hours of work for a holiday at the minimum rate of wages under section 10.

5. Where an employer requires an employee who is employed on a time-work basis to work for part of a regular working day, the employee is entitled to the regular rates of wages but the wages for that day shall be not less than the wages for 3¾ hours of work.

OVERTIME WORK

6. Work performed in the industry at any time other than during the regular working periods is overtime work.

7.—(1) No overtime work shall be performed in the industry without a permit from the advisory committee.

(2) The advisory committee is authorized to issue the permits subject to this Schedule.

8.—(1) No permit for overtime work shall be issued to any person other than an employer.

(2) An application by an employer for an overtime permit shall be made in writing to the advisory committee.

(3) Where the advisory committee has issued a permit authorizing overtime work to an employer, he shall post the permit during the period it is in force in a conspicuous place where his employees are engaged in their duties.

(4) No permit shall be issued by the advisory committee for overtime work on Friday or subject to subsection 6 on Saturday.

(5) Where during the regular working periods,

(*a*) there is in the opinion of the advisory committee a labour shortage in the industry; or

(*b*) in the employer's establishment,

(i) all machines are in use, and

(ii) there are no facilities or spaces available for additional machines or for additional employees,

the advisory committee may, subject to subsection 4, issue a permit for overtime work.

(6) Where,

(*a*) the advisory committee has issued a permit for overtime work under subsection 5; and

(*b*) overtime work has been performed in the employer's establishment by his employees on Monday, Tuesday, Wednesday and Thursday of a week,

the advisory committee may issue a permit for overtime work between 8 a.m. and 12 noon on the Saturday of the week in which the overtime work has been performed.

CLASSIFICATION OF EMPLOYEES

9. The following classification of employees in the industry is established:

i. Class A, composed of,

(*a*) machine pressers, being persons who press by steam machine;

(*b*) section operators, being persons who perform any of the operations defined in clause *d*, where the operations on a single garment are divided among more than two workers;

(*c*) skilled cutters, being persons who,

(i) grade sizes or make markers on materials, or

(ii) lay up, shear cut or machine cut any materials;

(*d*) skilled operators, being persons who, by sewing machine,

(i) join cloth body,

(ii) sew in sleeves, facings or collars, or

(iii) as section operators stitch collars, sew on facings, join seams of body, join seams of linings, make collars, make pockets, make sleeves or attach linings or perform any other sewing machine operations necessary to complete any garment other than a skirt; and

(*e*) top pressers, being persons who,

(i) press, or

(ii) complete the pressing of,

a garment after it is lined by the finisher.

ii. Class B, composed of under pressers, being persons who,

(*a*) press seams of,

(i) sleeves, and

(ii) linings; or

(*b*) complete the pressing of a garment ready for the finisher.

iii. Class C, composed of skilled fur tailors, being persons who pin on or sew on fur trimmings.

iv. Class D, composed of trimmers, being persons who,

(*a*) grade sizes on;

(*b*) lay up;

(*c*) make markers on; or

(*d*) cut,

any materials used for lining or triming garments.

v. Class E, composed of,

(*a*) semi-skilled cutters, being persons who,

(i) shear cut, or

(ii) machine cut,

any material; and

(*b*) semi-skilled operators, being persons, other than section operators, who perform some of the operations of a skilled operator on a garment but who do not,

(i) join cloth body, or

(ii) sew in sleeves, facings or collars.

vi. Class F, composed of piece pressers, being persons who do incidental piece pressing necessary to make the pieces ready for the operator.

vii. Class G, composed of,

(*a*) assistant fur tailors, being persons who sew on fur trimmings but do not pin on fur trimmings;

(*b*) hand basters, being persons who baste by hand;

(*c*) machine basters, being persons who baste by machine; and

(*d*) special machine operators, being persons who operate special machines used in the manufacture of garments for,

(i) felling,

(ii) basting,

(iii) button hole making, or

(iv) serging.

viii. Class H, composed of,

(*a*) finishers, being persons who,

(i) by hand, sew in whole linings on garments,

(ii) tack neck pieces and linings, or

(iii) fell button holes, bottoms or sleeves;

(*b*) lining makers, being persons who, by sewing machine, make linings for garments; and

(*c*) skirt makers, being persons who perform sewing machine operations necessary to complete skirts.

ix. Class I, composed of,

(*a*) button sewers, being persons who sew on,

(i) buttons,

(ii) hooks,

(iii) eyes,

(iv) clasps, or

(v) ornaments; and

(*b*) general hands or examiners, being persons who,

(i) examine or clean finished garments, or

(ii) pin on belts.

MINIMUM RATES OF WAGES

10. The minimum rate of wages for all work performed in the industry during the regular working periods by employees classified in section 9 is the hourly rate set opposite the respective classes as follows:

i. Class A, $1.97.

ii. Class B, $1.88.

iii. Class C, $1.64.

iv. Class D, $1.60.

v. Class E, $1.52.

vi. Class F, $1.50.

vii. Class G, $1.28.

viii. Class H, $1.25.

ix. Class I, $1.00.

RATES OF WAGES FOR OVERTIME WORK

11. The rate of wages for overtime work performed in the industry by employees classified in section 9 is the hourly rate set opposite the respective classes as follows:

i. Class A, $2.96.

ii. Class B, $2.82.

iii. Class C, $2.46.

iv. Class D, $2.40.

v. Class E, $2.28.

vi. Class F, $2.25.

vii. Class G, $1.92.

viii. Class H, $1.87.

ix. Class I, $1.50.

ASSESSMENT

12. Subject to the approval of the Director,

(*a*) each employer in the industry is assessed one-half of 1 per cent of his payroll; and

(*b*) each employee in the industry is assessed one-half of 1 per cent of his wages,

to provide revenue for the enforcement of this Schedule.

ADVISORY COMMITTEE

13. The advisory committee is authorized to fix a minimum rate of wages lower than the rates fixed by this Schedule for a person,

(*a*) who performs work included in more than one class of employees;

(*b*) whose work is only partly subject to this Schedule; or

(*c*) who is handicapped.

14. Subject to the approval of the Director the advisory committee is authorized,

(*a*) generally to administer and enforce this Schedule; and

(*b*) to collect the assessments under section 12 and, out of the revenue collected, to engage inspectors and other personnel and to make such expenditures as are necessary for the administration and enforcement of this Schedule.

VACATIONS

15.—(1) In this section, "period of entitlement" means the period from the 1st day of July in any year to the 30th day of June in the year next following.

(2) An employee is entitled to two weeks annual vacation and vacation pay equal to 4 per cent of his gross earnings during his period of entitlement immediately preceding his vacation or his receipt of vacation pay, as the case may be.

(3) The advisory committee is authorized to determine the period in each year in which employees shall take their annual vacation. R.R.O. 1960, Reg. 348, Sched.; O. Reg. 184/63, ss. 1, 3; O. Reg. 63/64, ss. 1, 2; O. Reg. 165/66, ss. 1-4.

REGULATION 520

under The Industrial Standards Act

SCHEDULE—LADIES' DRESS AND SPORTSWEAR INDUSTRY

ONTARIO

1. The Schedule is in force during pleasure within the Ontario zone and is binding upon the employers and employees in the ladies' dress and sportswear industry. R.R.O. 1960, Reg. 349, s. 1.

Schedule

INTERPRETATION

1. In this Schedule, "holiday" means,

(*a*) New Year's Day;

(*b*) Good Friday;

(*c*) Victoria Day;

(*d*) Dominion Day;

(*e*) Labour Day;

(*f*) Thanksgiving Day; and

(*g*) Christmas Day.

2. The regular working periods for the industry are,

(*a*) a regular working week consisting of not more than 37½ hours of work performed during the regular working days; and

(*b*) a regular working day consisting of not more than 7½ hours of work performed on Monday, Tuesday, Wednesday, Thursday and Friday between 8 a.m. and 4.30 p.m. with one hour for noon recess between 12 o'clock noon and 1 p.m.

3.—(1) Notwithstanding clause *b* of section 2, an employer whose shop or factory is located outside a radius of fifty miles from the New City Hall, Toronto, may elect to vary the hours of a regular working day to consist of not more than 7½ hours of work performed on Monday, Tuesday, Wednesday, Thursday and Friday between 8 a.m. and 5 p.m. with one hour for noon recess approximately midway through each regular working day.

(2) An employer who elects as provided in subsection 1, shall as soon as practicable after his election,

(*a*) post conspicuously in the place where his employees work; and

(*b*) file with the Advisory Committee,

a notice in the form prescribed by the Advisory Committee setting out the exercise of his election, the hours of the day during which work is to be performed by his employees and the time of commencement and termination of the noon recess.

(3) An employer who makes an election subsequent to his first election under subsection 1, shall give thirty days notice in writing of such subsequent election by,

(*a*) posting conspicuously in the place where his employees work; and

(*b*) filing with the Advisory Committee,

a notice in the form prescribed by the Advisory Committee.

4. No person shall perform work in the industry on a holiday.

5.—(1) Where an employee has been in the employ of an employer for more than two months, the employee is entitled to wages for a holiday equivalent to 7½ times the average hourly rate of wages earned by him during the two-month period immediately preceding the holiday.

(2) For the purpose of subsection 1 the average hourly rate of wages of an employee shall be not less than the minimum rate of wages for his class under section 12.

6. Where an employer requires an employee employed on a time-work basis to work for part of a regular working day the employee is entitled to the regular rate of wages but the wages for that day shall not be less than the wages for four hours of work.

OVERTIME WORK

7. Work performed in the industry at any time other than during the regular working periods is overtime work.

8.—(1) No overtime work shall be performed in the industry without a permit from the advisory committee.

(2) The advisory committee is authorized to issue the permits subject to this Schedule.

9.—(1) No permit for overtime work shall be issued to any person other than an employer.

(2) An application by an employer for an overtime permit shall be made in writing to the advisory committee.

(3) Where the advisory committee has issued a permit authorizing overtime work to an employer, he shall post the permit during the period it is in force in a conspicuous place where his employees are engaged in their duties.

(4) No permit shall be issued by the advisory committee for overtime work,

(a) on Friday; or

(b) on Saturday except between the hours of 8.00 and 12.00 o'clock in the forenoon.

(5) Where during the regular working periods,

(a) there is in the opinion of the advisory committee a labour shortage in the industry; or

(b) in the employer's establishment,

(i) all machines are in use, and

(ii) there are no facilities or spaces available for additional machines or for additional employees,

the advisory committee may, subject to subsection 4, issue a permit for overtime work.

CLASSIFICATION OF EMPLOYEES

10. The following classification of employees in the industry is established:

i. Class A, composed of skilled cutters, being persons who,

(a) lay up materials;

(b) grade sizes or make markers on materials; and

(c) cut the material with knives, shears or electric cutting machines.

ii. Class B, composed of pressers, being persons who press any garment after it is sewn by the operator.

iii. Class C, composed of under pressers, being persons who,

(a) press seams; and

(b) do other incidental piece pressing necessary to make the pieces ready for the operator or finisher.

iv. Class D, composed of semi-skilled cutters, being persons who perform the operations of a skilled cutter on a garment but who do not,

(a) grade sizes; or

(b) make markers,

on paper or on materials other than on trimmings.

v. Class E, composed of operators, being persons who perform the sewing machine operations necessary to make a complete garment.

vi. Class F, composed of section operators, being persons who perform sewing machine operations only on one or some of the component parts of a garment.

vii. Class G, composed of drape hands being persons who,

(a) drape or adorn any garment for the finisher; and

(b) mark the position of belts, buttons and trimmings, to be sewn on by the finisher.

viii. Class H, composed of garment examiners, being persons who examine the fit and hang of finished garments for faults in workmanship and style.

ix. Class I, composed of finishers, being persons who by hand,

(a) sew snaps, buttons, ties, belts, loops, hooks and trimmings on garments;

(b) fell bottoms; and

(c) perform any other hand-sewing operations necessary to complete a garment.

x. Class J, composed of special-machine operators, being persons who operate a special-machine used in the manufacture of garments for,

(a) basting;

(b) felling;

(c) button-hole making;

(d) serging;

(e) shirring; or

(f) tucking.

xi. Class K, composed of separators, being persons who separate and assemble or bundle parts of garments for further operations after the garments or parts including trimmings have been cut.

xii. Class L, composed of general hands, being persons who,

(*a*) clean finished garments;

(*b*) clean off loose thread ends; and

(*c*) clip thread ends.

xiii. Learners, composed of persons,

(*a*) who are beginners in the classifications of Class C, Class D, Class E, Class F, Class I, Class J, and Class K;

(*a*) not previously experienced in the classification within which they are employed and who, while learning the skills of such classification, perform the work of such classification; and

(*c*) whose employer files with and in the manner prescribed by the Advisory Committee information concerning such persons, including the name, work history and signed consent of each person, to a starting rate of wage not less than the minimum rate prescribed for the appropriate class and period of employment set out in subsection 2 of section 12. O. Reg. 77/70, s. 2.

11. Where a person classified as a learner has been employed as such for the period of time set out in subsection 2 of section 12 in respect of his classification he ceases to be a learner. O. Reg. 77/70, s. 2.

MINIMUM RATES OF WAGES

12.—(1) The minimum rate of wages for all work performed in the industry during the regular working periods by employees classified in section 10, except for learners, is the hourly rate set opposite the respective classes as follows:

i. Class A	$3.00
ii. Class B	$2.50
iii. Class C	$1.80
iv. Class D	$2.75
v. Class E	$1.80
vi. Class F	$1.75
vii. Class G	$1.60
viii. Class H	$1.47
ix. Class I	$1.44
x. Class J	$1.40
xi. Class K	$1.35
xii. Class L	$1.30

(2) The minimum rate of wages for work performed by learners during regular working hours is the hourly rate set opposite each class of learners during the respective periods of employment as learners within the industry as follows:

i. Class C	
first three months	$1.45
second three months	$1.65
ii. Class D	
first three months	$1.80
second three months	$2.05
third three months	$2.30
fourth three months	$2.55
iii. Class E	
first two months	$1.30
second two months	$1.43
third two months	$1.56
fourth two months	$1.68
iv. Class F	
first one month	$1.30
second one month	$1.45
v. Class I	
first one month	$1.30
second two months	$1.37
vi. Class J	
first one month	$1.30
second two months	$1.35
vii. Class K	
first one month	$1.30
second two months	$1.33

(3) Where the employer pays employees on a piece-work basis, learners in such classifications shall be paid the piece-work rates or the minimum hourly rates prescribed in subsection 2, whichever is the greater.

RATES OF WAGES FOR OVERTIME WORK

13. The hourly rate of wages for overtime work performed in the industry by employees classified in section 10, including learners, is 1½ times the average hourly wage earned by such employees during the regular working hours in the pay period immediately preceding the overtime work, but in no case shall the hourly rate of wages for overtime work be less than 1½ times the minimum rate of wages for work performed during the regular working hours.

VACATIONS

14.—(1) In this section, "period of entitlement" means the period from the 1st day of July in any year to the 30th day of June in the year next following.

(2) An employee who has completed less than two years of service in the industry shall receive annual vacation pay equal to 2 per cent of his gross earnings during the period of entitlement immediately preceding his vacation or his receipt of vacation pay, as the case may be.

(3) An employee who has completed two or more years of service in the industry shall receive annual vacation pay equal to 4 per cent of his gross earnings during the period of entitlement immediately preceding his vacation or his receipt of vacation pay, as the case may be.

15. Notwithstanding section 4 and subsections 2 and 3 of section 14, an employee who is covered by a collective agreement between his employer and a trade union shall receive vacation and vacation pay and is entitled to holidays and wages for holidays in accordance with the provisions therefor in the collective agreement.

ASSESSMENT

16. Subject to the approval of the Board,

(*a*) each employer in the industry is assessed one-half of 1 per cent of his payroll; and

(*b*) each employee in the industry is assessed one-half of 1 per cent of his wages,

to provide revenue for the enforcement of this Schedule.

ADVISORY COMMITTEE

17. The advisory committee is authorized to fix a minimum rate of wages lower than the rates fixed by this Schedule for a person,

(*a*) who performs work included in more than one class of employees;

(*b*) whose work is only partly subject to this Schedule; or

(*c*) who is handicapped.

18. Subject to the approval of the Board, the advisory committee is authorized,

(*a*) generally to administer and enforce this Schedule; and

(*b*) to collect the assessments under section 16 and, out of the revenue collected, to engage inspectors and other personnel and to make such expenditures as are necessary for the administration and enforcement of this Schedule. R.R.O. 1960, Reg. 349, Sched.; O. Reg. 2/64, s. 1; O. Reg. 34/66, ss. 1, 2, 4; O. Reg. 164/67, ss. 1, 3; O. Reg. 77/70, ss. 1-3.

REGULATION 521

under The Industrial Standards Act

SCHEDULE—LATHING INDUSTRY

OTTAWA

1. The Schedule is in force during pleasure within the Ottawa zone and is binding upon the employers and employees in the lathing industry. O. Reg. 183/65, s. 1.

Schedule

INTERPRETATION

1. In this Schedule, "holiday" means,

(*a*) Saturday;

(*b*) Sunday;

(*c*) New Year's Day;

(*d*) Good Friday;

(*e*) Victoria Day;

(*f*) Dominion Day;

(*g*) Labour Day;

(*h*) Thanksgiving Day; and

(*i*) Christmas Day.

HOURS OF WORK

2. The regular working periods for the industry are,

(*a*) a regular working week consisting of not more than forty hours of work performed during the regular working days; and

(*b*) a regular working day consisting of not more than eight hours of work performed on Monday, Tuesday, Wednesday, Thursday or Friday, between 8 a.m. and 4.30 p.m. with one-half hour each day for noon recess.

3.—(1) Night work is work performed by an employee other than,

(*a*) on a holiday; or

(*b*) during a regular working day,

and consisting of not more than eight hours of work in a period of twenty-four hours.

(2) Where work cannot be performed during a regular working day, it may be performed by night work.

MINIMUM RATE OF WAGES

4. The minimum rate of wages for work performed during a regular working day and for night work is $4.05 an hour.

SHIFT WORK

5.—(1) Where work is performed in two or more regular shifts, an employee shall be deemed to be employed during a regular working day for the purposes of this Schedule if,

(*a*) the shifts of not more than eight hours each are operated between 1 a.m. on Monday and 8 a.m. on the following Saturday; and

(*b*) no employee, other than a foreman, works on more than one shift in a period of twenty-four hours.

(2) One of the shifts that begin in a period of twenty-four hours is a day shift and the rest are night shifts.

(3) An employee who works on a night shift shall be entitled, as a minimum, to wages for eight hours for work of seven hours.

OVERTIME WORK

6. Overtime work is work,

(*a*) that is not night work and is not performed during a regular working day; or

(*b*) that is performed on a holiday.

7.—(1) No overtime work shall be performed in the industry without a permit from the advisory committee.

(2) The advisory committee is authorized to issue the permits subject to this Schedule.

8. No permit shall be issued by the advisory committee for overtime work on a holiday except,

(*a*) in cases of extreme necessity where life or property is jeopardized; or

(*b*) on repairs to buildings where the overtime work is necessary to prevent the loss of

employment to persons who are regularly employed in the buildings.

9. The rate of wages for overtime work is,

(*a*) for overtime work performed on Monday, Tuesday, Wednesday, Thursday or Friday, between 5 p.m. and 10 p.m., $6.07½ an hour; and

(*b*) for all other overtime work, $8.10 an hour.

RATE FOR HANDICAPPED

10. The advisory committee is authorized to fix a minimum rate of wages lower than the rate fixed by this Schedule for a person who is handicapped.

VACATIONS

11.—(1) In this section, "period of entitlement" means the period from the 1st day of July in any year to the 30th day of June in the year next following.

(2) Where an employee has not ceased to be employed by his employer, the employee is entitled to be paid by the employer on the 30th day of June in each year, as vacation with pay, an amount equal to 4 per cent of the employee's gross earnings during his period of entitlement.

(3) Where an employee has ceased to be employed by his employer, the employee is entitled to be paid by the employer, within ten days of the cessation of employment, as vacation with pay, an amount equal to 4 per cent of the employee's gross earnings for that part of the employee's period of entitlement that he was in the employ of the employer. O. Reg. 183/65, Sched.; O. Reg. 207/68, ss. 1-3.

REGULATION 522

under The Industrial Standards Act

SCHEDULE—MEN'S AND BOYS' CLOTHING INDUSTRY

ONTARIO

1. The Schedule is in force during pleasure within the Ontario zone and is binding upon the employers and employees in the men's and boys' clothing industry. R.R.O. 1960, Reg. 351, s. 1.

Schedule

INTERPRETATION

1. In this Schedule,

(*a*) "boys' longs" means pants of not more than thirty-two inch waist measurement manufactured for wear by boys;

(*b*) "holiday" means,

i. New Year's Day,

ii. Good Friday,

iii. Victoria Day,

iv. Dominion Day,

v. Civic Holiday,

vi. Labour Day,

vii. Thanksgiving Day, and

viii. Christmas Day,

but "Civic Holiday" means a holiday only for that part of the zone where it is so proclaimed by a municipality;

(*c*) "odd pants" means pants that are,

(i) produced and cut only in quantities,

(ii) manufactured only to standard trade measurements and sizes and not to individual sizes, measurements or specifications, and

(iii) manufactured for sale only as individual units in retail stores and not with the intention of being matched or sold with any coat or vest of the same or similar cloth.

(*d*) "year-end holiday" means the period from the 26th day of December to the 31st day of December, both inclusive, in each year;

(*e*) "year-end holiday pay" means pay for the year-end holiday.

HOURS OF WORK

2.—(1) The regular working periods for the industry are,

(*a*) a regular working week consisting of not more than forty hours of work performed during the regular working days; and

(*b*) a regular working day consisting of not more than eight hours of work performed on Monday, Tuesday, Wednesday, Thursday and Friday between 8 a.m. and 5 p.m.

(2) In establishments where the employees are regularly given more than one hour for noon recess, the regular working day may commence any time between 7.30 a.m. and 8 a.m.

OVERTIME WORK

3. Work performed in the industry,

(*a*) at any time other than during the regular working periods; or

(*b*) on a holiday,

is overtime work.

CLASSIFICATION OF EMPLOYEES

4.—(1) The following classification of employees in the industry other than employees working on odd pants is established:

i. Class A, composed of cutters or markers, being persons who do one or more of the following operations,

(*a*) assemble patterns on cloth or make the lay;

(*b*) mark with chalk or wax around the pattern on the top layer of cloth lays;

(*c*) make necessary alterations from a block pattern to special measurements required for stock or made-to-measure clothes; and

(*d*) cut the cloth or lay with electric machine,

and lay up the cloth to the number of layers required or cut it with shears.

ii. Class B, composed of,

(*a*) head operators on coats, being persons who,

(i) sew in sleeves of coat, or

(ii) sew around the shape of collar or lapel on coat,

not having been previously basted; and

(*b*) first operators on vests, being persons who do one or more of the following operations,

(i) tape edges,

(ii) sew around arm holes on a plain or edge-cutting machine,

(iii) make pockets,

(iv) sew on welts or patches, and

(v) make piped pockets.

iii. Class C, composed of trimmers, being persons who,

(*a*) assemble patterns on trimming materials or make lays; or

(*b*) (i) mark,

(ii) pile up to the number of layers required, or

(iii) cut with shears or knife,

body linings for coats or vests, or sleeve linings.

iv. Class D, composed of,

(*a*) pocket makers on coats, being persons who make a coat pocket or any part thereof but do not perform any of the operations defined in clause *a* under Class T;

(*b*) edge tapers, being persons who,

(i) tape fronts, or

(ii) sew up bottoms,

of coats;

(*c*) pocket makers on pants, being persons who,

(i) operate a special machine that cuts hip pocket and sews it to cloth,

(ii) turn in and sew bottom facing on hip pocket,

(iii) turn up underneath facings and sew top jetting on hip pocket,

(iv) sew side pocket on pants by machine,

(v) make and sew in watch pockets,

(vi) tack side pockets to position, or

(vii) perform any other operations necessary to pocket making on pants;

(*d*) seamers on pants, being persons who join the parts of a pair of pants by special or plain sewing machine; and

(*e*) second operators on vests, being persons who do one or more of the following operations,

(i) stitch edges,

(ii) baste edges,

(iii) tack pockets,

(iv) join side seams and shoulders,

(v) sew up vests, and

(vi) sew pocket lining to welts or patches.

v. Class E, composed of,

(*a*) finish pressers, being persons who do finish pressing on a finished coat or any section thereof other than the edges, by hand or steam machine;

(*b*) fitters on coats, being persons who fit or prepare parts and trimmings of coats;

(*c*) leg pressers and bottom pressers on pants, being persons who do one or more of the following operations,

(i) fold the legs, centre seam to centre seam,

(ii) press the legs, centre seam to centre seam, and

(iii) press the bottoms; and

(*d*) finish pressers on vests, being persons who do finish pressing on vests by hand or steam machine.

vi. Class F, composed of,

(*a*) shapers, being persons who do one or both of the following operations,

(i) mark, and

(ii) trim,

around shape of collar, lapels or fronts or bottom or edge of coat;

(*b*) under basters, being persons who,

(i) baste facing and collar to coat, or

(ii) trim bottom of lining;

(*c*) top collar basters, being persons who do one or more of the following operations,

(i) baste the top collar on a complete open coat that includes the gorget or on a semi-open coat where the gorget is sewn by machine,

(ii) baste the top collar to the under collar before it is set on the coat,

(iii) baste around the leaf of the top collar between the canvas and the under collar ready for felling, and

(iv) tack corners between the shape and the collar;

(*d*) edge basters by hand, being persons who, by hand, do on coats one or more of the following operations,

(i) trim around edges,

(ii) turn out coat,

(iii) baste edge of collar, lapels or fronts,

(iv) tack corners, and

(v) tack collars or inside collar seams; and

(*e*) top stitchers on pants, being persons who stitch waistband to top of pants.

vii. Class G, composed of,

(*a*) lining makers, being persons who do one or more of the following operations,

(i) sew lining to facing,

(ii) sew lining seams,

(iii) make pockets in linings,

(iv) sew in top collar, and

(v) join shoulder seams;

(*b*) edge stitchers, being persons who stitch edges of coat;

(*c*) joiners and pocket tackers, being persons who do one or more of the following operations,

(i) join side seams,

(ii) make backs,

(iii) sew centre and side seams,

(iv) make vents,

(v) tape arm holes and gorget,

(vi) make belts,

(vii) sew on under collars,

(viii) raise seams, and

(ix) tack pockets;

(*d*) shoulder joiners, being persons who join the shoulders of a coat;

(*e*) gorget sewers, being persons who sew top collar to facing of a coat;

(*f*) examining brushers, being persons who do on coats one or more of the following operations,

(i) brush coat after pressing,

(ii) make minor repairs, and

(iii) mark coats for buttons and button holes;

(*g*) dart sewers, being persons who sew up darts on front of garments;

(*h*) lining makers on pants, being persons who sew lining to pants;

(*i*) waistband operators on pants, being persons who do one or more of the following operations,

(i) sew on waistbands,

(ii) put in loops, and

(iii) put in tunnels;

(*j*) top pressers on pants, being persons who complete the outside pressing of the tops of pants; and

(*k*) fitters on vests, being persons who fit and prepare parts of trimmings for vests.

viii. Class H, composed of seam pressers or underpressers on vests, being persons who do any seam pressing or under pressing on a vest.

ix. Class I, composed of alteration tailors, being persons who make alterations of any kind on coats, vests or pants, other than persons in a retail store who make alterations on completely manufactured coats, vests or pants sold at retail in a store.

x. Class J, composed of choppers, being assistant cutters and being persons who,

(*a*) pile up material to the number of layers required according to the lay marked by the cutter; or

(*b*) cut with shears,

(i) a single lay, or

(ii) as many layers as can be cut at one time,

but do not perform any of the operations defined in clauses *a*, *b*, *c* or *d* under Class A.

but do not perform any of the operations defined in clauses *a*, *b*, *c* or *d* under Class A.

xi. Class K, composed of,

(*a*) edge pressers, being persons who press edges or bottoms of coats by hand or steam machine; and

(*b*) seam pressers or under pressers on coats, being persons who do any seam pressing or under pressing on a coat.

xii. Class L, composed of,

(*a*) lining basters, being persons who do one or more of the following operations,

(i) baste facing down to coat,

(ii) baste around bottom and pleat of linings,

(iii) baste lining around arm holes, and

(iv) trim around arm holes;

(*b*) facing basters by hand, being persons who, by hand, baste facing on the inside of a coat;

(*c*) collar setters, being persons who do one or more of the following operations,

(i) mark necks,

(ii) baste under collar,

(iii) tack gorget,

(iv) baste neck to the top collar, and

(v) tack corner;

(*d*) shoulder basters and under collar basters, being persons who do one or more of the following operations,

(i) baste shoulder lining ready for felling,

(ii) mark necks, and

(iii) baste in under collar by hand;

(*e*) edge basters by machine, being persons who do one or more of the following operations,

(i) trim around edges,

(ii) turn out coat, and

(iii) baste edge of collar, lapels or fronts;

(*f*) pocket makers and outside seamers on boys' longs, shorts and bloomers, being persons who,

(i) sew on the side pocket to the front of boys' longs, shorts or bloomers,

(ii) close down the side seam of the front part to the back part with a corded or plain seam,

(iii) make the hip pockets,

(iv) operate a special machine that cuts hip pocket and sews it to cloth,

(v) turn in and sew bottom facing on hip pocket,

(vi) turn up underneath facings and sew top jetting on hip pocket,

(vii) sew side pocket on boys' longs, shorts or bloomers by machine,

(viii) make and sew in watch pockets,

(ix) tack side pockets to position, or

(x) perform any other operations necessary to pocket making on boys' longs, shorts or bloomers; and

(*g*) lining sewers and stitchers on boys' longs, shorts and bloomers, being persons who sew on and stitch the lining on boys' longs, shorts or bloomers.

xiii. Class M, composed of try-on basters, being persons who baste up a garment for fitting.

xiv. Class N, composed of seam pressers on pants, being persons who press seams on pants.

xv. Class O, composed of finish pressers on boys' longs, shorts and bloomers, being persons who do finish pressing on boys' longs, shorts or bloomers.

xvi. Class P, composed of assistant trimmers, being persons who,

(*a*) lay up; or

(*b*) cut by shear or knife only,

canvases, pocketings, wigans or stays but do not perform any of the operations defined in Class C.

xvii. Class Q, composed of,

(*a*) sleeve makers, being persons who do one or both the following operations,

(i) join sleeves and sleeve linings, and

(ii) make vents, cuffs or straps;

(*b*) button hole makers by machine, being persons who make button holes by machine;

(*c*) special machine operators, being persons who, by machine, do one or more of the following operations,

(i) fell tape,

(ii) fell under collar,

(iii) put on bridle,

(iv) fell lining, and

(v) tack facing;

(*d*) lapel padders and collar padders, being persons who pad the collar or lapels by machine or by hand;

(*e*) arm hole sergers, being persons who do one or more of the following operations,

(i) baste in part of shoulder or sleeve pads,

(ii) serge arm holes, and

(iii) baste in shoulder lining;

(*f*) fitters on pants, being persons who fit or prepare parts of trimmings for pants;

(*g*) trimming makers on pants, being persons who do one or more of the following operations,

(i) sew on fly linings,

(ii) prepare and sew on facings of pockets, and

(iii) sew and stitch around pocket linings;

(*h*) lining makers and back makers on vests, being persons who make linings or backs of vests;

(*i*) third operators on vests, being persons who,

(i) close pockets, or

(ii) join neck pieces,

of vests; and

(*j*) basters on vests, being persons who, by hand or by machine, pin or baste facings, including the lining and canvas, on the edge of the vest ready for the tape sewer.

xviii. Class R, composed of,

(*a*) separators of coats, being persons who,

(i) separate parts of coats,

(ii) assemble parts of coats ready for machine, and

(iii) except to cut threads, do not use scissors; and

(*b*) separators of vests, being persons who,

(i) separate parts of vests, and

(ii) assemble parts of vests ready for machine, and

(iii) except to cut threads, do not use scissors.

xix. Class S, composed of,

(*a*) canvas makers by hand, being persons who make canvas by hand; and

(*b*) separators of pants, being persons who,

(i) separate parts of pants,

(ii) assemble parts of pants ready for machine, and

(iii) except to cut thread, do not use scissors.

xx. Class T, composed of,

(*a*) ticket pocket makers, being persons who,

(i) sew facing in pocket linings, or

(ii) make inside ticket pockets;

(*b*) canvas basters by hand, being persons who, by hand,

(i) baste canvas, or

(ii) tack pockets;

(*c*) canvas basters by machine, being persons who, by machine,

(i) baste canvas, or

(ii) tack pockets;

(*d*) facing tackers and bottom tackers, being persons who tack inside of facing or bottom of coat;

(*e*) facing basters by machine, being persons who baste facing on the inside of a coat by machine;

(*f*) finishers on coats, being persons who do any felling on a coat;

(*g*) finishers on pants and vests, being persons who,

(i) do any felling necessary on pants or vests, or

(ii) sew buttons on pants by hand;

(*h*) button hole makers by hand, being persons who make button holes on a coat or vest by hand;

(*i*) special machine operators on pants, being persons who, by machine, do one or both of,

(i) serging side seams, pockets or cuffs, and

(ii) sewing on buttons;

(*j*) button sewers, being persons who sew buttons on coats or vests by machine or by hand;

(*k*) button hole tackers, being persons who tack button holes by machine;

(*l*) canvas makers by machine, being persons who make canvas by machine;

(*m*) cleaners and basting pullers, being persons who,

(i) clean black and white ends,

(ii) brush off coat, or

(iii) pull bastings from coat;

(*n*) bushelers on pants, being persons who,

(i) clean off thread ends, and

(ii) brush; and

(*o*) general helpers, being persons who do one or more of,

(i) pairing in linings,

(ii) marking vests and pants for buttons and button holes,

(iii) trimming around canvas,

(iv) trimming around neck,

(v) turning over vest ready for the tape sewer, and

(vi) cleaning off thread ends.

xxi. Class U, composed of,

(*a*) binders, being persons who bind seams on a coat by machine;

(*b*) bottom trimmers on pants, being persons who do one or more of the following operations,

(i) measure length of pants,

(ii) mark for cuffs, and

(iii) trim bottoms;

(*c*) pocket piecers on vests, being persons who sew silesia to pocket; and

(*d*) thread markers, being persons who do one or both of the following operations,

(i) thread mark for buttons, pockets, darts or outlets, and

(ii) attach tickets.

(2) The following classification of employees in the industry working on odd pants is established:

i. Class A, composed of cutters or markers, being persons who do one or more of the following operations:

(*a*) assemble patterns on cloth or make the lay;

(*b*) mark with chalk or wax around the pattern on the top layer of cloth lays; and

(*c*) make necessary alterations from a block pattern to special measurements required for stock or made-to-measure clothes,

and lay up the cloth to the number of layers required, or cut it with shears or knife.

ii. Class B, composed of,

(*a*) trimmers or lining markers, being persons who assemble patterns on or mark linings;

(*b*) pocket makers, being persons who,

(i) turn in and sew bottom facings on hip pocket,

(ii) turn up underneath facings and sew top jetting on hip pocket,

(iii) sew side pockets on pants by machine,

(iv) make and sew in watch pockets,

(v) tack side pockets to position, or

(vi) perform any other operations necessary to pocket-making on odd pants;

(*c*) inside and crotch seamers, being persons who,

(i) join the back and inside seams, or

(ii) join the two fronts at crotch; and

(*d*) outside seamers, being persons who join the outside seams by,

(i) special sewing machine, or

(ii) plain sewing machine.

iii. Class C, composed of,

(*a*) leg pressers, being persons who,

(i) fold the legs, centre seam to centre seam, and

(ii) press the legs, centre seam to centre seam, by hand iron or by steam machine; and

(*b*) lining stitchers or top stitchers, being persons who,

(i) stitch the bottom part of the lining to the waistband, or

(ii) stitch over the white or right fly.

iv. Class D, composed of,

(*a*) top pressers, being persons who complete on a,

(i) jumping machine, or

(ii) steam machine,

the outside pressing of the tops of pants;

(*b*) lining sewers, being persons who,

(i) sew the waistband lining to the top of the waistband, or

(ii) sew on a white or right fly lining to the front of the pants; and

(*c*) hip pocket cutters, being persons who operate a special machine for cutting and sewing hip pockets to cloth.

v. Class E, composed of choppers, being persons who, where the lays of cloth or lining have been marked by the cutter marker or trimmer,

(*a*) cut,

(i) a single lay, or

(ii) as many lays as required,

by electric machine or hand shears; or

(*b*) also pile up material to the lay required,

but do not perform any of the operations defined in clauses *a*, *b* and *c* under Class A and clause *a* under Class B.

vi. Class F, composed of,

(*a*) pocket makers on boys' longs, shorts and bloomers, being persons who,

(i) operate a special machine for cutting and sewing hip pocket to cloth,

(ii) turn in and sew bottom facing on hip pocket,

(iii) turn up underneath facings and sew top jetting on hip pocket,

(iv) sew side pocket on pants by machine,

(v) make and sew in watch pockets,

(vi) tack side pockets to position, or

(vii) perform any other operations necessary to pocket making on boys' longs, shorts and bloomers;

(*b*) lining sewers and stitchers on boys' longs, shorts and bloomers, being persons who sew on or stitch the lining; and

(*c*) finish pressers on boys' longs, shorts and bloomers, being persons who do finish pressing on boys' longs, shorts or bloomers.

vii. Class G, composed of,

(*a*) layers up, being persons who,

(i) lay up the cloth to the number of lays required for the chopper but do not assemble patterns on cloth, mark the cloth or cut or shear the cloth other than at the end of the of the required lays to sever the cloth, or make any alterations to patterns, or

(ii) also cut linings for pant pocketing, fly linings, pocket stays or waistbands; and

(*b*) fly sewers, being persons who sew cloth left fly on pants.

viii. Class H, composed of,

(*a*) fitters, being persons who fit or assemble all pocket facings or other fittings on odd pants;

(*b*) seam pressers, being persons who press any seams of pants;

(*c*) facing operators, being persons who sew pocket facings on all pockets of pants;

(*d*) curtain makers, being persons who make waistband linings;

(*e*) button hole makers, being persons who make button holes on button hole machines; and

(*f*) seamers on boys' longs, shorts and bloomers, being persons who,

(i) close the inside seams, or

(ii) close down the side seams of the front to the back part of the pants with a corded or plain seam.

ix. Class I, composed of,

(*a*) assistant trimmers, being persons who cut,

(i) linings for pant pocketing,

(ii) fly lining,

(iii) pocket stays, or

(iv) waistband;

(*b*) cuff pressers, being persons who press cuffs only; and

(*c*) waistband operators, being persons who, on pants,

(i) sew waistbands, and

(ii) put belt loops.

x. Class J, composed of,

(*a*) pocket sergers, being persons who operate a special machine that serges and trims pockets on pants;

(*b*) bar tackers, being persons who operate a special or plain machine that bartacks corner seams on pockets or other corner seams;

(*c*) fly makers, being persons who make the black or left fly;

(*d*) button sewers, being persons who sew on buttons by machine or by hand;

(*e*) loop makers, being persons who make belt loops by machine;

(*f*) button hole tackers, being persons who tack all button holes on a special tacking machine;

(*g*) cuff machine operators, being persons who make cuffs on pants by special or plain sewing machine;

(*h*) ticket sewers, being persons who sew tickets on pants by machine or by hand;

(*i*) examiners, being persons who examine the pants or make minor repairs necessary before the pants are sent to the stock room; and

(*j*) cleaners, being persons who clean thread ends off pants.

MINIMUM RATES OF WAGES

5.—(1) The minimum rate of wages for all work performed in the industry during the regular working periods by employees classified in subsection 1 of section 4 is,

(*a*) in the counties of Halton, Ontario, Peel, Wentworth and York, the hourly rate set opposite the respective classes as follows:

i. Class A, $2.29,

ii. Class B, $2.20,

iii. Class C, $2.18½,

iv. Class D, $2.09½,

v. Class E, $2.04,

vi. Class F, $1.98,

vii. Class G, $1.86,

viii. Class H, $1.83,

ix. Class I, $1.80½,

x. Class J, $1.79½,

xi. Class K, $1.75½,

xii. Class L, $1.72½,

xiii. Class M, $1.71½,

xiv. Class N, $1.67½,

xv. Class O, $1.65,

xvi. Class P, $1.60,

xvii. Class Q, $1.56½,

xviii. Class R, $1.55,

xix. Class S, $1.52,

xx. Class T, $1.49,

xxi. Class U, $1.44; and

(*b*) in all other parts of Ontario, the hourly rate set opposite the respective classes as follows:

i. Class A, $2.06,

ii. Class B, $1.98,

iii. Class C, $1.96½,

iv. Class D, $1.88½,

v. Class E, $1.83½,

vi. Class F, $1.78,

vii. Class G, $1.67½,

viii. Class H, $1.64½,

ix. Class I, $1.62½,

x. Class J, $1.61½,

xi. Class K, $1.58,

xii. Class L, $1.55½,

xiii. Class M, $1.54½,

xiv. Class N, $1.51,

xv. Class O, $1.48½,

xvi. Class P, $1.44,

xvii. Class Q, $1.41,

xviii. Class R, $1.39½,

xix. Class S, $1.37,

xx. Class T, $1.34,

xxi. Class U, $1.29½.

(2) The minimum rate of wages for all work performed in the industry during the regular working periods by employees classified in subsection 2 of section 4 is,

(*a*) in the counties of Halton, Ontario, Peel, Wentworth and York, the hourly rate set opposite the respective classes as follows:

i. Class A, $1.98½,

ii. Class B, $1.87,

iii. Class C, $1.80,

iv. Class D, $1.68,

v. Class E, $1.60,

vi. Class F, $1.53½,

vii. Class G, $1.46½,

viii. Class H, $1.39½,

ix. Class I, $1.38½,

x. Class J, $1.32; and

(*b*) in all other parts of Ontario, the hourly rate set opposite the respective classes as follows:

i. Class A, $1.78½,

ii. Class B, $1.68½,

iii. Class C, $1.62,

iv. Class D, $1.51,

v. Class E, $1.44,

vi. Class F, $1.38,

vii. Class G, $1.32,

viii. Class H, $1.25½,

ix. Class I, $1.24½,

x. Class J, $1.19.

HOLIDAYS

6.—(1) Where an employee does not perform work on a holiday, regardless of the day on which the holiday falls and whether or not the holiday falls during an annual or year-end holiday period, he shall be paid eight times the average hourly rate of wages earned by him during the pay period in which the holiday falls or during his nearest preceding pay period, as the case may be, if,

(*a*) he has been employed in the industry for at least three months; and

(*b*) he works on the last day he is required to work preceding the holiday and on the first day he is required to work following the holiday.

(2) Notwithstanding that an employee is laid off or is absent because of illness for a continuous period up to eight weeks, he is entitled to holiday pay.

(3) Where an employee who is entitled to holiday pay performs work on a holiday, he shall be paid for eight hours of work, plus an amount equal to 1½ times his hourly rate of wages for each hour he performs work.

(4) Notwithstanding subsections 1, 2 and 3, an employee who is covered by a collective agreement between his employer and a trade union shall receive holidays and holiday pay in accordance with any provisions therefor in such collective agreement.

VACATIONS

7.—(1) In this section, "period of entitlement" means the period from the 1st day of July in any year to the 30th day of June in the year next following, both inclusive.

(2) An employee who has completed one year or more of service in the industry with the same employer shall receive annual vacation pay in the amount of 4 per cent of his gross earnings during the period of entitlement.

(3) An employee who has completed less than two years of service in the industry and who has not completed one year or more of service with the same employer shall receive annual vacation pay in the amount of 2 per cent of his gross earnings during the period of entitlement.

(4) An employee who has completed two or more years of service in the industry shall receive annual vacation pay in the amount of 4 per cent of his gross earnings during the period of entitlement.

(5) Notwithstanding subsections 2, 3 and 4, an employee who is covered by a collective agreement between his employer and a trade union shall receive vacation and vacation pay in accordance with the provisions therefor in such collective agreement.

YEAR-END HOLIDAY PAY

8.—(1) An employee who has been employed by the same employer for a period of two years or more as of the 24th day of December, shall receive, on the nearest pay day preceding Christmas Day, year-end holiday pay of thirty-two times the average hourly rate earned by him during his nearest work period next preceding Christmas Day.

(2) To qualify for year-end holiday pay, an employee shall work or be available for work on the five working days next preceding Christmas Day and on the five working days next following New Year's Day.

(3) Notwithstanding that an employee is laid off or is absent because of illness for a continuous period up to eight weeks, he is entitled to receive year-end holiday pay.

(4) An employee who is entitled to year-end holiday pay and who works during the period between Christmas Day and New Year's Day shall be paid at the rate of 1½ times his hourly rate of wages in addition to year-end holiday pay.

(5) Notwithstanding subsections 1, 2, 3 and 4, an employee who is covered by a collective agreement between his employer and a trade union shall receive year-end holiday pay in accordance with the provisions therefor in such collective agreement.

RATE OF WAGES FOR OVERTIME WORK

9. The rate of wages for overtime work performed by an employee classified in section 4 is 1½ times the average hourly wages earned by the employee during the pay period in which the overtime work is performed.

MILITARY UNIFORMS

10. Notwithstanding sections 5 and 9, the minimum rate of wages for all work performed on military uniforms manufactured for use by the armed services of any country by an employee classified in section 4 is 2½ cents an hour less than the rate of wages prescribed in section 5 or 9.

ASSESSMENT

11. Subject to the approval of the Director,

(*a*) each employer in the industry is assessed one-half of 1 per cent of his payroll; and

(*b*) each employee in the industry is assessed one-half of 1 per cent of his wages,

to provide revenue for the enforcement of this Schedule.

ADVISORY COMMITTEE

12. The advisory committee is authorized to fix a minimum rate of wages lower than the rate fixed by this Schedule for a person,

(*a*) who performs work included in more than one class of employees;

(*b*) whose work is only partly subject to this Schedule; or

(*c*) who is handicapped.

13. Subject to the approval of the Board, the advisory committee is authorized,

(*a*) generally to administer and enforce this Schedule; and

(*b*) to collect the assessments under section 11 and, out of the revenue collected, to engage inspectors and other personnel and to make such expenditures as are necessary for the administration and enforcement of this Schedule. R.R.O. 1960, Reg. 351, Sched.; O. Reg. 369/61, s. 1; O. Reg. 345/68, ss. 1-6.

REGULATION 523

under The Industrial Standards Act

SCHEDULE—MEN'S AND BOYS' HAT AND CAP INDUSTRY

ONTARIO

1. The Schedule is in force during pleasure within the Ontario zone and is binding upon the employers and employees in the men's and boys' hat and cap industry. R.R.O. 1960, Reg. 352, s. 1.

Schedule

INTERPRETATION

1. In this Schedule, "holiday" means,

(*a*) New Year's Day;

(*b*) Good Friday;

(*c*) Labour Day; and

(*d*) Christmas Day.

HOURS OF WORK

2. The regular working periods for the industry are,

(*a*) a regular working week consisting of not more than forty hours of work to be performed during the regular working days; and

(*b*) a regular working day consisting of not more than eight hours of work to be performed on Monday, Tuesday, Wednesday, Thursday and Friday between,

(i) 8 a.m. and 5 p.m., or

(ii) 8.30 a.m. and 5.30 p.m.,

with one hour for noon recess.

3.—(1) The employer shall elect the hours of the day under clause *b* of section 2, during which work is to be performed by his employees.

(2) The employer shall,

(*a*) post in a conspicuous place where his employees are engaged in their duties; and

(*b*) file with the advisory committee,

a notice setting out the hours of the day during which work is to be performed by his employees.

(3) Thereafter the employer shall give thirty days notice in writing to his employees and to the advisory committee of a change in the hours of the day during which work is to be performed by his employees.

4.—(1) No person shall perform work in the industry on a holiday.

(2) Where an employee has been in the employ of an employer for longer than one month, the employee is entitled to wages for eight hours of work at the minimum rate of wages under section 9 for a holiday.

OVERTIME WORK

5. Work performed in the industry at any time other than during the regular working periods is overtime work.

6.—(1) No overtime work shall be performed in the industry without a permit from the advisory committee, except that one hour of overtime work may be performed immediately following the working period on Monday, Tuesday, Wednesday and Thursday.

(2) The advisory committee is authorized to issue the permits subject to this Schedule.

7. No permit for overtime work shall be issued to any person other than an employer.

CLASSIFICATION OF EMPLOYEES

8. The following classification of employees in the industry is established:

i. Class A, composed of cutters, being persons who,

(*a*) lay up material to the number of layers required;

(*b*) assemble patterns on materials;

(*c*) mark with chalk or wax around the pattern on the top layer of material; and

(*d*) cut the material with knife, shears or electric cutting machine.

ii. Class B, composed of operators, being persons who, by machine,

(*a*) sew together segments of material to form covers, peaks or visors;

(*b*) sew in,

(i) size bands cut from canvas, or

(ii) linings, sweat bands or protectors,

to hats, caps or headgear; or

(*c*) sew peaks or visors to covers.

iii. Class C, composed of blockers, being persons who,

(*a*) shape or shrink head gear to style or size on wooden-block forms; or

(*b*) press or block head gear in a hydraulic press.

iv. Class D, composed of lining makers, being persons who, by machine, sew together pieces of material to form linings.

v. Class E, composed of hand finishers, being persons who,

(*a*) tack in sweat-bands or linings; or

(*b*) sew on buttons, hooks, insignia or ornaments, by hand.

vi. Class F, composed of general hands, being persons who,

(*a*) press seams; or

(*b*) attach fasteners.

MINIMUM RATES OF WAGES

9. The minimum rate of wages for all work performed in the industry during the regular working periods by employees classified under section 8 is the hourly rate set opposite the respective classes as follows:

i. Class A, $1.01.

ii. Class B, 94 cents.

iii. Class C, 74½ cents.

iv. Class D, 64 cents.

v. Class E, 55 cents.

vi. Class F, 48½ cents.

RATES OF WAGES FOR OVERTIME WORK

10. The rate of wages for overtime work performed in the industry by employees classified under section 8 is the hourly rate set opposite the respective classes as follows:

i. Class A, $1.26.

ii. Class B, $1.17.

iii. Class C, 94 cents.

iv. Class D, 80 cents.

v. Class E, 68¾ cents.

vi. Class F, 60⅜ cents.

ASSESSMENT

11. Subject to the approval of the Board,

(*a*) each employer in the industry is assessed one-half of 1 per cent of his payroll; and

(*b*) each employee in the industry is assessed one-half of 1 per cent of his wages,

to provide revenue for the enforcement of this Schedule.

ADVISORY COMMITTEE

12. The advisory committee is authorized to fix a minimum rate of wages lower than the rate fixed by this Schedule for a person,

(*a*) who performs work included in more than one class of employees;

(*b*) whose work is only partly subject to this Schedule; or

(*c*) who is handicapped.

13. Subject to the approval of the Board, the advisory committee is authorized,

(*a*) generally to administer and enforce this Schedule; and

(*b*) to collect the assessments under section 11 and, out of the revenue collected, to engage inspectors and other personnel and to make such expenditures as are necessary for the administration and enforcement of this Schedule. R.R.O. 1960, Reg. 352, Sched.

REGULATION 524

under The Industrial Standards Act

SCHEDULE—MILLINERY INDUSTRY

ONTARIO

1. The Schedule is in force during pleasure within the Ontario Zone and is binding upon employers and employees in the millinery industry. O. Reg. 204/64, s. 1.

Schedule

INTERPRETATION

1. In this Schedule,

(*a*) "Civic Holiday" means a holiday only where it is so declared under a by-law of the municipality in which an employee performs his work;

(*b*) "holiday" means,

(i) New Year's Day,

(ii) Good Friday,

(iii) Victoria Day,

(iv) Civic Holiday,

(v) Labour Day,

(vi) Thanksgiving Day,

(vii) Christmas Day.

HOURS OF WORK

2. The regular working periods for the industry are,

(*a*) a regular working week consisting of not more than 37½ hours of work to be performed during the regular working days; and

(*b*) a regular working day consisting of not more than 7½ hours of work to be performed on Monday, Tuesday, Wednesday, Thursday and Friday between 8 a.m. and 4.30 p.m., or between 8.30 a.m. and 5 p.m., with one hour each day for noon recess.

3.—(1) An employer shall elect the hours of the day under clause *b* of section 2 during which work is to be performed by his employees.

(2) The employer shall,

(*a*) post in a conspicuous place where his employees are engaged in their duties; and

(*b*) file with the advisory committee,

a notice setting out the hours of the day during which work is to be performed by his employees.

(3) Thereafter the employer shall give thirty days notice in writing to his employees and to the advisory committee of a change in the hours of the day during which work is to be performed by his employees.

4. No person shall perform work in the industry on,

(*a*) New Year's Day,

(*b*) Labour Day; or

(*c*) Christmas Day.

5.—(1) Where an employee has been in the employ of an employer for more than one month, the employee is entitled to wages for 7½ hours at the minimum rate of wages under section 9 for a holiday.

(2) Where an employee who has been in the employ of an employer for more than one month, performs work on Good Friday, Victoria Day, Civic Holiday or Thanksgiving Day, he shall be paid the minimum rate of wages under section 9 for the work performed in addition to the wages payable to the employee for the holiday under subsection 1.

OVERTIME WORK

6.—(1) Work performed in the industry at any time other than during the regular working periods is overtime work.

(2) Overtime work of not more than ten hours may be performed between Monday and noon on Saturday of the same week during,

(*a*) the two-hour period immediately following a regular working day; and

(*b*) the four-hour period between 8 a.m. and 12 noon on Saturday.

7.—(1) No overtime shall be performed in the industry without a permit from the advisory committee.

(2) The advisory committee is authorized to issue the permits subject to this Schedule.

(3) An application by an employer for an overtime permit shall be made in writing to the advisory committee.

(4) Where the advisory committee has issued a permit authorizing overtime work to an employer, he shall post the permit during the period it is in force in a conspicuous place where his employees are engaged in their duties.

CLASSIFICATION OF EMPLOYEES

8. The following classification of employees in the industry is established:

i. Class A, composed of hand blockers, being persons who, by hand, shape or shrink headgear to style or size on a wooden-block form.

ii. Class B, composed of blockers, being persons who,

(*a*) block and press headgear in a hydraulic press or stamping machine;

(*b*) by hand or machine,

(i) brush,

(ii) buff,

(iii) pounce, and

(iv) slick,

headgear manufactured from felt;

(*c*) stiffen and size headgear; and

(*d*) make saddles for hydraulic dies.

iii. Class C, composed of,

(*a*) cutters, being persons who,

(i) lay up material to the number of layers required,

(ii) assemble patterns on material,

(iii) mark with chalk or wax around the pattern on the top layer of material, and

(iv) cut the material with knife, shears, or electric cutting machine; and

(*b*) operators, being persons who,

(i) by machine, sew together segments of material including straw braid to form crowns or brims, sew crowns to brims, sew trimmings, sew in to headgear size-bands, linings or sweat bands or stitch brims, or

(ii) pull brims.

iv. Class D, composed of drapers, being persons who,

(*a*) by hand sew together segments of material to form headgear;

(*b*) by steam machine,

(i) shape, or

(ii) press,

headgear of any material to size or style;

(*c*) drape or pin or cut material;

(*d*) make or sew on trimmings, or ornaments; or

(*e*) sew in sweat bands or linings.

v. Class E, composed of trimmers, being persons who, by hand,

(*a*) make,

(i) bands,

(ii) bows, and

(iii) any other trimmings and ornaments,

from materials used for trimming headgear;

(*b*) sew on or attach trimmings or ornaments; and

(*c*) sew in sweat bands and linings.

vi. Class F, composed of general hands, being persons who,

(*a*) sew on tickets or labels;

(*b*) cut ribbons and veilings;

(*c*) stamp ornaments;

(*d*) steam and press,

(i) ribbons,

(ii) felt pieces, and

(iii) veilings; and

(*e*) examine, clean and press finished hats.

MINIMUM RATES OF WAGES

9. The minimum rate of wages for all work performed in the industry during regular working periods by employees classified under section 8 is, the hourly rate set opposite the respective classes as follows:

i. Class A, $2.186,

ii. Class B, $2.048,

iii. Class C, $1.983,

iv. Class D, $1.45,

v. Class E, $1.237,

vi. Class F, $1.12.

RATES OF WAGES FOR OVERTIME WORK

10. The rate of wages for overtime work performed in the industry by employees classified under section 8 is 1½ times the hourly rate set opposite the respective classes in section 9.

ASSESSMENT

11. Subject to the approval of the Board,

(*a*) each employer in the industry is assessed one-half of one percent of his payroll; and

(*b*) each employee is assessed one-half of one percent of his wages,

to provide revenue for the enforcement of this Schedule.

ADVISORY COMMITTEE

12. The advisory committee is authorized to fix a minimum rate of wages lower than the rate fixed by the Schedule for a person,

(*a*) who performs work included in more than one class of employees;

(*b*) whose work is only partly subject to this Schedule; or

(*c*) who is handicapped.

13. Subject to the approval of the Board, the advisory committee is authorized,

(*a*) generally, to administer and enforce this Schedule; and

(*b*) to collect the assessments under section 11 and, out of the revenue collected, to make such expenditures as are necessary for the administration and enforcement of this Schedule. O. Reg. 204/64, Sched.

REGULATION 525

under The Industrial Standards Act

SCHEDULE—PAINTING AND DECORATING INDUSTRY

OTTAWA

1. The Schedule is in force during pleasure within the Ottawa zone and is binding upon the employers and employees in the painting and decorating industry. O. Reg. 29/66, s. 1.

Schedule

INTERPRETATION

1. In this Schedule, "holiday" means,

(*a*) Saturday;

(*b*) Sunday;

(*c*) New Year's Day;

(*d*) Good Friday;

(*e*) Dominion Day;

(*f*) Labour Day;

(*g*) Thanksgiving Day; and

(*h*) Christmas Day.

HOURS OF WORK

2. The regular working periods for the industry are,

(*a*) a regular working week consisting of not more than forty hours of work performed during the regular working days; and

(*b*) a regular working day consisting of not more than eight hours of work performed on Monday, Tuesday, Wednesday, Thursday or Friday between 8 a.m. and 5 p.m.

3.—(1) Night work is work performed other than,

(*a*) on a holiday; or

(*b*) during a regular working day,

and consisting of not more than eight hours of work in a period of twenty-four hours.

(2) Where work cannot be performed during a regular working day, it may be performed by night work.

MINIMUM RATES OF WAGES

4.—(1) The minimum rate of wages, for work performed during a regular working day is,

(*a*) $3.30 an hour for spray and swing-stage painting; and

(*b*) $3.10 an hour for all other work.

(2) The minimum rate of wages for night work is $3.30 an hour.

OVERTIME WORK

5. Overtime work is work,

(*a*) that is not night work and is not performed during a regular working day; or

(*b*) that is performed on a holiday.

6.—(1) No overtime work shall be performed in the industry after one hour immediately following the working period of a regular working day without a permit from the advisory committee.

(2) The advisory committee is authorized to issue the permits subject to this Schedule.

7. No permit shall be issued by the advisory committee for overtime work on a holiday except,

(*a*) in cases of extreme necessity, where life or property is jeopardized; or

(*b*) for repairs to buildings, where the overtime work is necessary to prevent the loss of employment to persons who are regularly employed in the buildings.

8.—(1) The rate of wages for overtime work is, for the first four hours of overtime work performed between 5 p.m. and midnight on a day other than a holiday,

(*a*) $4.95 an hour for spray and swing-stage painting; and

(*b*) $4.65 an hour for all other work.

(2) The rate of wages for all other overtime work is,

(*a*) $6.60 an hour for spray and swing-stage painting; and

(*b*) $6.20 an hour for all other work.

RATE FOR HANDICAPPED

9. The advisory committee is authorized to fix a minimum rate of wages lower than the rate fixed by this Schedule for a person who is handicapped.

VACATIONS

10.—(1) In this section "period of entitlement" means the period from the 1st day of July in any year to the 30th day of June in the year next following.

(2) Where an employee has not ceased to be employed by his employer, the employee is entitled to be paid by the employer on the 30th day of June in each year, as vacation with pay, an amount equal to 4 per cent of the employee's gross earnings during his period of entitlement.

(3) Where an employee has ceased to be employed by his employer, the employee is entitled to be paid by the employer, within ten days of the cessation of employment, as vacation with pay, an amount equal to 4 per cent of the employee's gross earnings for that part of the employee's period of entitlement that he was in the employ of the employer. O. Reg. 29/66, Sched.; O. Reg. 91/67, ss. 1-3.

REGULATION 526

under The Industrial Standards Act

SCHEDULE—PAINTING AND DECORATING INDUSTRY

THUNDER BAY

1. The Schedule is in force during pleasure within the Thunder Bay zone and is binding upon the employers and employees in the painting and decorating industry. R.R.O. 1960, Reg. 363, s. 1.

Schedule

INTERPRETATION

1. In this Schedule,

(*a*) "Civic Holiday" means a holiday only for that part of the zone where it is so proclaimed by a municipality;

(*b*) "holiday" means,

(i) Saturday,
(ii) Sunday,
(iii) New Year's Day,
(iv) Good Friday,
(v) Victoria Day,
(vi) Dominion Day,
(vii) Civic Holiday,
(viii) Labour Day,
(ix) Thanksgiving Day, and
(x) Christmas Day.

HOURS OF WORK

2. The regular working periods for the industry are,

(*a*) a regular working week consisting of not more than forty hours of work performed during the regular working days; and

(*b*) a regular working day consisting of not more than eight hours of work performed on Monday, Tuesday, Wednesday, Thursday and Friday between 8 a.m. and 5 p.m.

3. Where a person cannot reasonably perform work during the hours prescribed in clause *b* of section 2, he may perform night work for not more than eight hours in a twenty-four hour period between the hours of 5 p.m. on Monday and 12 o'clock midnight on the Friday next following.

MINIMUM RATES OF WAGES

4. The minimum rate of wages is,

(*a*) for work performed during a regular working day,

(i) $3.25 an hour for spray painting, and

(ii) $3 an hour for all other work; and

(*b*) for night work,

(i) $3.50 an hour for spray painting, and

(ii) $3.25 an hour for all other work.

OVERTIME WORK

5. Overtime work is work,

(*a*) that is not night work and is not performed during a regular working day; or

(*b*) that is performed on a holiday.

6.—(1) No overtime work shall be performed in the industry on a holiday without a permit from the advisory committee.

(2) The advisory committee is authorized to issue the permits subject to this Schedule.

RATES OF WAGES FOR OVERTIME WORK

7. The rate of wages for overtime work is,

(*a*) for overtime work performed on a holiday,

(i) $6.50 an hour for spray painting, and

(ii) $6 an hour for all other overtime work; and

(*b*) for overtime work performed other than on a holiday,

(i) $4.87½ an hour for spray painting, and

(ii) $4.50 an hour for all other overtime work.

RATE FOR HANDICAPPED

8. The advisory committee is authorized to fix a minimum rate of wages lower than the rate fixed by this Schedule for a person who is handicapped. R.R.O. 1960, Reg. 363, Sched.; O. Reg. 433/67, ss. 1-3.

REGULATION 527

under The Industrial Standards Act

SCHEDULE—PAINTING AND DECORATING INDUSTRY

TORONTO

1. The Schedule is in force during pleasure within the Toronto zone and is binding upon the employers and employees in the painting and decorating industry. O. Reg. 443/67, s. 1.

Schedule

INTERPRETATION

1. In this Schedule, "holiday" means,

(*a*) Saturday;

(*b*) Sunday;

(*c*) New Year's Day;

(*d*) Good Friday;

(*e*) Victoria Day;

(*f*) Dominion Day;

(*g*) Toronto Civic Holiday;

(*h*) Thanksgiving Day; and

(*i*) Christmas Day.

HOURS OF WORK

2. The regular working periods for the industry are,

(*a*) a regular working week consisting of not more than forty hours of work performed during the regular working days; and

(*b*) a regular working day consisting of not more than eight hours of work performed on Monday, Tuesday, Wednesday, Thursday or Friday between 8 a.m. and 5 p.m.

3.—(1) Where the work cannot reasonably be performed during the hours prescribed in clause *b* of section 2, it may be performed during any other hours if an employee does not work more than seven hours, and this work is night work.

(2) An employee working on night work is entitled, as a minimum, to wages for eight hours for work of seven hours.

4. No person shall perform work in the industry on Labour Day.

MINIMUM RATE OF WAGES

5. The minimum rate of wages for work performed during a regular working day and for night work is $2.90 an hour.

OVERTIME WORK

6. Overtime work is work,

(*a*) that is not night work and is not performed during a regular working day; or

(*b*) that is performed on a holiday.

7.—(1) No overtime work shall be performed in the industry after one hour immediately following the working period of a regular working day without a permit from the advisory committee.

(2) The advisory committee is authorized to issue the permits subject to this Schedule.

8. No permit shall be issued by the advisory committee for overtime work on a holiday except,

(*a*) in cases of extreme necessity, where life or property is jeopardized; or

(*b*) for repairs to buildings, where the overtime work is necessary to prevent the loss of employment to persons who are regularly employed in the buildings.

RATES OF WAGES FOR OVERTIME WORK

9. The rate of wages for overtime work is,

(*a*) for overtime work performed during the one hour period immediately following the working period of a regular working day, $4.35 an hour; and

(*b*) for all other overtime work, $5.80 an hour.

RATE FOR HANDICAPPED

10. The advisory committee is authorized to fix a minimum rate of wages lower than the rate fixed by this Schedule for a person who is handicapped. O. Reg. 443/67, Sched.

REGULATION 528

under The Industrial Standards Act

SCHEDULE—PLASTERING INDUSTRY

OTTAWA

1. The Schedule is in force during pleasure within the Ottawa zone and is binding upon the employers and employees in the plastering industry. O. Reg. 135/65, s. 1.

Schedule

INTERPRETATION

1. In this Schedule "holiday" means,

(*a*) Saturday;

(*b*) Sunday;

(*c*) New Year's Day;

(*d*) Good Friday;

(*e*) Victoria Day;

(*f*) Dominion Day;

(*g*) Labour Day;

(*h*) Thanksgiving Day; and

(*i*) Christmas Day.

HOURS OF WORK

2. The regular working periods for the industry are,

(*a*) a regular working week consisting of not more than forty hours of work performed during the regular working days; and

(*b*) a regular working day consisting of not more than eight hours of work performed on Monday, Tuesday, Wednesday, Thursday or Friday between 8 a.m. and 4.30 p.m. where one-half of an hour is given for noon recess.

3.—(1) Night work is work performed by an employee other than,

(*a*) on a holiday; or

(*b*) during a regular working day,

and consisting of not more than eight hours of work in a period of twenty-four hours.

(2) Where work cannot be performed during a regular working day it may be performed by night work.

MINIMUM RATES OF WAGES

4. The minimum rate of wages for work performed during a regular working day and for night work is $4.00 an hour.

SHIFT WORK

5.—(1) Where work is performed in two or more regular shifts, an employee shall be deemed to be employed on shift work where,

(*a*) the shifts of not more than eight hours each are operated between 1 a.m. on Monday and 8 a.m. on Saturday of the same week; and

(*b*) an employee does not work more than forty hours between 1 a.m. on Monday and 8 a.m. on Saturday of the same week.

(2) One of the shifts that begin in a period of twenty-four hours is a day shift and the rest are night shifts.

(3) An employee who works on a day shift shall be deemed to be employed during a regular working day.

(4) No employee, other than a foreman, shall work on more than one shift in any period of twenty-four hours.

OVERTIME WORK

6. Overtime work is work,

(*a*) that is not night work and is not performed during a regular working day; or

(*b*) that is performed on a holiday.

7.—(1) No overtime work shall be performed in the industry without a permit from the advisory committee.

(2) The advisory committee is authorized to issue the permits subject to this Schedule.

8. No permit shall be issued by the advisory committee for overtime work on a holiday, except,

(*a*) in cases of extreme necessity where life or property is jeopardized; or

(*b*) where the work is necessary to prevent the loss of employment to persons who are regularly employed in the buildings being altered or repaired.

RATES OF WAGES FOR OVERTIME WORK

9. The rate of wages for overtime work is,

(*a*) for overtime work performed up to 10.00 p.m. on a regular working day, $6.00 an hour;

(*b*) for overtime work performed on shift work, $4.57 an hour; and

(*c*) for all other overtime work, $8.00 an hour.

RATE FOR HANDICAPPED

10. The advisory committee is authorized to fix a minimum rate of wages lower than the rate fixed by this Schedule for an individual who is handicapped.

VACATIONS

11.—(1) In this section, "period of entitlement" means the period from the 1st day of July in any year to the 30th day of June in the year next following.

(2) Where an employee has not ceased to be employed by his employer, the employee is entitled to be paid by the employer on the 30th day of June in each year, as vacation with pay, an amount equal to 4 per cent of the employee's gross earnings during his period of entitlement.

(3) Where an employee has ceased to be employed by his employer, the employee is entitled to be paid by the employer, within ten days of the cessation of employment, as vacation with pay, an amount equal to 4 per cent of the employee's gross earnings for that part of the employee's period of entitlement that he was in the employ of the employer. O. Reg. 135/65, Sched.; O. Reg. 141/67, ss. 1-3.

REGULATION 529

under The Industrial Standards Act

SCHEDULE—PLASTERING INDUSTRY

SARNIA

1. The Schedule is in force during pleasure within the Sarnia zone and is binding upon the employers and employees in the plastering industry. O. Reg. 199/61, s. 1.

Schedule

INTERPRETATION

1. In this Schedule "holiday" means,

(*a*) Saturday;

(*b*) Sunday;

(*c*) New Year's Day;

(*d*) Good Friday;

(*e*) Victoria Day;

(*f*) Dominion Day;

(*g*) Sarnia Civic Holiday;

(*h*) Labour Day;

(*i*) Thanksgiving Day; and

(*j*) Christmas Day.

HOURS OF WORK

2. The regular working periods for the industry are,

(*a*) a regular working week consisting of not more than forty hours of work performed during the regular working days; and

(*b*) a regular working day consisting of not more than eight hours of work performed on Monday, Tuesday, Wednesday, Thursday or Friday, between 8 a.m. and 4.30 p.m.

3.—(1) Night work is work performed other than,

(*a*) on a holiday; or

(*b*) during a regular working day,

and consisting of not more than eight hours work in a period of twenty-four hours.

(2) Where work cannot be performed during a regular working day, it may be performed by night work.

(3) An employee working on night work is entitled, as a minimum, to wages for eight hours for work of seven hours.

MINIMUM RATES OF WAGES

4. The minimum rate of wages for work performed during a regular working day and for night work is $4.65 an hour.

SHIFT WORK

5.—(1) Where work is performed in two or more regular shifts, an employee shall be deemed to be employed during a regular working day for the purposes of this Schedule if,

(*a*) the shifts of not more than eight hours each are operated between 1 a.m. on Monday and 8 a.m. on the following Saturday; and

(*b*) no employee, other than a foreman, works on more than one shift in a period of twenty-four hours.

(2) One of the shifts that begin in a period of twenty-four hours is a day shift and the rest are night shifts.

(3) An employee who works on a night shift is entitled, as a minimum, to wages for eight hours for work of seven hours.

OVERTIME WORK

6. Overtime work is work,

(*a*) that is not night work and is not performed during a regular working day; or

(*b*) that is performed on a holiday.

7.—(1) No overtime work shall be performed in the industry without a permit from the advisory committee.

(2) The advisory committee is authorized to issue the permits subject to this Schedule.

8. No permit shall be issued by the advisory committee for overtime work on a holiday except,

(*a*) in cases of extreme necessity where life or property is jeopardized; or

(*b*) for repairs or alterations to buildings where the overtime work is necessary to prevent the loss of employment to persons who are regularly employed in the buildings being altered or repaired.

RATES OF WAGES FOR OVERTIME WORK

9. The rate of wages for overtime work is $9.30 an hour.

RATE FOR HANDICAPPED

10. The advisory committee is authorized to fix a minimum rate of wages lower than the rate fixed by this Schedule for a person who is handicapped.

VACATIONS

11.—(1) In this section, "period of entitlement" means the period from the 1st day of July in any year to the 30th day of June in the year next following.

(2) Where an employee has not ceased to be employed by his employer, the employee is entitled to be paid by the employer on the 30th day of June in each year, as vacation with pay, an amount equal to 4 per cent of the employee's gross earnings during his period of entitlement.

(3) Where an employee has ceased to be employed by his employer, the employee is entitled to be paid by the employer, within ten days of the cessation of employment, as vacation with pay, an amount equal to 4 per cent of the employee's gross earnings for that part of the employee's period of entitlement that he was in the employ of the employer. O. Reg. 199/61, Sched.; O. Reg. 65/69, ss. 1-4.

REGULATION 530

under The Industrial Standards Act

SCHEDULE—PLASTERING INDUSTRY

SUDBURY

1. The Schedule is in force during pleasure within the Subdury zone and is binding upon the employers and employees in the plastering industry. O. Reg. 222/65, s. 1.

Schedule

INTERPRETATION

1. In this Schedule, "holiday" means,

(*a*) Saturday;

(*b*) Sunday;

(*c*) New Year's Day;

(*d*) Good Friday;

(*e*) Dominion Day;

(*f*) Sudbury Civic Holiday;

(*g*) Labour Day; and

(*h*) Christmas Day.

HOURS OF WORK

2. The regular working periods for the industry are,

(*a*) a regular working week consisting of not more than forty hours of work performed during the regular working days; and

(*b*) a regular working day consisting of not more than eight hours of work performed on Monday, Tuesday, Wednesday, Thursday or Friday between 8 a.m. and 4.30 p.m. where one-half hour is given for noon recess.

3.—(1) Night work is work performed by an employee, other than,

(*a*) on a holiday; or

(*b*) during a regular working day,

and consisting of not more than eight hours of work in a period of twenty-four hours.

(2) Where work cannot be performed during a regular working day it may be performed by night work.

MINIMUM RATE OF WAGES

4. The minimum rate of wages for work performed during a regular working day and for night work is,$4.70 an hour.

SHIFT WORK

5.—(1) Where work is performed in two or more shifts, an employee shall be deemed to be employed during a regular working day if,

(*a*) the shifts of not more than eight hours each are operated between 1 a.m. on Monday and 8 a.m. on Saturday of the same week; and

(*b*) no employee, other than a foreman, works on more than one shift in a period of twenty-four hours.

(2) One of the shifts that begin in a period of twenty-four hours is a day shift and the rest are night shifts.

(3) An employee who works on a night shift is entitled, as a minimum, to wages for eight hours for work of seven hours.

OVERTIME WORK

6. Overtime work is work,

(*a*) that is not night work and is not performed during a regular working day; or

(*b*) that is performed on a holiday.

7.—(1) No overtime work shall be performed in the industry without a permit from the advisory committee.

(2) The advisory committee is authorized to issue the permits subject to this Schedule.

8. No permit shall be issued by the advisory committee for overtime work on a holiday except,

(*a*) in cases of extreme necessity where life or property is jeopardized; or

(*b*) for alterations or repairs to buildings, where the overtime work is necessary to prevent the loss of employment to persons who are regularly employed in the buildings being altered or repaired.

RATE OF WAGES FOR OVERTIME WORK

9. The rate of wages for overtime work is, $9.40 an hour.

RATE FOR HANDICAPPED

10. The advisory committee is authorized to fix a minimum rate of wages lower than the rate fixed by this Schedule for a person who is handicapped. O. Reg. 222/65, Sched.; O. Reg. 76/70, ss. 1, 2.

REGULATION 531

under The Industrial Standards Act

SCHEDULE—PLASTERING INDUSTRY

THUNDER BAY

1. The Schedule is in force during pleasure within the Thunder Bay zone and is binding upon the employers and employees in the plastering industry. O. Reg. 116/62, s. 1.

Schedule

INTERPRETATION

1. In this Schedule "holiday" means,

(*a*) Saturday;

(*b*) Sunday;

(*c*) New Year's Day;

(*d*) Good Friday;

(*e*) Dominion Day;

(*f*) Labour Day;

(*g*) Christmas Day; and

(*h*) the 26th day of December.

HOURS OF WORK

2. The regular working periods for the industry are,

(*a*) a regular working week consisting of not more than forty hours of work performed during the regular working days; and

(*b*) a regular working day consisting of not more than eight hours of work performed on Monday, Tuesday, Wednesday, Thursday or Friday between 8 a.m. and 4.30 p.m. where one-half of an hour is given for noon recess.

3.—(1) Night work is work performed other than,

(*a*) on a holiday; or

(*b*) during a regular working day,

and consisting of not more than eight hours of work in a period of twenty-four hours.

(2) Where work cannot be performed during a regular working day, it may be performed by night work.

MINIMUM RATE OF WAGES

4. The minimum rate of wages for work performed during a regular working day and for night work is $2.90 an hour.

SHIFT WORK

5.—(1) Where work is performed in two or more regular shifts, an employee shall be deemed to be employed during a regular working day for the purposes of this Schedule if no employee, other than a foreman, works on more than one shift in a period of twenty-four hours.

(2) One of the shifts that begin in a period of twenty-four hours is a day shift and the rest are night shifts.

(3) An employee who works on a night shift is entitled, as a minimum, to wages for eight hours for work of seven hours.

OVERTIME WORK

6. Overtime work is work,

(*a*) that is not night work and is not performed during a regular working day; or

(*b*) that is performed on a holiday.

7.—(1) No overtime work shall be performed in the industry without a permit from the advisory committee.

(2) The advisory committee is authorized to issue the permits subject to this Schedule.

8.—(1) No permit for overtime work shall be issued to any person other than an employer.

(2) No permit shall be issued by the advisory committee for overtime work on a holiday except,

(*a*) in cases of extreme necessity, where life or property is jeopardized; or

(*b*) for repairs or alterations to buildings, where the overtime work is necessary to prevent the loss of employment to persons who are regularly employed in the buildings being altered or repaired.

RATES OF WAGES FOR OVERTIME WORK

9. The rate of wages for overtime work is,

(*a*) for overtime work performed up to 8.30 p.m. on a regular working day, $4.35 an hour; and

(*b*) for all other overtime work, $5.80 an hour.

RATE FOR HANDICAPPED

10. The advisory committee is authorized to fix a minimum rate of wages lower than the fixed by this Schedule for a person who is handicapped. O. Reg. 116/62, Sched.

REGULATION 532

under The Industrial Standards Act

SCHEDULE—PLASTERING INDUSTRY
TORONTO

1. The Schedule is in force during pleasure within the Toronto zone and is binding upon the employers and employees in the plastering industry. O. Reg. 182/65, s. 1.

Schedule

INTERPRETATION

1. In this Schedule,

(*a*) "Civic Holiday" means a holiday only for that part of the zone where it is so proclaimed by a municipality;

(*b*) "holiday" means,

(i) Saturday,

(ii) Sunday,

(iii) New Year's Day,

(iv) Good Friday,

(v) Victoria Day,

(vi) Dominion Day,

(vii) Civic Holiday,

(viii) Labour Day,

(ix) Thanksgiving Day, and

(x) Christmas Day.

HOURS OF WORK

2. The regular working periods for the industry are,

(*a*) a regular working week consisting of not more than forty hours of work performed during the regular working days; and

(*b*) a regular working day consisting of not more than eight hours of work performed on Monday, Tuesday, Wednesday, Thursday or Friday, between 8 a.m. and 4.30 p.m.

3.—(1) Where work cannot reasonably be performed during the hours prescribed in clause *b* of section 2, it may be performed during other hours if an employee does not work more than eight hours and this work is night work.

(2) An employee who works on night work is entitled, as a minimum, to wages for eight hours for work of seven hours.

MINIMUM RATE OF WAGES

4. The minimum rate of wages for work performed during a regular working day and for night work is $3.50 an hour.

SHIFT WORK

5.—(1) Where work is performed in two or more regular shifts, an employee shall be deemed to be employed during a regular working day for the purposes of this Schedule if,

(*a*) the shifts of not more than eight hours each are operated between 1 a.m. on Monday and 8 a.m. on the following Saturday; and

(*b*) no employee, other than a foreman, works on more than one shift in a period of twenty-four hours.

(2) One of the shifts that begin in a period of twenty-four hours is a day shift and the rest are night shifts.

(3) An employee who works on a night shift is entitled, as a minimum, to wages for eight hours for work of seven hours.

OVERTIME WORK

6. Overtime work is work,

(*a*) that is not night work and is not performed during a regular working day; or

(*b*) that is performed on a holiday.

7.—(1) No overtime work shall be performed in the industry without a permit from the advisory committee.

(2) The advisory committee is authorized to issue the permits subject to this Schedule.

8.—(1) No permit for overtime work shall be issued to any person other than an employer.

(2) No permit shall be issued by the advisory committee for overtime work on a holiday except,

(*a*) in cases of extreme necessity, where life or property is jeopardized; or

(*b*) for repairs or alterations to buildings, where the overtime work is necessary to prevent the loss of employment to persons who are regularly employed in the buildings being altered or repaired.

RATE OF WAGES FOR OVERTIME WORK

9. The rate of wages for overtime work is,

(*a*) for overtime work performed between 4.30 p.m. and 10 p.m. on a regular working day, $5.25 an hour; and

(*b*) for all other overtime work, $7.00 an hour.

RATE FOR HANDICAPPED

10. The advisory committee is authorized to fix a minimum rate of wages lower than the rate fixed by this Schedule for a person who is handicapped.

VACATIONS

11.—(1) In this section, "period of entitlement" means the period from the 1st day of July in any year to the 30th day of June in the year next following.

(2) Where an employee has not ceased to be employed by his employer, the employee is entitled to be paid by the employer on the 30th day of June in each year, as vacation with pay, an amount equal to 4 per cent of the employee's gross earnings during his period of entitlement.

(3) Where an employee has ceased to be employed by his employer, the employee is entitled to be paid by the employer, within ten days of the cessation of employment, as vacation with pay, an amount equal to 4 per cent of the employee's gross earnings for that part of the employee's period of entitlement that he was in the employ of the employer. O. Reg. 182/65, Sched.; O. Reg. 22/68, ss. 1-3.

REGULATION 533

under The Industrial Standards Act

SCHEDULE—PLASTERING INDUSTRY

WINDSOR

1. The Schedule is in force during pleasure within the Windsor zone and is binding upon the employers and employees in the plastering industry. O. Reg. 142/69, s. 1.

Schedule

INTERPRETATION

1. In this Schedule, "holiday" means,

(*a*) Saturday;

(*b*) Sunday;

(*c*) New Year's Day;

(*d*) Good Friday;

(*e*) Victoria Day;

(*f*) Dominion Day;

(*g*) Windsor Civic Holiday;

(*h*) Labour Day;

(*i*) Thanksgiving Day;

(*j*) Christmas Day; and

(*k*) the 26th day of December.

HOURS OF WORK

2. The regular working periods for the industry are,

(*a*) a regular working week consisting of not more than forty hours of work performed during the regular working days; and

(*b*) a regular working day consisting of not more than eight hours of work performed on Monday, Tuesday, Wednesday, Thursday, or Friday, between 8 a.m. and 4.30 p.m.

3.—(1) Where the work cannot reasonably be performed during the hours prescribed in clause *b* of section 2, it may be performed during any other hours if an employee does not work more than eight hours, and this work is night work.

(2) An employee working on night work is entitled, as a minimum, to wages for eight hours for work of seven hours.

MINIMUM RATE OF WAGES

4. The minimum rate of wages for work performed during a regular working day and for night work is $4.36 an hour.

SHIFT WORK

5.—(1) Where work is performed in two or more regular shifts an employee shall be deemed to be employed during a regular working day for the purposes of this Schedule if,

(*a*) the shifts of not more than eight hours each are operated between 1 a.m. on Monday and 8 a.m. on the following Saturday; and

(*b*) no employee, other than a foreman, works on more than one shift in a period of twenty-four hours.

(2) One of the shifts that begin in a period of twenty-four hours is a day shift and the rest are night shifts.

(3) An employee who works on a night shift is entitled, as a minimum, to wages for eight hours for work of seven hours.

OVERTIME WORK

6. Overtime work is work,

(*a*) that is not night work and is not performed during a regular working day; or

(*b*) that is performed on a holiday.

7.—(1) No overtime work shall be performed in the industry without a permit from the advisory committee.

(2) The advisory committee is authorized to issue the permits subject to this Schedule.

8. No permit shall be issued by the advisory committee for overtime work on a holiday except,

(*a*) in cases of extreme necessity, where life or property is jeopardized; or

(*b*) where the overtime work is necessary to prevent the loss of employment to persons who are regularly employed in the buildings being altered or repaired.

RATE OF WAGES FOR OVERTIME WORK

9. The rate of wages for overtime work is $8.72 an hour.

VACATIONS

10.—(1) In this section, "period of entitlement" means the period from the 1st day of July in any year to the 30th day of June in the year next following.

(2) Where an employee has not ceased to be employed by his employer, the employee is entitled to be paid by the employer on the 30th day of June in each year, as vacation with pay, an amount equal to 4 per cent of the employee's gross earnings during his period of entitlement.

(3) Where an employee has ceased to be employed by his employer, the employee is entitled to be paid by the employer, within ten days of the cessation of employment, as vacation with pay, an amount equal to 4 per cent of the employee's gross earnings for that part of the employee's period of entitlement that he was in the employ of the employer.

RATE FOR HANDICAPPED

11. The advisory committee is authorized to fix a minimum rate of wages lower than the rate fixed by this Schedule for an individual who is handicapped. O. Reg. 142/69, Sched.

REGULATION 534

under The Industrial Standards Act

SCHEDULE—PLUMBING AND HEATING INDUSTRY

OTTAWA

1. The Schedule is in force during pleasure within the Ottawa zone and is binding upon the employers and employees in the plumbing and heating industry. O. Reg. 224/64, s. 1.

Schedule

INTERPRETATION

1. In this Schedule, "holiday" means,

(*a*) Saturday;

(*b*) Sunday;

(*c*) New Year's Day;

(*d*) Good Friday;

(*e*) Victoria Day;

(*f*) Dominion Day;

(*g*) Ottawa Civic Holiday;

(*h*) Labour Day;

(*i*) Thanksgiving Day; and

(*j*) Christmas Day.

HOURS OF WORK

2. The regular working periods for the industry are,

(*a*) a regular working week consisting of not more than forty hours of work performed during the regular working days; and

(*b*) a regular working day consisting of not more than eight hours of work performed on Monday, Tuesday, Wednesday, Thursday or Friday between 8 a.m. and,

(i) 5 p.m. where one hour is given for noon recess, or

(ii) 4.30 p.m. where one-half hour is given for noon recess.

MINIMUM RATES OF WAGES

3. The minimum rate of wages for work performed during a regular working day is $5.55 an hour.

SHIFT WORK

4.—(1) Where an employee performs work in one of two or more regular shifts, the employee shall be deemed to be employed during a regular working day in respect of work that,

(*a*) is not in excess of eight hours in a period of twenty-four hours; or

(*b*) consists of the instruction of the employees of an on-coming shift.

(2) One of the shifts that begin in a period of twenty-four hours is a day shift and the rest are night shifts.

(3) An employee who works on a night shift is entitled, as a minimum, to wages for eight hours for work of seven hours.

OVERTIME WORK

5. Overtime work is work,

(*a*) that is not performed during a regular working day; or

(*b*) that is performed on a holiday.

6.—(1) Subject to subsection 2, no overtime work shall be performed in the industry without a permit from the advisory committee.

(2) Subsection 1 does not apply to overtime work performed on emergency repairs where life may be endangered or property damaged.

(3) The advisory committee is authorized to issue the permits subject to this Schedule.

RATE OF WAGES FOR OVERTIME WORK

7. The rate of wages for overtime work is,

(*a*) for overtime work performed during the one hour period immediately following the working period of a regular working day to complete a repair job during that period, other than work performed in the construction of a new building, $5.55 an hour;

(*b*) for overtime work performed on Monday, Tuesday, Wednesday, Thursday and Friday between the end of the regular working day and 9.00 p.m., other than overtime work provided for in clause *a* and other than overtime work performed in the installation of new work in a new or existing building, $8.32½ an hour; and

(*c*) for all overtime work performed in the installation of new work in a new or existing building and for all other overtime work, $11.10 an hour.

RATES FOR HANDICAPPED

8. The advisory committee is authorized to fix a minimum rate of wages lower than the rate fixed by this Schedule for a person who is handicapped.

VACATIONS WITH PAY

9.—(1) In this section "period of entitlement" means the period from the 1st day of July in any year to the 30th day of June in the year next following.

(2) Where an employee has not ceased to be employed by his employer, the employee is entitled to be paid by the employer on the 30th day of June in each year, as vacation with pay, an amount equal to 4 per cent of the employee's gross earnings during his period of entitlement.

(3) Where an employee has ceased to be employed by his employer, the employee is entitled to be paid by the employer, within ten days of the cessation of employment as vacation with pay, an amount equal to 4 per cent of the employee's gross earnings for that part of the employee's period of entitlement that he was in the employ of the employer. O. Reg. 224/64, Sched.; O. Reg. 332/66, s. 3; O. Reg. 7/69, ss. 1, 2.

REGULATION 535

under The Industrial Standards Act

SCHEDULE—PLUMBING AND HEATING INDUSTRY

TORONTO

1. The Schedule is in force during pleasure within the Toronto zone and is binding upon the employers and employees in the plumbing and heating industry. O. Reg. 419/68, s. 1.

Schedule

INTERPRETATION

1. In this Schedule, "holiday" means,

(*a*) Sunday;

(*b*) New Year's Day;

(*c*) Good Friday;

(*d*) Labour Day;

(*e*) Thanksgiving Day; and

(*f*) Christmas Day.

HOURS OF WORK

2. The regular working period for the industry is a regular working week consisting of not more than forty-five hours of work performed on Monday, Tuesday, Wednesday, Thursday, Friday and Saturday.

MINIMUM RATE OF WAGES

3. The minimum rate of wages for work performed during a regular working period is $4 an hour.

OVERTIME WORK

4. Overtime work is work,

(*a*) that is not performed during a regular working period; or

(*b*) that is performed on a holiday.

RATE OF WAGES FOR OVERTIME WORK

5. The rate of wages for overtime work is $6 an hour.

RATE FOR HANDICAPPED

6. The Advisory Committee is authorized to fix a minimum rate of wages lower than the rate fixed by this Schedule for an individual who is handicapped.

APPLICATION

7. This Schedule applies to all operations in the industry performed in work on new construction only.

8. This Schedule does not apply to work performed by persons in the course of their employment as employees of The Hydro-Electric Power Commission of Ontario or a municipal corporation or public utility commission producing or distributing electric power. O. Reg. 419/68, Sched.

REGULATION 536

under The Industrial Standards Act

SCHEDULE—PLUMBING AND HEATING INDUSTRY

WINDSOR

1. The Schedule is in force during pleasure within the Windsor zone and is binding upon the employers and employees in the plumbing and heating industry. O. Reg. 315/65, s. 1.

Schedule

INTERPRETATION

1. In this Schedule "holiday" means,

(*a*) Saturday;

(*b*) Sunday;

(*c*) New Year's Day;

(*d*) Good Friday;

(*e*) Victoria Day;

(*f*) Dominion Day;

(*g*) Windsor Civic Holiday;

(*h*) Labour Day;

(*i*) Thanksgiving Day;

(*j*) Christmas Day; and

(*k*) the 26th day of December.

HOURS OF WORK

2.—(1) The regular working periods for the industry are,

(*a*) a regular working week consisting of not more than forty hours of work performed during the regular working days; and

(*b*) a regular working day consisting of not more than eight hours of work performed on Monday, Tuesday, Wednesday, Thursday or Friday, between 8 a.m. and,

(i) 5 p.m., where one hour is given for noon recess, or

(ii) 4.30 p.m. where one-half hour is given for noon recess.

(2) Notwithstanding clause *b* of subsection 1, an employer may elect as a regular working day the period between 7 a.m. and 3.30 p.m. from the 15th day of April to the 15th day of October, both inclusive, during which work may be performed by his employees.

(3) Where an employer elects as a regular working day the period mentioned in subsection 2, he shall file with the advisory committee a notice of his election.

MINIMUM RATES OF WAGES

3. The minimum rate of wages for work performed during a regular working day is $4.65 an hour.

SHIFT WORK

4.—(1) Where an employee performs work in one of two or more regular shifts, the employee shall be deemed to be employed during a regular working day in respect of work that,

(*a*) is not in excess of eight hours in a period of twenty-four hours; or

(*b*) consists of the instruction of the employees on an oncoming shift.

(2) One of the shifts that begin in a period of twenty-four hours is a day shift and the rest are night shifts.

(3) An employee who works on a night shift is entitled, as a minimum, to wages for ten hours for work of eight hours.

OVERTIME WORK

5. Overtime work is work,

(*a*) that is not performed during a regular working day; or

(*b*) that is performed on a holiday.

6.—(1) No overtime work shall be performed in the industry without a permit from the advisory committee.

(2) The advisory committee is authorized to issue the permits subject to this Schedule.

(3) No permit shall be issued by the advisory committee for overtime work on a holiday, except,

(*a*) in cases of extreme necessity, where life or property is jeopardized; or

(*b*) for alterations or repairs to buildings, where the work is necessary to prevent the loss of employment to persons who are regularly employed in the buildings being altered or repaired; or

(*c*) for overtime work on emergency repairs performed between 8 a.m. and mid-day on Saturday, where the employer does not work on emergency repairs and does not employ more than one journeyman-mechanic on emergency repairs.

RATES OF WAGES FOR OVERTIME WORK

7. The rate of wages for overtime work is,

(*a*) for overtime work on emergency repairs performed under clause *c* of subsection 3 of section 6, $4.65 an hour; and

(*b*) for all other overtime work, $9.30 an hour.

RATE FOR HANDICAPPED

8. The advisory committee is authorized to fix a minimum rate of wages lower than the rate fixed by this Schedule for an individual who is handicapped.

VACATIONS

9.—(1) In this section, "period of entitlement" means the period from the 1st day of July in any year to the 30th day of June in the year next following.

(2) Where an employee has not ceased to be employed by his employer, the employee is entitled to be paid by the employer on the 30th day of June in each year, as vacation with pay, an amount equal to 4 per cent of the employee's gross earnings during his period of entitlement.

(3) Where an employee has ceased to be employed by his employer, the employee is entitled to be paid by the employer, within ten days of the cessation of employment, as vacation with pay, an amount equal to 4 per cent of the employee's gross earnings for that part of the employee's period of entitlement that he was in the employ of the employer. O. Reg. 315/65, Sched.

REGULATION 537

under The Industrial Standards Act

SCHEDULE—SHEET-METAL WORK CONSTRUCTION INDUSTRY

OTTAWA

1. The Schedule is in force during pleasure within the Ottawa zone and is binding upon the employers and employees in the sheet-metal work construction industry. O. Reg. 23/66, s. 1.

Schedule

INTERPRETATION

1. In this Schedule, "holiday" means,

(*a*) Saturday;

(*b*) Sunday;

(*c*) New Year's Day;

(*d*) Good Friday;

(*e*) Victoria Day;

(*f*) Dominion Day;

(*g*) Ottawa Civic Holiday;

(*h*) Labour Day;

(*i*) Thanksgiving Day; and

(*j*) Christmas Day.

HOURS OF WORK

2. The regular working periods for the industry are,

(*a*) a regular working week consisting of not more than forty hours of work performed during the regular working days; and

(*b*) a regular working day consisting of not more than eight hours of work performed on Monday, Tuesday, Wednesday, Thursday or Friday between,

(i) 8 a.m. and 5 p.m. where one hour is given for noon recess, or

(ii) 8 a.m. and 4.30 p.m. where one-half hour is given for noon recess.

3.—(1) Night work is work performed other than,

(*a*) on a holiday; or

(*b*) during a regular working day,

and consisting of not more than eight hours of work in a period of twenty-four hours.

(2) Where work cannot be performed during a regular working day, it may be performed by night work.

MINIMUM RATES OF WAGES

4. The minimum rate of wages is,

(*a*) for work performed during a regular working day, $4.35 an hour; and

(*b*) for night work, $4.85 an hour.

SHIFT WORK

5.—(1) Where work is performed in two or more regular shifts, and an employee works not more than eight hours in a period of twenty-four hours, the employee shall be deemed to be employed during a regular working day for the purposes of this Schedule.

(2) One of the shifts that begin in a period of twenty-four hours is a day shift and the rest are night shifts.

(3) An employee who works on a night shift is entitled, as a minimum, to wages for eight hours for work of seven hours.

(4) No overtime work shall be performed by an employee to whom subsection 1 applies.

OVERTIME WORK

6. Overtime work is work,

(*a*) that is not night work and is not performed during a regular working day; or

(*b*) that is performed on a holiday.

7.—(1) No overtime work shall be performed in the industry without a permit from the advisory committee.

(2) The advisory committee is authorized to issue the permits subject to this Schedule.

(3) No permit shall be issued by the advisory committee for overtime work on a holiday except,

(*a*) in cases of extreme necessity where life or property is jeopardized; or

(*b*) where the work is necessary to prevent the loss of employment to persons who are regularly employed in the buildings being altered or repaired.

8. The rate of wages for overtime work is,

(*a*) for overtime work performed during the four-hour period immediately following the working period of a regular working day on emergency repairs where life may be endangered or property damaged, $6.52½ an hour; and

(*b*) for all other overtime work, $8.70 an hour.

VACATIONS

9.—(1) In this section, "period of entitlement" means the period from the 1st day of July in any year to the 30th day of June in the year next following.

(2) Where an employee has not ceased to be employed by his employer, the employee is entitled to be paid by the employer on the 30th day of June in each year, as vacation with pay, an amount equal to 4 per cent of the employee's gross earnings during his period of entitlement.

(3) Where an employee has ceased to be employed by his employer, the employee is entitled to be paid by the employer, within ten days of the cessation of employment, as vacation with pay, an amount equal to 4 per cent of the employee's gross earnings for that part of the employee's period of entitlement that he was in the employ of the employer.

RATE FOR HANDICAPPED

10. The advisory committee is authorized to fix a minimum rate of wages lower than the rate fixed by this Schedule for a person who is handicapped. O. Reg. 23/66, Sched.; O. Reg. 13/67, ss. 1-4.

REGULATION 538

under The Industrial Standards Act

SCHEDULE—SHEET-METAL WORK CONSTRUCTION INDUSTRY

WINDSOR

1. The Schedule is in force during pleasure within the Windsor zone and is binding upon the employers and employees in the sheet-metal work construction industry. R.R.O. 1960, Reg. 391, s. 1.

Schedule

INTERPRETATION

1. In this Schedule, "holiday" means,

(*a*) Saturday;

(*b*) Sunday;

(*c*) New Year's Day;

(*d*) Good Friday;

(*e*) Dominion Day;

(*f*) Windsor Civic Holiday;

(*g*) Labour Day;

(*h*) Thanksgiving Day; and

(*i*) Christmas Day.

HOURS OF WORK

2. The regular working periods for the industry are,

(*a*) a regular working week consisting of not more than forty hours of work performed during the regular working days; and

(*b*) a regular working day consisting of not more than eight hours of work performed on Monday, Tuesday, Wednesday, Thursday and Friday between,

(i) 8 a.m. and 5 p.m., where one hour is given for noon recess, or

(ii) 8 a.m. and 4.30 p.m., where one-half of an hour is given for noon recess.

MINIMUM RATE OF WAGES

3. The minimum rate of wages for work performed during the regular working periods is $2.25 an hour.

SHIFT WORK

4.—(1) Where the work is performed in two or more shifts, and if an employee works not more than eight hours in any period of twenty-four hours, the employee shall be deemed to be employed during a regular working day.

(2) An employee who works on a night shift is entitled, as a minimum, to wages for eight hours for work of seven hours.

(3) In all cases governed by subsection 1 no overtime shall be performed.

(4) Where two or more shifts are worked on the same job, only one shift is a day shift.

OVERTIME WORK

5. Work performed in the industry,

(*a*) at any time other than during the working periods prescribed in sections 2 and 4; or

(*b*) on a holiday,

is overtime work.

6.—(1) No overtime work shall be performed in the industry without a permit from the advisory committee.

(2) The advisory committee is authorized to issue the permits subject to this Schedule.

7.—(1) No permit for overtime work shall be issued to any person other than an employer.

(2) No permit shall be issued by the advisory committee for overtime work except,

(*a*) in cases of extreme necessity, where life or property is jeopardized; or

(*b*) for repairs to buildings, where the overtime work is necessary to prevent the loss of employment to persons who are regularly employed in the buildings.

RATE OF WAGES FOR OVERTIME WORK

8. The rate of wages for overtime work is $4.50 an hour.

RATE FOR HANDICAPPED

9. The advisory committee is authorized to fix a minimum rate of wages lower than the rate fixed by this Schedule for a person who is handicapped. R.R.O. 1960, Reg. 391, Sched.

REGULATION 539

under The Insurance Act

AGENTS' LICENCES FOR INSURANCE OTHER THAN LIFE INSURANCE

1. This Regulation applies to licences for any class of insurance other than life insurance. R.R.O. 1960, Reg. 392, s. 1.

2.—(1) Where an application for a licence is made in respect of a partnership, a separate appliion shall be made in the partnership or trade name as well as by each partner thereof. R.R.O. 1960, Reg. 392, s. 2 (1).

(2) Where an application for a licence is made by a corporation, a separate application shall be made by each director, officer or other person authorized to act in the name of and on behalf of the corporation and by any shareholder to whom has been issued or who is entitled to more than one-half of the issued shares of the corporation. O. Reg. 240/61, s. 1.

3.—(1) An application for a licence shall be accompanied by the certificate of an insurer certifying that the applicant is appointed to act as its agent.

(2) Where an application for a licence is made by a corporation, the application shall be accompanied by,

(*a*) a copy of the Act or instrument of incorporation and of the by-laws; and

(*b*) the names of the directors, officers and shareholders of the corporation, the addresses of their places of residence, their occupations and the number of shares in the corporation held by each. R.R.O. 1960, Reg. 392, s. 3.

4.—(1) An applicant for licence shall be granted a licence where the Superintendent is satisfied that the applicant,

(*a*) is of good character and reputation;

(*b*) is possessed of a reasonable educational background;

(*c*) if previously employed or engaged in business, has a satisfactory record in such employment or business;

(*d*) has passed a qualification examination as set by the Superintendent for the purpose;

(*e*) is otherwise a suitable person to receive a licence;

(*f*) intends to hold himself out publicly and carry on business in good faith as an insurance agent;

(*g*) has not made the application for the purpose of obtaining a licence to act as an insurance agent in respect of any individual risk or directly or indirectly to obtain an agent's commission on insurance on his own property or that of his spouse or employer; and

(*h*) or his spouse or, in the case of a corporation, any director, officer, shareholder or employee of the corporation, is not in a position to offer inducement or use coercion or undue influence in order to control, direct or secure insurance business. R.R.O. 1960, Reg. 392, s. 4 (1); O. Reg. 240/61, s. 2 (1).

(2) Without limiting the generality of clause *h* of subsection 1, an applicant shall be deemed to be in a position to offer inducement or use coercion or undue influence in order to control, direct or secure insurance business if he is,

(*a*) an officer or employee of a bank, trust company, loan company or finance company;

(*b*) an assessor, tax collector or issuer of building permits;

(*c*) a doctor, dentist;

(*d*) a person engaged directly or indirectly in the manufacturing, repairing, servicing or selling of automobiles or in supplying parts or accessories therefor, or an employee of such person;

(*e*) a lawyer or an employee thereof;

(*f*) an employer of employees other than those employed solely for the business of the insurance agency or for the businesses referred to in clauses *a* and *b* of section 5;

(*g*) a foreman or paymaster;

(*h*) an accountant, auditor or trustee in bankruptcy;

(*i*) a magistrate or police officer;

(*j*) a clergyman or minister;

(*k*) an officer or employee of an automobile association or club or an agent thereof;

(*l*) a mortgage broker who is not also registered as a real estate broker under *The Real Estate and Business Brokers Act*;

(*m*) a full-time employee of the Government of Canada or any branch thereof, of any municipal or provincial government in Canada or any branch thereof or of a Crown corporation;

(*n*) an employee of a brewery, brewery warehousing company or a person engaged in handling or dispensing beer or spirituous liquors;

(*o*) an officer or employee of a trade union or trade association;

(*p*) an officer or employee of a credit union; or

(*q*) a person occupying office space in the office of any person referred to in clauses *a* to *p*. R.R.O. 1960, Reg. 392, s. 4 (2); O. Reg. 240/61, s. 2 (2, 3); O. Reg. 374/61, s. 1; O. Reg. 23/62, s. 1.

(3) Subject to section 6, a licence may be granted to an applicant who is a non-resident of Ontario and who produces a certificate from the Department of Insurance of the province or state in which he is resident that certifies that he is licensed for the class of insurance for which his application is made. R.R.O. 1960, Reg. 392, s. 4 (3), *revised*.

5. No person shall be licensed who is resident in or who proposes to carry on business in any township having a population of over 10,000 or in any other municipality having a population of over 5,000 and who is carrying on or intends to carry on any other business or occupation except that of,

(*a*) a transportation company or ticket agency for the business of travel, accident and baggage insurance; or

(*b*) a real estate broker or salesman. R.R.O. 1960, Reg. 392, s. 5.

6. No licence shall be issued to a corporation incorporated or with its head office outside Canada or to a corporation the majority of whose issued shares are owned beneficially or otherwise by a shareholder resident outside Canada, or to a partnership in which any partner is resident outside Canada, unless the corporation or partnership held a licence on the 6th day of July, 1961 and was one to which this section or a predecessor thereof applied on that date. O. Reg. 374/61, s. 2; O. Reg. 293/62, s. 1.

7. A licence shall not be issued to an applicant who is not a corporation and who carries on business alone in a name other than his own, except that a licence may be issued where the applicant has purchased the business and uses the name of the seller together with his own for a period not exceeding three years. R.R.O. 1960, Reg. 392, s. 7.

8. Where a married woman applies for a licence, she shall give full particulars of her husband's occupation, and is not entitled to a licence if her husband would not be entitled if he were to apply. R.R.O. 1960, Reg. 392, s. 8.

9.—(1) A licensee shall not act as a real estate salesman for a real estate broker who is not licensed under this Regulation.

(2) A licensee who also holds a licence as a real estate broker shall not pay commission on insurance to any salesman or other person, whether employed by him or not, who is not licensed under this Regulation. R.R.O. 1960, Reg. 392, s. 9.

10. A licence expires with the 30th day of September next following its date of issue or renewal, unless otherwise specified in the licence. R.R.O. 1960, Reg. 392, s. 10.

11.—(1) An application for renewal of a licence shall be made in the same manner as for a licence in the first instance.

(2) The Superintendent may require an applicant for renewal of licence to file with him,

(*a*) a return, verified by a statutory declaration, showing his accounts payable and his accounts receivable, together with the time when each account receivable first became due; and

(*b*) a financial statement of his insurance agency operations, verified by a chartered accountant, certified public accountant or similarly qualified person.

(3) An application for renewal of a licence may be refused on any grounds upon which an original application for a licence may be refused. R.R.O. 1960, Reg. 392, s. 11, *revised*.

12.—(1) Any insurer that appoints an agent, either by written contract or otherwise, shall forthwith notify the Superintendent in writing of such appointment, giving the full name, address and licence number of the agent.

(2) Where an insurer terminates its appointment of an agent, it shall forthwith notify the Superintendent in writing of the termination together with the reasons therefor. R.R.O. 1960, Reg. 392, s. 12, *revised*.

13. Where an insurer that has certified its appointment of an agent to the Superintendent terminates the appointment, the agent shall forthwith notify the Superintendent in writing of the fact and shall return his licence to the Superintendent who shall suspend the licence until the agent submits a new certificate of an insurer certifying that the applicant is appointed to act as its agent, or until the licence expires or is revoked, whichever occurs first. R.R.O. 1960, Reg. 392, s. 13.

14. The Superintendent may suspend or revoke a licence on any grounds upon which an application for a licence may be refused or if, after due investigation and hearing, it appears to him that the licensee,

(*a*) has violated any provision of the Act or of the regulations in his operations as an insurance agent;

(*b*) has made a material misstatement or omission in the application for the licence;

(*c*) has been guilty of a fraudulent practice;

(*d*) has demonstrated his incompetency or untrustworthiness to transact the insurance agency business for which the licence has been granted, by reason of anything done or omitted in or about such business under the authority of the licence; or

(*e*) has employed an unlicensed person as an agent, whether upon salary or otherwise, without having first obtained the written approval of the Superintendent. R.R.O. 1960, Reg. 392, s. 14, *revised*.

REGULATION 540

under The Insurance Act

EXTENSION OF PROVISIONS OF ACT

1.—(1) In this Regulation, "mortgage insurance" means insurance against loss caused by default on the part of a borrower under a loan secured by a mortgage upon real property, a hypothec upon immovable property or an interest in real or immovable property.

(2) The provisions of the Act that are not confined in their application to one or more specified classes of insurance are extended to apply to mortgage insurance. O. Reg. 181/64, s. 1.

REGULATION 541

under The Insurance Act

GENERAL

1. Agents' licences, originals or renewals thereof expire,

(*a*) on the 31st day of March after issue if for life insurance or life and accident insurance or life and accident and sickness insurance; and

(*b*) on the 30th day of September after issue if for classes of insurance other than life insurance. R.R.O. 1960, Reg. 393, s. 1.

2. The following classes of insurance are prescribed under subsection 1 of section 27 of the Act:

1. Malicious-damage insurance.
2. Riot insurance.
3. Smoke-damage insurance.
4. Water-damage insurance.
5. Weather insurance. R.R.O. 1960, Reg. 393, s. 2.

3. Sections 71 to 73 of the Act apply to the provinces of,

(*a*) Alberta;

(*b*) British Columbia;

(*c*) Manitoba;

(*d*) New Brunswick; and

(*e*) Saskatchewan. R.R.O. 1960, Reg. 393, s. 3.

4. Sections 44 to 48 and 71 to 76 of the Act do not apply to insurers registered under the *Canadian and British Insurance Companies Act* (Canada) or the *Foreign Insurance Companies Act* (Canada), and the said insurers are required to file only such modified statements as the Superintendent prescribes. R.R.O. 1960, Reg. 393, s. 4, *revised*.

5. A licence issued to an insurer to undertake title insurance in Ontario is subject to the limitations and conditions that no policy of title insurance shall be issued unless the insurer has first obtained a concurrent certificate of title to the property to be insured from a solicitor then entitled to practise in Ontario and who is not at that time in the employ of the insurer. R.R.O. 1960, Reg. 393, s. 5.

REGULATION 542

under The Insurance Act

ORDER MADE UNDER
THE INSURANCE ACT

ORDER UNDER PARAGRAPH 1 OF SUBSECTION 2 OF SECTION 83 OF THE ACT

1. A company referred to in column 1 of the Schedule is authorized to assume the rate of interest set opposite thereto in column 2 for the class of policy set opposite thereto in column 3.

Schedule

Item No.	Column 1	Column 2	Column 3
1	The Empire Life Insurance Company	5½%	Single premium Immediate Annuities, Group and Ordinary, issued on or after January 1, 1967.
2	The Empire Life Insurance Company	5½%	Settlement Annuities vesting on or after January 1, 1967.
3	The Empire Life Insurance Company	4½%	Single Premium Deferred Annuities, vesting on or after January 1, 1967.
4	Zurich Life Insurance Company of Canada	5½%	Ordinary Single Premium Immediate Annuities issued on or after January 1, 1969.

O. Reg. 121/70, s. 1.

REGULATION 543

under The Insurance Act

VARIABLE CONTRACTS OF LIFE INSURERS

1. In this Regulation,

(*a*) "fund" means a separate and distinct fund maintained in respect of the non-guaranteed benefits of variable contracts of the type referred to in section 84 of *The Insurance Act*, subsection 5 of section 81 of the *Canadian and British Insurance Companies Act* (Canada), or subsection 5 of section 37 of the *Foreign Insurance Companies Act* (Canada);

(*b*) "variable contract" means a contract of life insurance under which the reserve, or a part thereof, varies in amount depending upon the market value of a specified group of assets, and includes a provision in a contract of life insurance under which policy dividends are deposited in a fund. O. Reg. 386/70, s. 1.

2.—(1) An insurer that proposes to enter into a variable contract shall, at least thirty days before offering to enter into such a contract, file with the Superintendent,

(*a*) the form of the documents evidencing the variable contract; and

(*b*) a copy of an information folder to be used by the insurer in connection with the sale of that type of variable contract certified by the president, vice-president, managing director or other director appointed for the purpose, and by the secretary or manager of the insurer.

(2) An insurer that has filed an information folder in respect of a variable contract shall, as long as it continues to offer to enter into that type of variable contract, file with the Superintendent a copy of a new information folder in respect of that type of variable contract certified as provided,

(*a*) forthwith upon any material change in any facts set out in the latest information folder filed in respect of that type of variable contract other than a change in the investments of the fund; and

(*b*) within one year and one month after the date of the latest information folder filed in respect of that type of variable contract. O. Reg. 386/70, s. 2.

3. The documents evidencing a variable contract shall,

(*a*) contain a statement in bold print warning that the contract includes benefits that are not guaranteed;

(*b*) describe the benefits under the contract and indicate which benefits are guaranteed and which benefits are not guaranteed but fluctuate with the market value of the assets of the fund supporting them;

(*c*) state,

(i) the percentage of premium or the amounts that are allocated under the contract to provide the benefits related to the fund, or

(ii) the basis upon which such amounts are so allocated;

(*d*) state the times, which shall not be less than once monthly, at which the fund shall be valued and at which the value of the interest of the insured in the fund may be determined;

(*e*) state,

(i) the method of determining the value of the interest of the insured in the fund and the amount of the surrender value of that interest, or

(ii) where the insured has no direct interest in the fund but is entitled to benefits related to the market value of the fund, the basis for determining those benefits; and

(*f*) describe the charges or methods of determining the charges against the fund for taxes, management, or other expenses. O. Reg. 386/70, s. 3.

4.—(1) Before an application for a variable contract is signed by a prospective purchaser of a variable contract he shall be supplied with the information folder filed pursuant to section 2 that relates to the contract.

(2) The information folder relating to a variable contract shall,

(*a*) be presented in narrative form in accordance with Form 1 without reference to inapplicable items;

(*b*) contain or be accompanied by the statements of financial information in accordance with forms 2 to 7 as of a date not earlier than forty-five days before the date of filing of the information folder; and

(*c*) contain a statement that the folder is not a document evidencing the contract.

(3) The insurer shall obtain from each purchaser of a variable contract a statement in writing that he has received a copy of the information folder. O. Reg. 386/70, s. 4.

5. Where a prospective purchaser of a variable contract is furnished with a proposal form that describes a particular contract,

(*a*) the description shall be entered on a form prepared by the insurer;

(*b*) the proposal form shall be consistent with the information folder for that particular contract; and

(*c*) a specimen copy of the form shall be filed with the Superintendent. O. Reg. 386/70, s. 5.

6.—(1) No insurer or agent shall give any undertaking or make any promises as to the future value of the fund or any interest in the fund or any benefit supported by the fund.

(2) Any illustration of growth rates of the fund shall be based upon reasonable and clearly expressed assumptions and shall state that any part of the premium or other amount that is allocated to the fund is invested at the risk of the insured and may increase or decrease in value according to the fluctuations in the market value of the assets in the fund.

(3) Where an illustration of growth rates of the fund is based upon the past performance of the fund itself or of similar funds or of one or more indexes, it shall also be made clear that such past results should not be construed as being indicative of the future performance of the fund. O. Reg. 386/70, s. 6.

7. The insurer shall furnish, at least annually, a statement to the insured showing,

(*a*) the amount allocated under the contract to the fund during the period covered by the statement;

(*b*) the value of the insured's interest in the fund in respect of the contract or his benefits under the contract that are supported by the fund at the end of the period covered by the statement; and

(*c*) a statement of the assets and securities of the fund as of the end of the period covered by the statement listing those assets and securities and showing their respective values as of that date, together with the amount of the charges, or the percentage rate of charges, to the fund for taxes, management or other expenses, but excluding brokerage commissions, brokerage fees, transfer taxes and other expenses normally added to the cost of investments acquired or deducted from the proceeds of investments sold. O. Reg. 386/70, s. 7.

8. Sections 2 and 4 do not apply to group variable life insurance contracts.

Form 1

The Insurance Act

INFORMATION REQUIRED IN THE INFORMATION FOLDER OF AN INSURANCE COMPANY WITH A SEGREGATED FUND

ITEM 1. Summary Description of the Variable Insurance Policies:

State the description or the designation of the variable insurance policies offered and describe all material provisions of such policies, including, without limiting the generality of the foregoing, the following information:

(1) (*a*) the benefits under the policy that are guaranteed; and

(*b*) the benefits under the policy that are not guaranteed but fluctuate with the market value of the assets of the segregated fund supporting them.

(2) The percentages of the premium or the amounts that are allocated under the policy to provide both the benefits related to the fund and to provide guaranteed benefits or the basis upon which amounts paid or held under the policy are allocated to the segregated fund and to provide guaranteed benefits or guarantees, provided where the Superintendent is satisfied such allocations are not possible, the Superintendent may approve variations in the information given upon satisfactory explanations being given and included in the information folder.

(3) The method of determining the value of the variable benefits related to the segregated fund under the variable insurance policy and the basis for establishing the value of the segregated fund.

(4) The charges, or method of determining the charges, against the fund for taxes, management, or any other expenses or charges on the basis actually charged and on an annual basis.

(5) Surrender or option privileges.

(6) The sales charges applicable to the policy expressed as a percentage of the premium, and the surrender charge expressed as a percentage of the cash surrender value of the policy. The sales charge is to include all service charges, including charges relating to the costs of establishing the policy and any policy fees. Also indicate when during the term of the policy the sales charges will be deducted and give particulars of the entitlement of any policyholder to a refund of any sales charge incurred if the policy is terminated prior to its maturity.

Instructions:

Give the required information by type and cross reference to the appropriate places in the information folder.

ITEM 2. Value of Accumulation Units:

(*a*) Describe briefly the method followed or to be followed in determining the value of accumulation units to be credited to the policy or surrendered under the policy.

Instructions:

1. Accumulation unit is the term used to measure values accumulated under an insurance policy in a segregated fund.

2. State the frequency with which accumulation units are valued, the time when such value becomes effective and the length of time it remains in effect.

(b) State the percentage of the premium and the amount of the premium that will be credited to the policy to provide the benefits related to the segregated fund and the amount of that portion of the premium that is the sales charge for the investment to be made in the segregated fund expressed as a percentage of that portion of the premium. If the policy is one whereby the premium or a portion of the premium is not paid directly into the segregated fund, calculate and state the sales charge as a percentage of the premium. State the loan value, surrender value and value in the event of a default in payment of premium of a variable insurance contract. State the surrender charges, if any, expressed as a percentage of the cash surrender value of the policy. Where the Superintendent is satisfied that it is not possible for the insurer to supply this information, the Superintendent may permit other information of a comparable nature to be used.

Instructions:

1. If the sales, surrender or loan charges in paragraph *b* vary on a quantity basis, give particulars thereof indicating the quantities in respect of charges applicable thereto.

2. Indicate briefly any additional charge imposed for the crediting of accumulation units to variable insurance policies for the transfer of units in one segregated fund for units in another or the reinvestment of dividends and similar distributions.

3. The sales charge includes all service charges, including charges relating to such matters as cost of establishment of a variable insurance policy and the cost of the continuing administration and maintenance of such policy.

4. When giving particulars of the sales charge with respect to a variable insurance policy, indicate when during the term of the plan the sales charge will be deducted.

5. Give particulars of the entitlement of the purchaser of a variable insurance policy to a refund of any sales charge incurred if the variable insurance policy is terminated during the term of such plan.

(*c*) Describe briefly any provision in the insurer's by-law, resolution, charter or in any agreement or other instrument that specifically authorizes or requires reinvestment of the proceeds of investment dividends or similar distribution in accumulation units to be credited to the policy.

(*d*) Explain how the policyholder is notified of the number of accumulation units credited to or variable benefits available under his policy and state how often the policyholder will be notified.

ITEM 3. Method of Marketing:

Outline briefly the method of marketing variable insurance policies. Give brief details of any contractual arrangements made for this method of marketing.

Instructions:

State whether it is the intention of the insurer to engage in the continuous sale of variable insurance policies.

ITEM 4. Name and Incorporation of Insurance Company Issuing Policies:

State the full corporate name of the insurer and the address of its head office and principal office. State the laws under which the insurer was incorporated and whether incorporated by letters patent or otherwise and the date thereof. If material, state whether supplementary letters patent or similar authority for amendment or variation of the letters patent or other constituting document have been issued.

Instructions:

1. Particulars of any such documents need be set out only if material to the policies described in the information folder. See Item 12.

2. Give material details of the form of organization and structure of the insurer.

3. File with the Superintendent a certified copy of by-law and resolution under which the segregated fund has been established by the insurer and also state the statutory authority for its establishment.

ITEM 5. Unit Structure of Segregated Fund:

Furnish the following information:

1. The number of variable insurance policies at the end of the period (last fiscal year).

2. The accumulation unit value at beginning of the period and at the end of the period.

3. Number of accumulation units and aggregate value credited to policies at the beginning and end of period.

4. Number of accumulation units and aggregate value credited during the last financial year.

5. Number of accumulation units and aggregate value surrendered.

ITEM 6. Restrictions Imposed by Statute and By-law on the Investment Policies of the Segregated Fund:.

(*a*) State the statutory limitations on the investments for the segregated fund of the insurer and the amount of the insurer's initial transfer to the fund and source of funds for such transfer.

(*b*) State and describe the investment policy, or proposed policy, of the insurer as regards the segregated fund with respect to each of the following types of activities outlining the extent, if any, to which the insurer has engaged in such activities during the last five years:

1. The borrowing of money.

2. The concentration of investments in a particular class or kind of industry.

3. The purchase and sale of real estate.

4. The making of loans, whether secured or unsecured, exclusive of the purchase of debt securities for investment purposes.

5. Transfer of securities between the segregated fund and the insurer.

6. Investment in securities of mutual funds.

7. Any other policy that the insurer considers fundamental.

Instructions:

For the purposes of clause (5), the purchase of debt securities for investment purposes is not to be considered the making of a loan by the insurer.

ITEM 7. Policies with Respect to Security Investments for the Segregated Fund:

State and describe the investment policy of the insurer with respect to each of the following matters that is not described under Item 6:

(*a*) state the objectives of the investment policy of the segregated funds;

(*b*) the percentage of assets that it may invest in the securities of any one company;

(*c*) the percentage of securities of any one company that it may acquire;

(*d*) investment in securities of companies for the purpose of exercising control or management;

(*e*) the application of earnings of the fund.

ITEM 8. Diversification of Assets in the Segregated Fund:

Furnish in substantially the tabular form indicated, the following information as at a date within thirty days of the filing of the information folder with respect to each company, 5 per cent or more of whose securities of any class are owned directly or indirectly by the insurer for the segregated fund.

TABLE

Name and Address of Company	Nature of its Principal Business	Percentage of Securities of any Class beneficially owned, directly or indirectly, by insurer in the Segregated Fund	Percentage of Book Value of the Segregated Fund Assets invested therein

Instructions:

Where variable insurance policies with accumulation units have been issued for a period of twelve months and no material change has occurred in the information required by this item since the date to which the financial statements relating to the segregated fund required for inclusion in the prospectus are made up, the information required by this item may be given as of the date to which such financial statements are made up.

ITEM 9. Tax Status of the Segregated Fund:

State any taxes that may be imposed on the insurer that would be payable by the insurer from or on behalf of the segregated fund that would constitute a charge upon or deduction from the segregated fund and explain the income tax position of the insurer with respect to its segregated fund.

ITEM 10. Tax Status of Policyholders:

State in general terms the income tax consequences to those policyholders who hold policies, the reserve for which is invested in the segregated fund.

ITEM 11. Pending Legal Proceedings:

Briefly describe any legal proceedings material to the insurer and material to policyholders that have or will have accumulation units credited to the policy to which the insurer or any of its subsidiaries is a party or of which any of their property is the subject. Include the name of the Court or agency in which the proceedings are pending, the date instituted and the principal parties thereto. Make a similar statement as to any such proceedings known to be contemplated.

ITEM 12. Rights of Policyholders:

State whether a policyholder is a member of the insurer and as such is entitled to any voting rights.

ITEM 13. Custodian of Segregated Fund Portfolio of Securities:

State the name, principal business address, and nature of the business of any company holding portfolio securities of the insurer as custodian, the basis upon which such securities are held and the approval given therefor, and the jurisdiction in which the portfolio of securities are physically situate.

ITEM 14. Statement of Functions of Insurer and Distribution of Its Variable Insurance Policies:

(*a*) Give a concise statement of the manner in which the following functions of the insurer with respect to the segregated fund are performed and who is responsible therefor, stating how such functions are co-ordinated and to the extent that any such functions are not performed by *bona fide* employees of the insurer, the names and addresses of the persons or companies responsible for performing such functions:

1. Management of the insurer other than management of the segregated fund portfolio.

2. Management of the segregated fund portfolio.

3. Providing investment analysis for the segregated fund portfolio.

4. Providing investment recommendations for the segregated fund portfolio.

5. Making investment decisions for the segregated fund portfolio.

6. Purchase and sale of the investment portfolio and brokerage arrangements relating thereto.

7. Distribution of the variable insurance policies offered.

(*b*) List the names and addresses in full of all directors and officers of the companies named in answer to paragraph (*a*) of this item if performed by a company other than the insurer.

Instructions:

1. In giving information regarding the purchase and sale of the investment portfolio and brokerage arrangements relating thereto only the name and address of the principal broker need be given.

2. In giving information regarding purchase and sale of the investment portfolio and brokerage arrangements relating thereto give brief details of the following matters:

(i) the total cost during the last completed financial year of the insurer of securities acquired for the segregated fund, distinguishing between,

(*a*) securities of or guaranteed by the government of any country, or any political subdivision thereof,

(*b*) short term notes, and

(*c*) other securities;

(ii) the total cost of securities held at the beginning and at the end of the insurer's last completed financial year;

(iii) the formula, method or criteria used in allocating brokerage business to persons or companies furnishing statistical research or other services to the insurer or the manager of the insurer with respect to the segregated fund; and

(iv) state the amount of brokerage paid to the principal broker.

3. If one or more than one person or company performs more than one of the functions referred to in this Item, so state, giving details of all functions so performed.

4. As used in this form,

(*a*) "principal broker" includes,

(i) a person or company through whom the investment portfolio of the insurer is purchased or sold pursuant to a contractual arrangement with the insurer or the manager of the insurer providing for an exclusive right to purchase or sell the investment portfolio of the insurer or any feature that gives or is entended to give a broker or dealer a material competitive advantage over other brokers or dealers in respect of the purchase or sale of the investment portfolio of the insurer, or

(ii) a person or company, together with any affiliate by or through whom 15 per cent or more of the aggregate value of securities transactions of the insurer were carried out;

(*b*) "brokerage arrangements" or, "brokerage business" include all purchases and sales of the investment portfolio, whether effected directly or through an agent.

5. With the consent of the Superintendent, a person or company who would otherwise be a principal broker may, with respect to any one or more of the items of disclosure required by this Form, be treated as not coming within the definition of a principal broker.

ITEM 15. Relationship to Insurer:

Furnish the following information as to each person or company named in answer to paragraph (*a*) of Item 14:

1. If a named person or company is associated with the insurer or is a director or senior officer of or is associated with any affiliate of the insurer or is a director or senior officer of or is associated with any company that is associated with the insurer so state, and give particulars of the relationship.

2. If a named person or company in paragraph (*a*) has a contract or arrangement with the insurer, give a brief description of the contract or arrangement, including the basis for determining the remuneration of the named person or company, and give the amount of remuneration paid or payable by the insurer and its subsidiaries to such person or company during the last completed financial year of the insurer.

3. Where, and to the extent, required by the Superintendent, give the business experience of each named person or company and, in the case of a named company, the directors and officers thereof.

ITEM 16. Principal Participants in the Segregated Fund:

Where more than 10 per cent of the net asset value of the segregated fund is attributed to one policy, furnish the following information as of a specified date within thirty days prior to the filing date of the information folder in substantially the tabular form indicated:

TABLE

COLUMN 1	COLUMN 2
Type of Policy	Percentage of Net Asset Value of the Fund

ITEM 17. Surrender and Maturity Options:

Give a brief outline of the rights of the policyholder during the term of and at the maturity of the policy, including, without limiting the generality of the foregoing, surrender privileges, conversion and other options and any charges with respect thereto.

Instructions:

This information should be stated in plain language without the use of technical terminology.

ITEM 18. Interest of Management and Others in Material Transactions:

Describe briefly and, where practicable, state the approximate amount of any material interest, direct or indirect, of any of the following persons or companies in any transactions within the three years prior to the date of the filing of the information folder, or in any proposed transaction which in either such case has materially affected, or will materially affect, the insurer or any of its subsidiaries with respect to the segregated fund:

1. The principal broker of the insurer.

2. Any director or senior officer of the insurer.

3. Any associate or affiliate of the foregoing persons or companies.

Instructions:

1. Give a brief description of the material transaction. Include the name and address of each person or company whose interest in any transaction is described and the nature of the relationship by reason of which such interest is required to be described.

2. As to any transaction involving the purchase or sale of assets by or to the insurer or any subsidiary, state the cost of the assets to the purchaser and the cost thereof to the seller if acquired by the seller within two years prior to the transaction.

3. This Item does not apply to any interest arising from holding a policy of the insurer where the policyholder receives no extra or special benefit or advantage not shared on a *pro rata* basis by all other policyholders who are resident in Canada.

4. No information need be given in answer to this Item as to any transaction or any interest therein, where,

   (i) the rates or charges involved in the transaction are fixed by law or determined by competitive bids,

(ii) the interest of a specified person or company in the transaction is solely that of a director of another company that is a party to the transaction,

(iii) the transaction involves services as a bank or other depository of funds, trustee under a trust indenture or other similar services,

(iv) the interest of a specified person or company, including all periodic instalments in the case of any lease or other agreement providing for periodic payments or instalments, does not exceed $10,000, or

(v) the transaction does not, directly or indirectly, involve remuneration for services, and,

(*a*) the interest of a specified person or company arose from the beneficial ownership, direct or indirect, of less than 10 per cent of any class of equity shares of another company that is a party to the transaction, and

(*b*) the transaction is in the ordinary course of business of the insurer or its subsidiaries.

5. Information shall be furnished in answer to this Item with respect to transactions not excluded above that involve remuneration, directly or indirectly, to any of the specified persons or companies for services in any capacity unless the interest of the person or company arises solely from the beneficial ownership, direct or indirect, of less than 10 per cent of any class of equity shares of another company furnishing the services to the insurer or its subsidiaries with respect to the segregated fund.

6. This Item does not require the disclosure of any interest in any transaction unless such interest and transaction are material.

ITEM 19. Management Fees and other Expenses:

State the maximum management fees and other expenses that may be charged for the time being against the assets of the segregated fund, expressed as a percentage of the net assets of the segregated fund. Explain how the management fee and other expenses are calculated and to whom they are paid.

Instructions:

The term "other expenses" shall mean all other expenses incurred in the ordinary course of business relating to the organization, management and operation of the segregated fund with the exception of the commissions and brokerage fees on the purchase and sale of portfolio securities and taxes of all kinds to which the segregated fund is or might be subject.

ITEM 20. Material Contracts:

Give particulars of every material contract entered into within two years prior to the date of the filing of the information folder by the insurer or any of its subsidiaries and state a reasonable time and place at which contract, or copy thereof, may be inspected.

The term "material contract" means any contract that can be reasonably regarded as presently material to the proposed policyholder with respect to the segregated fund and not in the ordinary and normal course of business.

ITEM 21. Other Material Facts:

Give particulars of any other material facts relating to the variable insurance policy porposed to be sold and not disclosed pursuant to the foregoing items. O. Reg. 386/70, Form 1, *revised*.

Form 2

The Insurance Act

STATEMENT OF CHANGES IN NET ASSETS OF FUND FOR THE YEAR ENDED ....., 19....

Fund at beginning of year		
Net premiums and other amounts allocated or transferred to Fund during year	$	
Net gain (or loss) for the year		
	TOTAL	
Annuity and other benefit		
Payments	$	
Withdrawals		
Fund at end of year		

O. Reg. 386/70, Form 2.

Form 3

The Insurance Act

STATEMENT OF ASSETS AND LIABILITIES

AS AT....., 19....

ASSETS (at market value)

1.	Bonds	$
2.	Stocks	
3.	Mortgage Loans	
4.	Real Estate	
5.	Cash and term deposits	
6.	Investment income due and accrued	
7.	Accounts receivable	
	(*a*) Investments sold	
	(*b*) Other assets	
8.	TOTAL ASSETS	

LIABILITIES

Amounts owing

9.	Amounts due to other funds	$
10.	Taxes, licences and fees	
11.	Expenses due and accrued	
12.	Investments purchased	
13.	Other liabilities	
14.	TOTAL AMOUNTS OWING	

INSURANCE FUND

15.	Funds held for benefit of policyholders	$
16.	Amounts transferred from other funds	
17.	Surplus	
18.	TOTAL FUNDS	
19.	TOTAL FUNDS AND AMOUNTS OWING	

O. Reg. 386/70, Form 3.

Form 4

The Insurance Act

STATEMENT OF GAIN OR LOSS OF FUND

FOR THE YEAR ENDED....., 19....

GAIN

	Income	$
	Investment Income	
	Other Income	
	Capital	
	Realized profits (losses) on sale of investments	
	Increase (decrease) in unrealized appreciation of investments	
	TOTAL	

EXPENSES

	Management Fees	$
	Taxes, licences, and other fees	
	Other expenses	
	Net gain or loss to Fund for the year	

O. Reg. 386/70, Form 4.

Form 5*

The Insurance Act

STATEMENT OF UNIT VALUES FOR PRECEDING 5 YEARS

Year Ended	Net Asset Value at start of year	Net Asset Value at end of year	*Distributions during year	
			Capital	Dividends paid
19				
19				
19				
19				
19				

* Use where applicable

O. Reg. 386/70, Form 5.

Form 6

The Insurance Act

SCHEDULE OF INVESTMENTS YEAR-END HOLDINGS AS AT ....., 19....

A statement containing the following information:

(*a*) the name of each issue of the securities held;

(*b*) the class or designation of each security held;

(*c*) the number of each class of shares or aggregate face value of each class of other securities held; and

(*d*) the market value of each class of securities (investments) held and if the carrying value is other than average cost, the basis of valuation.

O. Reg. 386/70, Form 6.

Form 7

The Insurance Act

STATEMENT OF TRANSACTIONS FOR YEAR ENDED....., 19....

State the following information with respect to transactions effected in the portfolio of the Segregated Fund during the period....., 19....

Each class of Security held (specify class or designation of security as indicated below)*	Aggregate number of securities or aggregate face value of debt instruments of each class purchased during period and total cost		Aggregate number of securities or aggregate face value of debt instruments of each class sold during period and proceeds of sale	
	Quantity or Face Value	Cost	Quantity or Face Value	Proceeds

* (*a*) securities of or guaranteed by the government of any country, or any political subdivision thereof;

(*b*) short-term notes; and

(*c*) other securities.

O. Reg. 386/70, Form 7.

REGULATION 544

under The Investment Contracts Act

REGISTRATION

APPLICATION FOR REGISTRATION

1.—(1) An application for registration as an issuer shall be in Form 1.

(2) An application for registration as a salesman shall be in Form 2.

(3) An application for renewal of registration as an issuer shall be in Form 3.

(4) An application for renewal of registration as a salesman shall be in Form 4. R.R.O. 1960, Reg. 394, s. 1.

FEES

2. The following fees shall be paid to the superintendent:

1. For registration or renewal thereof as an issuer, where the value of the assets of the issuer at the close of its last completed fiscal year immediately preceding the date of the application for registration or renewal was,
   - (i) under $500,000 ..... $200
   - (ii) $500,000 or over but under $1,000,000 250
   - (iii) $1,000,000 or over but under $5,000,000 300
   - (iv) $5,000,000 or over but under $10,000,000 400
   - (v) $10,000,000 or over but under $20,000,000 450
   - (vi) $20,000,000 or over 500
2. For registration or renewal thereof as a salesman 15

R.R.O. 1960, Reg. 394, s. 2.

Form 1

The Investment Contracts Act

APPLICATION FOR REGISTRATION AS AN ISSUER

Date of Application ....., 19....

Application for registration under *The Investment Contracts Act* as an issuer is hereby made and the following statements of fact are made in respect thereto:

1. Name .....

   Address of Head Office .....

2. State address for service in Ontario .....

   .....

3. Addresses of branch offices in Ontario .....

   .....

4. (*a*) Authorized capital stock of the applicant is

   $ .....

   (*b*) Capital stock subscribed $ .....

   (*c*) Capital stock paid in, in cash $ .....

5. Is the applicant authorized to sell investment contracts outside Ontario? (Give particulars.)

   .....

   .....

Dated at .....

this .....

day of ....., 19....

.....
(official signature of applicant)

.....
(signature of official and office held)

.....
(signature of official and office held)

R.R.O. 1960, Reg. 394, Form 1.

Form 2

The Investment Contracts Act

APPLICATION FOR REGISTRATION AS A SALESMAN

Date of application....., 19....

I, ...hereby make
(print name)

application for registration under *The Investment Contracts Act* as a salesman for..... and the following statements of fact are made in respect thereto:

1. (*a*) During the year immediately preceding the date of this application I have resided at the following places:

.....

.....

(*b*) My present business address.....

.....

(*c*) My address for service in Ontario.....

.....

2. State country of birth.....

3. State nationality.....

4. The particulars of my occupation during the past five years are as follows:

Name and address of employer	Nature of business of employer	Nature of employment	Period of employment from: to:	Residence during employment was

5. Will you be engaged or employed in any business or occupation other than selling investment contracts?.....
(Give particulars.)

6. Have you ever been required to provide collateral security as a condition to obtaining a fidelity bond?.....
(Give particulars.)

7. Have you ever been charged, indicted or convicted under any law of any country or state or province thereof, regarding the sale of securities, or fraud or theft in connection therewith, or been named in any injunction in connection with proceedings taken on account of fraud arising out of any trade in any security, or are there any proceedings now pending that may lead to such charge, indictment, conviction or injunction? (Give particulars.)

.....

.....

8. Have you ever been charged, indicted or convicted under any other law of any country or state or province thereof, or are there any proceedings now pending that may lead to any charge, indictment or injunction? (Give particulars.)

.....

.....

9. Has any judgment been rendered against you in any civil court for damages arising from fraud? (Give particulars.)

.....

.....

10. Have you ever been discharged by an employer for any cause involving any criminal offence or fraud? (Give particulars.)

.....

.....

11. (*a*) Have you ever been licensed or registered as a salesman of investment contracts, a security salesman or as an insurance agent in any country, province or state? (Give particulars')

.....

.....

(*b*) Have you ever been refused a licence or registration in any country, province or state? (Give particulars.)

.....

.....

(*c*) Has any licence held by you been suspended or cancelled? (Give particulars.)

.....

.....

12. Have you ever used, operated under or carried on business under any name other than your name hereto subscribed as applicant? (Give particulars.)

.....

.....

13. The following is a detailed description of the applicant:

Age.....Height.....Weight.....

Build.....Complexion.....Colour of Hair....

Colour of eyes...Moustache...Male or Female..

Nationality.....Married, Single.....

Country of birth.....Distinguishing marks..

Dated at.....,

this.....day of.....,

19....

.....
(signature of applicant)

CERTIFICATE OF REGISTERED ISSUER

To the Superintendent of Insurance:

I certify that.....
(name of applicant for registration)

is employed, appointed or authorized to sell investment contracts issued by this corporation. The information submitted by the applicant in the foregoing application is, to the best of my information, true and correct, and I request that the application be granted.

.....
(registered issuer)

by.....

.....
(title of official signing)

.....
(address of employer)

R.R.O. 1960, Reg. 394, Form 2.

Form 3

The Investment Contracts Act

APPLICATION FOR RENEWAL OF REGISTRATION AS AN ISSUER

Date of application....., 19....

Application for renewal of registration under *The Investment Contracts Act* as an issuer is hereby made and the following statements of fact are made in respect thereto:

1. Name.....

   Address of Head Office.....

2. Address for service in Ontario.....

   .....

3. Addresses of branch offices in Ontario.....

   .....

4. State value of the assets of the applicant at the close of the last completed fiscal year.....

5. Is issuer authorized to sell investment contracts outside Ontario? (Give particulars.)

   .....

   .....

Dated at.....,

this.....

day of.....,

19....

.....
(official signature of applicant)

.....
(signature of official and office held)

.....
(signature of official and office held)

R.R.O. 1960, Reg. 394, Form 3.

Form 4

The Investment Contracts Act

APPLICATION FOR RENEWAL
OF REGISTRATION AS A SALESMAN

Date of Application....., 19....

The undersigned hereby applies under *The Investment Contracts Act* for a renewal of registration as a

salesman for.....
(registered issuer)

and the following statements of fact are made in support thereof:

1. My present business address.....

2. My address for service in Ontario.....

.....

3. Statement of any change in the facts as set out in my application for registration as a salesman:

.....

.....

Dated at.....,

this.....

day of.....,

19....

.....
(signature of applicant)

CERTIFICATE OF REGISTERED ISSUER

To the Superintendent of Insurance:

I certify that.....
(name of applicant for registration)

is employed, appointed or authorized to sell investment contracts issued by this corporation. The information submitted by the applicant in the foregoing application is, to the best of my information true and correct, and I request that the application be granted.

.....
(registered issuer)

By.....

.....
(title of official signing)

.....
(address of employer)

R.R.O. 1960, Reg. 394, Form 4.

REGULATION 545

under The Judicature Act and The Matrimonial Causes Act

(Attention is drawn to subsection 1 of section 106 of chapter 100 of R.S.O. 1937, [The Judicature Act] which is not reproduced in the 1950-1960 revision but is unrepealed and unconsolidated, vide R.S.O. 1950, Schedule B.)

RULES OF PRACTICE AND PROCEDURE OF THE SUPREME COURT OF ONTARIO MADE BY THE RULES COMMITTEE

INTERPRETATION

1. As to all matters not provided for in these rules, the practice shall be regulated by analogy thereto. R.R.O. 1960, Reg. 396, r. 1.

2. In these rules,

(*a*) "Accountant" means "The Accountant of the Supreme Court of Ontario";

(*b*) "action" includes garnishment proceedings, proceedings for relief by interpleader and matrimonial cause proceedings;

(*c*) "county court" includes district court, and "county" includes "district";

(*d*) "defendant" includes a respondent named in a petition or counter-petition for divorce;

(*e*) "entry" or "entered" or any term of like import includes recording by photographic plate, microphotographic film or photocopy negative;

(*f*) "ground for divorce" means a ground for divorce under the *Divorce Act* (Canada);

(*g*) "hearing" includes the trial of a matrimonial cause;

(*h*) "judge" means a judge of the High Court;

(*i*) "judgment" includes a decree in a matrimonial cause and, in rules 540 to 606, also includes an order to the same effect as a judgment;

(*j*) "judgment creditor" means the party or person who is entitled to receive payment or to enforce a judgment or order;

(*k*) "judgment debtor" means the party or person to make payment under a judgment or order, or against whom the judgment or order may be enforced;

(*l*) in the rules relating to references, "Master" includes an assistant master or clerk to whom the matter has been assigned either by the Master or by the judgment;

(*m*) "matrimonial cause" means a proceeding by petition under the *Divorce Act* (Canada);

(*n*) "matrimonial offence" means an act, or circumstance the commission or existence of which is a ground for divorce under the *Divorce Act* (Canada);

(*o*) "plaintiff" includes a petitioner or counter-petitioner for divorce;

(*p*) "sheriff" includes any officer charged with the execution of a writ or process;

(*q*) "time prescribed" means time limited or appointed by the rules or by a judgment or order;

(*r*) "trial" includes the hearing of a matrimonial cause;

(*s*) in rules 12 to 31, the words "writ of summons" and "writ" include a notice of petition for divorce and any document by which proceedings are commenced, and also include all proceedings by which a person not a party is added as a party either before or after judgment (*e.g., proceedings in the Master's office and garnishment and third party proceedings*);

(*t*) "writ of execution" and "execution" include all writs by which a judgment may be enforced, and, in the rules relating to interpleader, also include an order of attachment under *The Absconding Debtors Act*. O. Reg. 156/68, s. 1.

3. The division of these rules into titles and headings is for convenience only, and does not affect their construction. R.R.O. 1960, Reg. 396, r. 3.

FORM AND COMMENCEMENT OF PROCEEDINGS IN THE SUPREME COURT

Writ of Summons

4. Except where otherwise authorized by a statute or by a rule, every proceeding in the court, other than a proceeding that may be taken *ex parte*, shall be by action commenced by the issue of a writ of summons. R.R.O. 1960, Reg. 396, r. 4.

5.—(1) The writ shall be prepared by the plaintiff and shall contain the names of the parties and the capacity in which they sue and are sued and shall state the office in which and the time within which the defendant is to enter his appearance and shall be endorsed with a short statement of the nature of the plaintiff's claim. R.R.O. 1960, Reg. 396, r. 5 (1).

(2) Writs shall be sealed with the seal of the Supreme Court or with the seal kept in the local office, as the case may be, and shall conclude with the words "IN WITNESS WHEREOF this writ is signed for the Supreme Court of Ontario by ..... Registrar of the said Court at Toronto (*or* by ..... Local Registrar of the said Court at .....]", and shall state the date and place of issue and shall be signed by the officer issuing the same or in his name by a member of his staff to whom the officer has delegated such authority". O. Reg. 80/63, s. 1; O. Reg. 249/68, s. 1.

(3) A copy of the writ certified by the plaintiff's solicitor shall be filed with the officer at the time the writ is issued. R.R.O. 1960, Reg. 396, r. 5 (3).

6.—(1) A writ for service in Ontario, either personally or in any other manner, shall be according to Form 1.

(2) A writ for service out of Ontario shall be according to Form 3.

(3) Where the defendant is not a British subject and is not in British Dominions, notice of the writ, according to Form 5, shall be served in lieu of the writ. R.R.O. 1960, Reg. 396, r. 6.

7.—(1) The plaintiff may issue a duplicate writ or concurrent writ for service either within or without Ontario, tested of the same day as the original writ, and marked "duplicate" or "concurrent", and with the date of actual issue.

(2) A duplicate or concurrent writ shall be in force only during the currency of the original writ. R.R.O. 1960, Reg. 396, r. 7.

8.—(1) The writ shall be in force for twelve months from the date thereof, including the day of such date, but, if for any sufficient reason any defendant has not been served, the writ may at any time before its expiration, by order, be renewed for twelve months, and so from time to time during the currency of the renewed writ.

(2) The writ shall be marked by the proper officer, "renewed", with the date of the order. R.R.O. 1960, Reg. 396, r. 8.

9. Any claim on behalf of Her Majesty, including a claim to repeal letters patent under the Great Seal, may be enforced by an action brought by the Minister of Justice and Attorney General on behalf of Her Majesty. R.R.O. 1960, Reg. 396, r. 9.

Originating Notice

10.—(1) The proceedings authorized by rules 607, 611, 612, 615, 622, 624, 625, 629, 698 and interpleader, other than interpleader proceedings by a sheriff, as provided under rules 632 and 651, may be commenced by notice of motion called an originating notice.

(2) Garnishment proceedings and interpleader proceedings by a sheriff shall be deemed to be interlocutory proceedings in the original cause or matter.

(3) An issue directed in garnishment or interpleader proceedings or any other issue directed to be tried under these rules shall be deemed to be an action, and the judgment upon the trial of an issue shall, for the purposes of appeal, be deemed to be final and not interlocutory. R.R.O. 1960, Reg. 396, r. 10.

11.—(1) Where by any statute a summary application without the institution of any action may be made to the court or a judge in a manner therein provided, such application may also be made by originating notice but any security required by such statute shall be given.

(2) This rule applies to proceedings which by any statute or rule may be taken in a county court or before a judge of a county court. R.R.O. 1960, Reg. 396, r. 11.

11A. In every application brought by originating notice, if the applicant desires a certificate of *lis pendens* he shall include in his notice a claim therefor together with a description, sufficient for registration, of the lands in question, but such certificate shall not issue without leave of the court, to be obtained upon an *ex parte* application. O. Reg. 301/70, s. 1.

NOTE: See also *The Interpretation Act*, R.S.O. 1970, c. 225, s. 29.

Endorsement of Address, etc.

12.—(1) Where a plaintiff sues by a solicitor, the writ of summons, or notice in lieu thereof, shall be endorsed with the solicitor's name or firm and place of business, where service may be made. R.R.O. 1960, Reg. 396, r. 12 (1).

(2) Where a plaintiff sues in person, there shall be endorsed upon the writ, or notice in lieu thereof, his place of residence and occupation. R.R.O. 1960, Reg. 396, r. 12 (3); O. Reg. 242/67, s. 1.

(3) If the residence of a plaintiff suing in person is more than two miles from the office in which the proceedings are commenced, there shall also be endorsed an address for service within that distance, and, in default, any paper not requiring personal service may be served by mailing it to the plaintiff at his address, by registered letter. R.R.O. 1960, Reg. 396, r. 12 (4); O. Reg. 242/67, s. 1.

13.—(1) The solicitor whose name is endorsed on a writ of summons shall on demand declare forthwith whether the cause or matter has been commenced by him or with his authority or privity, and he shall also, if demanded, disclose the profession or occupation, and place of residence, giving name of street and house number where practicable, of the plaintiff and in default the action may be stayed and the solicitor may be directed to pay the costs.

(2) If the solicitor declares that the writ was not issued by him or with his authority or privity, an order may be obtained *ex parte* directing that all proceedings be stayed, and thereafter no further proceedings shall be taken without leave. R.R.O. 1960, Reg. 396, r. 13.

14.—(1) Where an action is brought in the name of a firm or in a name or style other than the plaintiff's own name, the plaintiffs shall, on demand, declare forthwith in writing the names and places of residence of all the persons constituting the firm or carrying on business under such name or style.

(2) If the plaintiffs fail to comply with such demand, all proceedings in the action may, upon an application for that purpose, be stayed. R.R.O. 1960, Reg. 396, r. 14.

Service

15. Service of a writ of summons shall not be required where the defendant by his solicitor accepts service and undertakes to appear. R.R.O. 1960, Reg. 396, r. 15.

16.—(1) Except as hereinafter provided, in the absence of such acceptance of service every writ of summons shall be served personally, but, if it appears that the plaintiff is unable to effect prompt personal service, substituted service, by advertisement or otherwise, may be ordered.

(2) Substituted service may also be allowed of any other document that requires personal service. R.R.O. 1960, Reg. 396, r. 16.

17. Revoked. O. Reg. 156/68, s. 2.

18.—(1) Where an infant is sued in respect of his interest in an estate, he shall be served by delivering a copy of the writ to the Official Guardian.

(2) The post office address of the father or guardian of such infant or of the person with whom or under whose care the infant is shall be endorsed on the copy of the writ so served.

(3) From the time of such service, the Official Guardian is the guardian *ad litem* of the infant, unless and until otherwise ordered, and it is the duty of the Official Guardian, or of any other guardian appointed for such infant, forthwith to attend to the interests of the infant, and to take all such proceedings as may be necessary for the protection of such interests in the proceeding in which he is appointed guardian, and for that purpose to communicate with all proper persons and parties, including the father or guardian of the infant and the person with whom or under whose care the infant is.

(4) In case there is more than one infant for whom service is made on the Official Guardian, one copy only of the writ need be served, but the name of each person on whose behalf the Official Guardian is served shall be stated on the copy served. R.R.O. 1960, Reg. 396, r. 18.

19. Where the action against an infant defendant is for the recovery of lands, goods or chattels of which he is personally in possession, service shall be made on the infant personally, and a copy of the writ endorsed as aforesaid shall also be delivered to the Official Guardian who may enter an appearance for the infant, in the absence of other order or direction. R.R.O. 1960, Reg. 396, r. 19.

20. Where the action is against an infant in respect of a personal tort or for the recovery of money only, the infant shall be served as in the case of an adult defendant. R.R.O. 1960, Reg. 396, r. 20.

21. Where a mentally incompetent person or person of unsound mind not so found by inquisition or judicial declaration is a defendant, service on the committee of the mentally incompetent person or on the person with whom the defendant of unsound mind resides, or under whose care he is, shall, unless otherwise ordered, be deemed good service. R.R.O. 1960, Reg. 396, r. 21.

NOTE: As to service on a mentally incompetent person in an institution, see Part III of *The Mental Health Act*, R.S.O. 1970, c. 269.

22. After service of the writ, no further proceedings shall be taken against a defendant who is a mentally incompetent person and has no committee, or no committee except the Public Trustee, or against a defendant of unsound mind not so found, until a guardian *ad litem* is appointed. R.R.O. 1960, Reg. 396, r. 22.

NOTE: As to service upon a patient in an institution, see Part III of *The Mental Health Act*, R.S.O. 1970, c. 269.

23.—(1) A corporation may be served with a writ of summons by delivering a copy to the mayor, warden, reeve, president, or other head officer, or on the township, town, city or county clerk, or on the cashier, treasurer or secretary, clerk or agent of such corporation or of any branch or agency thereof in Ontario, and any person who, within Ontario, transacts or carries on any of the business of, or any business for, a corporation whose chief place of business is out of Ontario, shall, for the purpose of being served as aforesaid, be deemed to be the agent thereof.

(2) Service may also be effected on any person appointed for that purpose under *The Corporations Act*.

(3) In the case of a railway, telegraph or express corporation, service may be effected on the agent of such corporation at any branch or agency thereof, or on any station master of the railway company, or on the telegraph operator or express agent having charge of any telegraph or express office belonging to such corporation. R.R.O. 1960, Reg. 396, r. 23.

24. Where service of a writ out of Ontario may be allowed and the defendant, whether a British subject or not, is, or was at the time the cause of action arose, carrying on business within Ontario, if the cause of action arose in respect of such business, an order may be made allowing service upon any person having the control or management of the business. R.R.O. 1960, Reg. 396, r. 24.

Service Out of Ontario

25.—(1) Service out of Ontario of a writ of summons or notice of writ may be allowed,

(*a*) where the whole subject-matter of the action is land situate within Ontario (with or without rents or profits);

(*b*) where any act, deed, will, contract, obligation or liability affecting land or hereditaments, situate within Ontario, is sought to be construed, rectified, set aside or enforced;

(*c*) where a will of a deceased person, who at the time of his death was domiciled within Ontario, affecting personal property is sought to be construed, or where the executors or administrators of any such person apply by way of originating notice under rule 607;

(*d*) where relief is sought against a person domiciled or ordinarily resident within Ontario;

(*e*) where administration is sought of the personal estate of a deceased person who at the time of his death was domiciled within Ontario, or the execution (as to property situate within Ontario) of the trusts of a written instrument of which the person to be served is a trustee, which ought to be executed according to the law of Ontario;

(*f*) where the action is in respect of a breach committed within Ontario of a contract wherever made, even though such breach was preceded by or accompanied by a breach out of Ontario which rendered impossible the performance of the part of the contract which ought to have been performed within Ontario;

(*g*) where the action is upon or in relation to a mortgage or charge or lien of any description upon personal property of any description within Ontario in which foreclosure, sale, possession or redemption is sought but in which a personal judgment or order for payment is not claimed unless a personal judgment or order for payment may be claimed under some other provision of this rule;

(*h*) where the action is founded on a tort committed within Ontario;

(*i*) where an injunction is sought as to anything done or to be done within Ontario, or any nuisance within Ontario is sought to be prevented or removed, whether damages are or are not claimed in respect thereof;

(*j*) where a person out of Ontario is a necessary or proper party to an action properly brought against another person duly served within Ontario;

(*k*) where the action is for any other matter and it appears that the plaintiff has a good cause of action against the defendant upon a contract or in respect of a claim for alimony, and that the defendant has assets in Ontario of a value of $200 at least which may be rendered liable for the satisfaction of the judgment; but the order allowing service shall in such case provide that, if the defendant does not

appear, the plaintiff shall prove his claim to the satisfaction of a judge before judgment is entered;

(*l*) in an action upon a contract where the parties have agreed that the courts of Ontario shall have jurisdiction to entertain the action or have agreed as to the manner in which service, either within or out of Ontario, of the writ in an action brought in Ontario may be affected. In either of such cases, service may be effected in the manner agreed upon or as may be ordered;

(*m*) where the action is founded upon a judgment of any court in Ontario; or

(*n*) in an action to declare a marriage void;

(*o*) except in a matrimonial cause, where the claim is for or in respect of the custody or maintenance of or access to an infant; or

(*p*) where by statute an action or proceeding may be commenced in Ontario. R.R.O. 1960, Reg. 396, r. 25 (1); O. Reg. 162/62, ss. 1, 2; O. Reg. 156/68, s. 3 (*a*) (*b*); O. Reg. 301/70, s. 2 (1).

(2) Where it is necessary or proper to serve persons not already parties to an action with an office copy of any judgment or order or notice to prove claims thereunder, service of the same out of Ontario may be allowed. R.R.O. 1960, Reg. 396, r. 25 (2).

(3) Service out of Ontario may also be allowed of an attaching order in cases falling within rule 597. R.R.O. 1960, Reg. 396, r. 25 (3).

26. An application to allow service out of Ontario may be made *ex parte* and shall be supported by an affidavit stating that in the belief of the deponent the applicant has a right to the relief claimed, and showing in what place or country the person to be served is or probably may be found, and whether he is a British subject or not, and that the case is a proper one for service out of Ontario under these rules. R.R.O. 1960, Reg. 396, r. 26.

27.—(1) An order allowing service of a writ of summons out of Ontario may be made before the writ is issued and shall limit the time for entering appearance.

(2) An order allowing service out of Ontario of a notice of motion or attaching order shall limit a time that must elapse after service before the day when the motion is to be heard.

(3) An order allowing service out of Ontario of a judgment or order or notice to prove claims thereunder shall limit a time for moving to add to, vary or set aside the judgment or order.

(4) In limiting the time, regard shall be had to the place where service is to be effected (Form 70). R.R.O. 1960, Reg. 396, r. 27.

28. Where a defendant is to be served out of Ontario with a writ of summons or notice in lieu thereof, the statement of claim shall be served therewith unless the writ is specially endorsed. R.R.O. 1960, Reg. 396, r. 28.

29. Where the defendant is to be served out of Ontario and he is neither a British subject nor in British dominions, notice of the writ and not the writ itself shall be served, and such notice shall, except as herein provided, be served personally unless otherwise directed. R.R.O. 1960, Reg. 396, r. 29.

30. Where service is to be effected upon a person, other than a British subject, in a foreign country to which this rule is by direction of the Chief Justice of Ontario made to apply, the following procedure shall be adopted:

1. The notice of the writ and statement of claim shall be transmitted by the Registrar of the Supreme Court to the Under-Secretary of State for External Affairs for Canada with a copy thereof, translated into the language of the country in which service is to be effected, with a request for further transmission of the same to the government of the country in which it is to be served, with the request that service, either personal or in such manner as is consistent with the practice and usage of that country when personal service cannot be made, be effected and that return be made showing how such service has been effected.

2. Any such official return shall be regarded as proof of the facts therein stated.

3. The plaintiff's solicitor shall, before the papers are transmitted, pay or secure to the satisfaction of the Registrar a sum to answer the fees and charges in connection with such service. R.R.O. 1960, Reg. 396, r. 30; O. Reg. 249/68, s. 2.

31. Where in a civil or commercial matter pending before a court or tribunal of a foreign country a letter of request from such court or tribunal for service on a person in Ontario of any process or citation in such matter is transmitted to the Supreme Court of Ontario, the following procedure shall be adopted:

1. The letter of request for service shall be accompanied by a translation thereof in the English language, and by two copies of the process or citation to be served, and two copies thereof in the English language.

2. Service of the process or citation shall, by a direction of a judge, be effected by any sheriff or his authorized agent.

3. Such service shall be effected by delivering to and leaving with the person to be served one copy of the process to be served and one copy of the translation thereof or may be effected in such other manner as is directed by the letter of request.

4. After service has been effected, the process shall be returned to the Registrar of the Supreme Court, together with the evidence of service by affidavit of the person effecting the service, sworn before a notary public and verified by his seal, and particulars of charges for the cost of effecting such service.

5. The Registrar of the Supreme Court shall return the letter of request for service, together with the evidence of service, with a certificate appended thereto (Form 17) duly sealed with the seal of the said court.

6. Nothing in this rule prevents service from being effected in any other manner in which it may now be made. R.R.O. 1960, Reg. 396, r. 31.

Endorsement of Claim

32.—(1) Upon every writ of summons the plaintiff shall endorse a concise statement of his claim, but it is not essential to set forth the precise ground of complaint or the precise remedy or relief sought (Form 7). R.R.O. 1960, Reg. 396, r. 32; O. Reg. 155/65, s. 1.

(2) If the plaintiff desires a certificate of *lis pendens* he shall include in the endorsement a claim therefor together with a description, sufficient for registration, of the lands in question, but such certificate shall not issue without leave of the court, to be obtained upon *ex parte* application. O. Reg. 155/65, s. 1.

33.—(1) At the option of the plaintiff, the writ of summons may be specially endorsed with a statement of claim where the plaintiff seeks to recover a debt or liquidated demand in money (with or without interest and whether the interest be payable by way of damages or otherwise) arising,

(*a*) upon a simple written promise to pay or upon a written acknowledgment of debt; or

(*b*) upon a simple contract, express or implied, for goods sold and delivered; or

(*c*) upon a simple contract, express or implied, for work done or services rendered where the price or method of calculation of the price has been agreed upon; or

(*d*) upon a cheque, promissory note or bill of exchange; or

(*e*) upon an account settled between the parties in writing; or

(*f*) upon a bond or contract under seal for payment of a liquidated sum, but not including a claim for liquidated damages; or

(*g*) upon a judgment; or

(*h*) upon a statute where the amount sought to be recovered is a fixed sum of money or is in the nature of a debt other than a penalty; or

(*i*) upon a guarantee in writing where the claim against the principal is in respect of a debt or liquidated demand or the writ of summons may be specially endorsed with a statement of claim;

(*j*) in an action for recovery of land, with or without a claim for rent or mesne profits; or

(*k*) in an action for recovery of chattels; or

(*l*) in an action for foreclosure, sale or redemption. O. Reg. 180/64, s. 1; O. Reg. 155/65, s. 2.

(2) The writ in such cases shall be in accordance with Form 8. O. Reg. 180/64, s. 1.

(3) Where a writ is specially endorsed in respect of any of the above claims the plaintiff may also claim in respect of any other matter, in which case,

(*a*) the form of the command on the writ shall be so worded as to apply to each of such claims; and

(*b*) the general endorsement shall be preceded by the words "and by way of general endorsement:". O. Reg. 180/64, s. 1.

(4) Before being issued a writ which is specially endorsed shall be certified by the solicitor who issues it that he believes the claim is one that properly comes within this Rule. O. Reg. 180/64, s. 1.

34. Where the plaintiff in an action of dower claims damages for detention of her dower, the endorsement shall contain a statement that the

plaintiff claims damages for the detention of her dower from some day to be stated. R.R.O. 1960, Reg. 396, r. 34.

DEFAULT OF APPEARANCE

35. Except where otherwise provided or otherwise ordered, a defendant who fails to appear is not entitled to notice of any subsequent proceedings in the action. R.R.O. 1960, Reg. 396, r. 35.

36. Where a defendant fails to appear, the plaintiff, before signing judgment or noting the pleadings closed, shall file an affidavit of service of the writ, or the notice in lieu thereof, or the undertaking of the defendant's solicitor accepting service and agreeing to enter an appearance, with an affidavit verifying the undertaking, as the case may be. R.R.O. 1960, Reg. 396, r. 36.

37. Where the writ is specially endorsed for a debt or liquidated demand in money and any defendant fails to comply with rule 56, the plaintiff, notwithstanding that the writ may be endorsed with any other claim, may, as against such defendant, sign final judgment for any sum not exceeding the amount for which the writ is so specially endorsed, together with interest as claimed to the date of the judgment, and for his costs, without prejudice to his right to proceed with the action against any other defendant, and as to any other claims endorsed (Form 92). R.R.O. 1960, Reg. 396, r. 37; O. Reg. 242/67, s. 2.

38.—(1) Where the writ is specially endorsed with a claim for the recovery of chattels and any defendant fails to comply with rule 56, the plaintiff, notwithstanding that the writ may be endorsed with any other claim, may, as against such defendant, sign final judgment for the recovery of the chattels and his costs without prejudice to his right to proceed with the action against any other defendant and as to any other claims endorsed (Form 98).

(2) Where the claim endorsed upon the writ includes a claim for the detention of goods and pecuniary damages, or either of them, and any defendant fails to appear, interlocutory judgment may be signed against such defendant, directing an assessment of damages, without prejudice to the right of the plaintiff to proceed against any other defendants or for any other claim, and such damages may, unless otherwise ordered, be assessed, as against such defendant, either before or at the same time as the trial of the action, against any other defendant, or for any other claim, or the court may order that instead of an assessment the value of the goods and amount of damages, or either of them, shall be ascertained by a reference or in any other way (Form 99).

(3) When interlocutory judgment has been signed and damages have been assessed, a final judgment for the recovery of the damages awarded may be entered (Form 100). R.R.O. 1960, Reg. 396, r. 38; O. Reg. 242/67, s. 3.

39. No interlocutory judgment shall be signed for default of appearance unless the precise cause of action is clearly stated in the endorsement of the writ. R.R.O. 1960, Reg. 396, r. 39.

40.—(1) Where a defendant fails to appear in an action for dower, the plaintiff may sign judgment of seisin forthwith and sue out a writ of assignment of dower, but she is not, unless otherwise ordered, entitled to costs (Form 97).

(2) Where the plaintiff claims arrears of dower or damages for detention of her dower, the entry of a judgment of seisin and the taking of proceedings for the assignment of her dower thereunder do not prevent her from proceeding with the action for the recovery of such arrears or damages. R.R.O. 1960, Reg. 396, r. 40.

41.—(1) Where an action is for or includes a claim for the recovery of land and any defendant fails to appear, or where an appearance is entered but the defence is limited to part only, the plaintiff, notwithstanding that the writ may be endorsed with any other claim, may sign judgment against such defendant for possession of the land or of the part thereof to which the defence does not apply, without prejudice to the right of the plaintiff to proceed against any other defendant or for any other relief (Form 93).

(2) Where judgment by default is signed, but is not signed against all the defendants, a writ of possession shall not be issued unless directed by a judge. R.R.O. 1960, Reg. 396, r. 41.

42. Where an action is for or includes a claim for the recovery of land and any defendant fails to appear and the writ is endorsed with a claim for mesne profits, arrears of rent, or double value in respect of the premises claimed or any part of them, or damages for breach of contract, or wrong or injury to the premises claimed, the plaintiff may sign judgment against such defendant for possession, and may proceed as to the other claims (Form 95). R.R.O. 1960, Reg. 396, r. 42.

43. Where a defendant fails to appear in an action for recovery of land, the plaintiff is not entitled to costs unless he filed an affidavit showing that such defendant was at the time of the issue of the writ in actual adverse possession of the land or obtains an order allowing him to sign judgment as well for his costs as for possession of the land. R.R.O. 1960, Reg. 396, r. 43.

44. In all cases not hereinbefore provided for, a statement of claim must be delivered. R.R.O. 1960, Reg. 396, r. 44.

APPEARANCE, ETC.

45. Where a defendant is served within Ontario, he shall appear within ten days, and in the case of a specially endorsed writ within fifteen days, including the day of service. R.R.O. 1960, Reg. 396, r. 45; O. Reg. 180/64, s. 2.

46. A defendant shall appear by filing with the proper officer a memorandum in writing, if he appears by solicitor, stating the name and place of business of such solicitor, or, if he appears in person, stating that he defends in person, and giving his address and naming a place to be called his address for service, which shall not be more than two miles from the office from which the writ of summons was issued (Form 9). R.R.O. 1960, Reg. 396, r. 46; O. Reg. 162/62, s. 3.

47. If the memorandum does not contain the address of the solicitor or the defendant, as the case may be, it shall not be filed, and, if such address is illusory or fictitious, the appearance may be set aside. R.R.O. 1960, Reg. 396, r. 47.

48. Where a defendant desires to contend that an order for service out of Ontario could not properly be made, a conditional appearance may be entered by leave. R.R.O. 1960, Reg. 396, r. 48.

49. A defendant may appear at any time before judgment. R.R.O. 1960, Reg. 396, r. 49.

50. A defendant appearing to a writ endorsed to recover a money demand may in his appearance state that he disputes only the amount claimed, and the plaintiff may thereupon proceed to take an account of the amount due to him before the officer with whom the judgment is to be signed on four clear days' notice, and judgment may be signed for the amount found due, or the plaintiff may move for a judgment of reference. R.R.O. 1960, Reg. 396, r. 50.

51.—(1) A defendant in an action for dower may, with his appearance, file an acknowledgment that he is tenant of the freehold of the land named in the writ, together with his consent that the plaintiff may have judgment for her dower therein, and may take the proceedings authorized by *The Dower Act* to have the same assigned to her, unless the parties otherwise agree, and he shall forthwith serve the plaintiff or her solicitor with a copy of such acknowledgment and consent, and upon such consent the plaintiff may enter judgment of seisin, and may obtain a writ of assignment of dower, but is not, without an order, entitled to tax or recover the costs of the action or judgment against the defendant.

(2) The entry of a judgment of seisin and the taking of proceedings for the assignment of her dower thereunder does not prevent the plaintiff from proceeding with the action for the recovery of arrears of dower or damages.

(3) Where the defendant has filed and served such acknowledgment and consent and the plaintiff does not within three months thereafter sue out and cause to be executed a writ of assignment of dower, the defendant may, by leave, sue out such writ, and the writ shall be, as nearly as may be, in the same form as a writ sued out by the plaintiff, and the like proceedings shall be had thereon. R.R.O. 1960, Reg. 396, r. 51.

52. In an action for dower, the landlord or other person under whom a tenant in possession, who is not also tenant of the freehold, holds or entered into possession, may, without leave, appear and defend by filing with his appearance an affidavit that he is tenant of the freehold, and is advised and believes that there is good ground for disputing the plaintiff's claim to dower. R.R.O. 1960, Reg. 396, r. 52.

53. Any person not named as a defendant in a writ for the recovery of land, may, without leave, appear and defend by filing with his appearance an affidavit stating that he is in possession either by himself or his tenant, as the case may be. R.R.O. 1960, Reg. 396, r. 53.

54. Any person entering an appearance under the two preceding rules shall forthwith give notice thereof, and shall in all subsequent proceedings be named as a party defendant, and, if notice of appearance is not forthwith given, the plaintiff may proceed as in case of non-appearance. R.R.O. 1960, Reg. 396, r. 54.

55. Any person appearing to a writ for the recovery of land may limit his defence to a part only of the land, describing the part with reasonable certainty in his appearance, or in a notice to be served within four days after appearance (Forms 10 and 30), and thereupon the plaintiff may sign judgment for the recovery of possession of the land as to which no defence is made (Form 96). R.R.O. 1960, Reg. 396, r. 55.

56.—(1) Where the writ is specially endorsed, the defendant shall with his appearance file an affidavit made by the defendant or by any person having knowledge of the facts that he has a good defence upon the merits and showing the nature of his defence, with the facts and circumstances which he deems entitle him to defend the action.

(2) The affidavit shall be served upon the plaintiff and proof of such service shall be filed with the appearance.

(3) An affidavit of merits is not necessary from,

(*a*) a defendant who files the consent of the plaintiff that the writ be treated as a generally endorsed writ;

(*b*) a defendant who files an affidavit that the statement of claim has been served upon him;

(*c*) an executor or administrator or trustee, or an assignee for the benefit of creditors, or a liquidator or receiver, or a committee (other than the Public Trustee) of a mentally incompetent person, or a committee of an absentee, who serves on the plaintiff and files, with proof of service, an affidavit that after careful inquiry he does not feel justified in admitting the plaintiff's claim and desires that it shall be proved;

(*d*) the Public Trustee appearing as committee of a mentally incompetent person; or

(*e*) the Official Guardian appearing for an infant or a mentally incompetent person.

(4) A counter-claim shall be deemed to be a defence within the meaning of this rule.

(5) Where a defendant fails to comply with this rule, the plaintiff may sign judgment for default of appearance. O. Reg. 242/67, s. 4.

MOTION FOR JUDGMENT ON SPECIALLY ENDORSED WRITS AND IN ACTIONS FOR ACCOUNT

57.—(1) Where the defendant appears to a writ specially endorsed and files an affidavit of merits, the plaintiff may cross-examine upon such affidavit and move for judgment, and, if the court is satisfied that the defendant has not a good defence to the action on the merits or has not disclosed such facts as may be deemed sufficient to entitle him to defend the action, judgment may be given for the plaintiff.

(2) Such motion may be made in respect of a cause of action specially endorsed, though the writ may also be endorsed with any other claim.

(3) On any such motion, any amendment of the writ that might be ordered on a substantive motion may be directed, and judgment may be awarded in accordance with the writ as amended.

(4) Where a counter-claim is set up, regard shall be had to rule 118. R.R.O. 1960, Reg. 396, r. 57.

58. Where the defence disclosed applies only to a part of the plaintiff's claim, or any part of his claim is admitted to be due, the plaintiff shall have judgment forthwith for such part of his claim as the defence does not apply to, or as is admitted to be due, subject to such terms, if any, as to suspending execution or payment into court as seem just, and the defendant may be allowed to defend as to the residue of the plaintiff's claim, or a reference may be directed under rule 61. R.R.O. 1960, Reg. 396, r. 58.

59. Judgment may be awarded and execution issued against any defendant without prejudice to the plaintiff's right to proceed against any other defendant. R.R.O. 1960, Reg. 396, r. 59.

60. On any such motion, an order may be made giving the defendant leave to defend either unconditionally or subject to such terms as seem just, or for a speedy trial of the action with or without pleadings upon such terms as are deemed proper. R.R.O. 1960, Reg. 396, r. 60.

61. On any such motion, if it appears that the defence disclosed is substantially only as to the amount recoverable, the court may direct a reference, and either pronounce judgment to take effect on the confirmation of the report, or reserve further directions and questions of costs for consideration after the report is made. R.R.O. 1960, Reg. 396, r. 61; O. Reg. 162/62, s. 4.

62. Where a writ is specially endorsed and some special reason for urgency is shown, the plaintiff may, at any time, by leave, serve notice of motion for judgment and such leave may be given *ex parte* and subject to such directions as to the service of the notice of motion and filing and service of the affidavits and otherwise as seem just. R.R.O. 1960, Reg. 396, r. 62.

63. In default of appearance where the plaintiff's claim is for an account, the plaintiff may apply for a judgment for the taking of the account claimed, with all directions usual in similar cases. R.R.O. 1960, Reg. 396, r. 63.

64. Where the plaintiff's claim is for an account and appearance is entered, the plaintiff may move for judgment without pleading, and, unless the defendant satisfies the court that there is some preliminary question to be tried, the appropriate judgment shall be pronounced. R.R.O. 1960, Reg. 396, r. 64.

65. The court may, at any stage of the proceedings in a cause or matter, direct any necessary inquiries or accounts to be made or taken, notwithstanding that some special or further relief is sought, or some issue is to be tried, as to which it may be proper that the cause or matter should proceed in the ordinary manner. R.R.O. 1960, Reg. 396, r. 65.

PARTIES AND JOINDER OF CAUSES OF ACTION

Generally

66. All persons may be joined in an action as plaintiffs in whom any right to relief in respect of or arising out of the same transaction or occurrence, or series of transactions or occurrences, is alleged to exist, whether jointly, severally or in the alternative, where if such persons brought separate actions any common question of law or fact would arise; but, if, upon the application of a defendant, it appears that such joinder may embarrass or delay the trial

of the action, the court may order separate trials, or make such other order as may be expedient; and, without any amendment, judgment may be given for such one or more of the plaintiffs as may be found entitled to relief, for such relief as he or they may be entitled to, but the defendant, though unsuccessful, is entitled to his costs occasioned by joining any person who is not found entitled to relief, unless the court otherwise orders. R.R.O. 1960, Reg. 396, r. 66.

67. Where the plaintiff claims that the same transaction or occurrence, or series of transactions or occurrences, give him a cause of action against one or more persons, or, where he is in doubt as to the person from whom he is entitled to redress, he may join as defendants all persons against whom he claims any right to relief, whether jointly, severally or in the alternative, and judgment may be given against one or more of the defendants according to their respective liabilities, but the court may order separate trials or make such other order as is deemed expedient if such joinder is deemed oppressive or unfair. R.R.O. 1960, Reg. 396, r. 67.

68. It is not necessary that every defendant to an action be interested as to all the relief claimed, or as to every cause of action included therein. R.R.O. 1960, Reg. 396, r. 68.

69. A plaintiff may unite, in the same action, several causes of action. R.R.O. 1960, Reg. 396, r. 69.

70. A claim by or against husband and wife may be joined with a claim by or against either of them separately. R.R.O. 1960, Reg. 396, r. 70.

71. A claim by or against an executor or administrator may be joined with a claim by or against him personally if the last mentioned claim is alleged to have arisen with reference to the estate represented by him in the action. R.R.O. 1960, Reg. 396, r. 71.

72. A claim by plaintiffs jointly may be joined with a claim by them or any of them separately against the same defendant. R.R.O. 1960, Reg. 396, r. 72.

73. If several causes of action joined in the same action are such as cannot be conveniently disposed of in one action, the court may order any of them to be excluded, or may direct the issues respecting the separate causes of action to be tried separately. R.R.O. 1960, Reg. 396, r. 73.

74.—(1) Trustees, executors and administrators may sue and be sued on behalf of, or as representing, the property or estate of which they are trustees or representatives, without joining any of the persons beneficially interested, and shall represent them; but the court may at any time order any of them to be made parties in addition to, or in lieu of, the previous parties.

(2) This rule applies to an action to enforce a security by foreclosure or otherwise. R.R.O. 1960, Reg. 396, r. 74.

NOTE: *As to parties to mortgage actions where no personal representative, see R.S.O. 1970, c. 129, s. 9.*

75. Where there are numerous persons having the same interest, one or more may sue or be sued or may be authorized by the court to defend on behalf of, or for the benefit of, all. R.R.O. 1960, Reg. 396, r. 75.

76. Where the right of an heir at law or of the next of kin, or of a class, or of an unborn person, depends upon the construction of an instrument, and it is not known or is difficult to ascertain who is such heir at law or next of kin or class, and the court deems it convenient to have the question determined before the heir at law, next of kin or class in question is ascertained, or before the birth of any unborn person, the court may appoint some person to represent the heir at law, next of kin or class, or unborn person, and the judgment of the court is binding upon the person or class or unborn person so represented. R.R.O. 1960, Reg. 396, r. 76.

77. The court may appoint some person to represent, for the purposes of any action or proceeding, the interest of any person or class, who may be not ascertained or who may be unborn, and the judgment of the court is binding upon the person or class so represented. R.R.O. 1960, Reg. 396, r. 77.

78. In any proceedings under *The Variation of Trusts Act*, the court may appoint some person to represent the interest of any person or class which may be affected thereby. R.R.O. 1960, Reg. 396, r. 78.

79. Where in a proceeding concerning a trust a compromise is proposed and some of the persons interested in the compromise are not parties to the proceeding, but there are other persons in the same interest before the court and assenting to the compromise, the court, if satisfied that the compromise will be for the benefit of the absent persons and that to require service on them would cause unreasonable expense or delay, may approve the compromise and order that the same shall be binding on the absent persons, and they are bound accordingly, except where the order has been obtained by fraud or non-disclosure of material facts. R.R.O. 1960, Reg. 396, r. 79.

80. A residuary legatee or next of kin may have a judgment for the administration of the personal estate of a deceased person without serving the other residuary legatees or next of kin. R.R.O. 1960, Reg. 396, r. 80.

81. A legatee interested in a legacy charged upon real estate or a person interested in the proceeds of real estate directed to be sold may have a judgment for the administration of the estate of a deceased person without serving any other legatee or person interested in the proceeds. R.R.O. 1960, Reg. 396, r. 81.

82. A residuary devisee or heir may have the like judgment without serving any other residuary devisee or heir. R.R.O. 1960, Reg. 396, r. 82.

83. One *cestui que trust* under an instrument may have a judgment for the execution of the trusts of the instrument without serving the other *cestuis que trust*. R.R.O. 1960, Reg. 396, r. 83.

84. In actions for the protection of property and in cases in the nature of waste, one person may sue on behalf of himself and of all persons having the same interest. R.R.O. 1960, Reg. 396, r. 84.

85. An executor, administrator or trustee may obtain a judgment against any one legatee, next of kin or *cestui que trust* for the administration of the estate or the execution of the trusts. R.R.O. 1960, Reg. 396, r. 85.

86. The court may require any other person to be made a party to an action to which rules 80 to 85 apply, and may give the conduct of the action to such party as it deems proper, and may make such order as it deems just for placing the plaintiff on the record on the same footing in regard to costs as other persons having a common interest with him in the matter in question. R.R.O. 1960, Reg. 396, r. 86.

87. Where a reference is directed, the persons who, but for rules 80 to 85, would have been necessary parties shall be served with an office copy of the judgment (unless the court or Master dispenses with such service) endorsed with a notice according to Form 43, and after such service they are bound by the proceedings in the same manner as if they had been originally made parties; and, upon notice to the plaintiff, they may at their own risk as to costs require notice to be given them to enable them to attend the proceedings under the judgment, and any person so served may apply to the court to add to, vary or set aside the judgment within ten days from the date of such service. R.R.O. 1960, Reg. 396, r. 87.

88. In administration proceedings, no person, other than the executor or administrator, is, unless by leave, entitled to appear on the claim of any person against the estate of the deceased. R.R.O. 1960, Reg. 396, r. 88.

89. An assignee of a chose in action may sue in respect thereof without making the assignor a party. (See R.S.O. 1970, c. 85, s. 54.) R.R.O. 1960, Reg. 396, r. 89.

90. The court, if it thinks fit, may pronounce a judgment saving the rights of all persons not parties. R.R.O. 1960, Reg. 396, r. 90.

91. Where it appears that a deceased person who was interested in the matters in question has no personal representative, the court may either proceed in the absence of any person representing his estate or may, on such notice as seems proper, appoint some person to represent the estate for all the purposes of the action or other proceeding, notwithstanding that the estate in question may have a substantial interest in the matters, or that there may be active duties to be performed by the person so appointed, or that he may represent interests adverse to the plaintiff, or that administration of the estate whereof representation is sought is claimed; and the order so made and any orders consequent thereon bind the estate of such deceased person in the same manner as if a duly appointed personal representative of such person had been a party to the action or proceeding. R.R.O. 1960, Reg. 396, r. 91.

Infants and Mentally Incompetent Persons

92.—(1) An infant may sue or counterclaim by his next friend, and may defend by his guardian appointed for that purpose or by the Official Guardian, as the case may be.

(2) Where the Official Guardian is guardian *ad litem* for an infant, he may act as next friend for the purpose of asserting a counterclaim on behalf of the infant. R.R.O. 1960, Reg. 396, r. 92.

93. Where an infant defendant is not represented by the Official Guardian, a guardian may be appointed for him by the court. R.R.O. 1960, Reg. 396, r. 93.

94. Where the appointment of a guardian, other than the Official Guardian, to defend an action or matter is desired, the court may appoint a guardian for that purpose upon being satisfied by affidavit that the proposed guardian is a fit and proper person and has no adverse interest; and the court may examine the proposed guardian or the person making the affidavit, *viva voce*, or require further evidence to be adduced until satisfied of the propriety of the appointment. R.R.O. 1960, Reg. 396, r. 94.

95. A mentally incompetent person not so found by inquisition or judicial declaration may sue by his next friend and may defend by his guardian. R.R.O. 1960, Reg. 396, r. 95.

96.—(1) Where no appearance has been entered to a writ of summons for a defendant who is a mentally incompetent person not so found, the plaintiff may apply for an order that a guardian of such defendant be appointed, by whom he may appear and defend.

(2) No such order shall be made unless it appears that the writ was duly served and that notice of the application was, after the expiration of the time allowed for appearance and at least six clear days before the day in the notice named for hearing the application, served upon or left at the dwelling-house of the person with whom the defendant resides or under whose care he is at the time of serving such notice.

(3) The Official Guardian shall be appointed, unless for good reason it is otherwise directed.

(4) Where the mentally incompetent person is confined in a psychiatric facility as defined by *The Mental Health Act*, the Public Trustee shall be appointed unless otherwise ordered. R.R.O. 1960, Reg. 396, r. 96; O. Reg. 189/69, s. 1.

97. Where a mentally incompetent person not so found by inquisition or judicial declaration is served with an office copy of a judgment or order or is made a party after judgment, a guardian *ad litem* shall be appointed for him after the like notice. R.R.O. 1960, Reg. 396, r. 97.

98. A mentally incompetent person who has been so found, and an absentee, may sue or defend by his committee. R.R.O. 1960, Reg. 396, r. 98.

99. A person who has been declared incapable under section 39 of *The Mental Incompetency Act* shall be represented by a person who is authorized under that Act. R.R.O. 1960, Reg. 396, r. 99.

100. Unless otherwise ordered, before the name of a person is used as next friend or as relator, such person shall sign a written authority to the solicitor for that purpose, and the authority shall be filed in the office in which the cause or matter is commenced. R.R.O. 1960, Reg. 396, r. 100.

101. An action against a mentally incompetent person confined in a public hospital may be stayed upon an application made by the Public Trustee if it appears to the judge that the stay will work no injustice and will tend to facilitate the advantageous realization of the mentally incompetent person's estate. R.R.O. 1960, Reg. 396, r. 101.

Partners, etc.

102. Any two or more persons, whether British subjects or not and whether residing within or out of Ontario, claiming or being liable as partners and carrying on business within Ontario at the time of the accruing of the cause of action may sue or be sued in the name of the firm of which such persons were co-partners. R.R.O. 1960, Reg. 396, r. 102; O. Reg. 249/68, s. 3.

103. Where persons are sued as partners in the name of the firm, the writ shall be served either upon any one or more of the partners, or at the principal place within Ontario of the business of the partnership, upon any person having the control or management of the partnership business there; and such service shall be deemed good service upon the firm whether any of the members thereof are out of Ontario or not, but, in the case of a partnership that has been dissolved to the knowledge of the plaintiff before action, the writ of summons shall be served upon every person within Ontario sought to be made liable, and every person so served shall be informed by notice in writing given at the time of service whether he is served as a partner or as a person having the control or management of the partnership business, or in both characters, and in default of such notice the person served shall be deemed to be served as a partner. R.R.O. 1960, Reg. 396, r. 103.

104. Persons sued as partners in the name of the firm shall appear individually in their own names, but all subsequent proceedings shall continue in the name of the firm. R.R.O. 1960, Reg. 396, r. 104.

105. Where a writ is served upon a person as the person having the control or management of the partnership business, an appearance by him is not necessary unless he is a member of the firm. R.R.O. 1960, Reg. 396, r. 105.

106. A person served as a partner may,

(*a*) enter an appearance under protest, denying that he is a partner, but such appearance does not preclude the plaintiff from otherwise serving the firm and obtaining judgment against the firm in default of appearance if no partner has entered an appearance in the ordinary form; or

(*b*) enter an appearance not only denying that he is a partner but also disputing the plaintiff's claim. R.R.O. 1960, Reg. 396, r. 106.

107.—(1) Where a judgment or order is obtained against a firm, execution may issue against the property of,

(*a*) the partnership;

(*b*) any person who has by his appearance or notice under rule 14 or pleading admitted that he is or who has been adjudged to be a partner;

(*c*) any person who has been served as a partner with the writ of summons and has failed to appear.

(2) If the party who has obtained the judgment or order claims to be entitled to issue execution against any other person as being a member of the firm, he may apply for leave so to do, and the court

may give such leave if the liability be not disputed, or, if disputed, after such liability has been determined in such manner as the court directs. R.R.O. 1960, Reg. 396, r. 107.

108. A judgment against a firm in the firm name does not release, render liable or affect any member thereof who was out of Ontario when the writ was issued and who has not appeared thereto, unless he has been served either within Ontario or in accordance with the rules respecting service out of Ontario, but this rule does not prevent the enforcement of the judgment against partnership property. R.R.O. 1960, Reg. 396, r. 108.

109. Rules 102 to 108 apply to actions between a firm and one or more of the members and to actions between firms having one or more members in common, if the firm or firms carry on business within Ontario, but execution shall not issue in such actions without leave, and, on application for leave, all such accounts and inquiries may be ordered and directions given as seem just. R.R.O. 1960, Reg. 396, r. 109.

110.—(1) Any person, whether a British subject or not, and whether residing within or out of Ontario, carrying on business within Ontario in a name or style other than his own name may be sued in such name or style.

(2) The writ may be served upon the person so carrying on the business if he be within Ontario, or at the place of business within Ontario (or if there are several such places, at the place within the county in which the cause of action arose), upon any person having the control or management of the business there.

(3) The person upon whom the writ is served shall be informed by notice in writing, given at the time of service, whether he is served as the person carrying on the business or as a person having the control or management of it, and in default of such notice he shall be deemed to be served as the person carrying on the business.

(4) The person so sued shall appear in his own name, but all subsequent proceedings shall continue in such name or style.

(5) A person served as the person carrying on the business may enter an appearance under protest denying that he is the person so carrying on the business, but such appearance does not preclude the plaintiff from otherwise serving the person sued or from obtaining judgment in default of appearance in the ordinary form by the person so sued.

(6) Any judgment or order in the action may be enforced by execution against,

(*a*) the property of the person so sued, used or employed in or in connection with the business;

(*b*) any property of a person who by his appearance or by notice under rule 14 has admitted that he is or has been adjudged to be the person carrying on the business, or has been served with the writ as the person carrying on the business and has failed to appear.

(7) Where judgment has been signed for default of appearance and the writ has not been personally served upon the person whom the plaintiff alleges to be carrying on the business, the court may give leave to issue execution against such person if his liability be not disputed, or, if disputed, after it has been determined in such manner as the court directs. R.R.O. 1960, Reg. 396, r. 110.

PLEADINGS

General Provisions

111.—(1) The plaintiff shall state the nature of his claim and the relief sought in a pleading to be called the "statement of claim" and may therein alter, modify or extend his claim as endorsed upon the writ.

(2) Where a defendant has not appeared and the statement of claim alters, modifies or extends the claim as endorsed upon the writ, the plaintiff is not entitled to judgment on default of defence unless the statement of claim is served personally or in pursuance of an order for substitutional service. R.R.O. 1960, Reg. 396, r. 111.

NOTE: *In all actions proceeding to trial, pleadings are necessary, even though the writ has been specially endorsed and an affidavit of merits has been filed, unless an order has been made under rule 60 for a trial without pleadings.*

112. The plaintiff shall deliver his statement of claim within one month from the entering of appearance or at any time before appearance, and, where there is more than one defendant, the statement of claim shall be delivered within a month from the last appearance or from the time when the last appearance should have been entered. R.R.O. 1960, Reg. 396, r. 112.

113. The defendant shall deliver his defence and counter-claim, if any, within ten days from the delivery of the statement of claim or from the time limited for appearance, whichever is later. R.R.O. 1960, Reg. 396, r. 113.

114. Where a defendant sets up a counter-claim which raises questions between himself and the plaintiff and any other person, he shall add a second style of cause in which he is described as "Plaintiff by Counter-claim" and the plaintiff and such other person are described as "Defendants by Counter-claim", and shall deliver his counter-claim to such of them as are parties to the action within

the period limited for the defence and shall serve the same upon such of them as are not parties to the action together with a summons according to Form 26, issued from the proper office and a copy of the statement of claim within thirty days of the issue of the summons. R.R.O. 1960, Reg. 396, r. 14; O. Reg. 156/68, s. 4.

115. Any defendant to a counter-claim shall within ten days after service thereof on him deliver a defence thereto and the plaintiff by counter-claim may reply within ten days. R.R.O. 1960, Reg. 396, r. 115.

116. A defendant may set up by way of counter-claim any right or claim whether the same sounds in damages or not. R.R.O. 1960, Reg. 396, r. 116.

117. A counter-claim shall be treated as an action so as to enable the court to pronounce a final judgment upon all matters set up therein. R.R.O. 1960, Reg. 396, r. 117.

118. Where a defendant does not dispute the plaintiff's claim but sets up a counter-claim, the court may stay proceedings respecting the claim until the counter-claim is disposed of. R.R.O. 1960, Reg. 396, r. 118.

119. Where a plaintiff does not dispute the defendant's counter-claim, the court may stay proceedings upon the counter-claim until the claim is disposed of. R.R.O. 1960, Reg. 396, r. 119.

120. A plaintiff shall deliver his reply, if any, within ten days after the defence or the last of the defences has been delivered. R.R.O. 1960, Reg. 396, r. 120.

121. No pleading subsequent to reply shall be delivered without leave. R.R.O. 1960, Reg. 396, r. 121.

122. As soon as either party has joined issue upon any pleading of the opposite party, or as soon as the time for delivering a reply or subsequent pleading has expired, the pleadings shall be deemed to be closed. R.R.O. 1960, Reg. 396, r. 122.

123. Where a party makes default in delivering a statement of defence to the statement of claim or to the counter-claim within the time limited therefor in cases where judgment cannot be signed, the opposite party may, upon proof of the default, by *praecipe* to the officer with whom the pleadings are filed, require him to note the default, and thereafter no pleading by the party in default shall be received or filed without the leave of the court but, until default is so noted, the party in default may file his pleading. R.R.O. 1960, Reg. 396, r. 123.

124. Either party is entitled to raise by his pleadings any point of law, and by consent of the parties or by leave of a judge, the point of law may be set down for hearing at any time before the trial, otherwise it shall be disposed of at the trial. R.R.O. 1960, Reg. 396, r. 124.

125. Upon the determination of the point of law, the court may pronounce such judgment as is deemed proper. R.R.O. 1960, Reg. 396, r. 125.

126. A judge may order any pleading to be struck out on the ground that it discloses no reasonable cause of action or answer, and in any such case, or in case of the action or defence being shown to be frivolous or vexatious, may order the action to be stayed or dismissed, or judgment to be entered accordingly. R.R.O. 1960, Reg. 396, r. 126.

127. Where an issue is directed to be tried, it shall, if the parties differ, be settled in chambers, and as soon as it is settled, it shall be filed in the office in which the proceedings are carried on, and thereafter the proceedings in the issue shall be carried on in the same manner as the proceedings in an action. R.R.O. 1960, Reg. 396, r. 127.

128.—(1) The parties to any cause may concur in stating questions of law arising in the form of a special case for the opinion of the court and may agree that, on the judgment of the court being given in the affirmative or negative to the question or questions of law raised, certain specific relief may be awarded.

(2) Upon the argument of the case, the entire contents of the documents referred to therein may be read, and the court may draw from the facts and documents any inference, either of fact or law, as at a trial. R.R.O. 1960, Reg. 396, r. 128.

129. A plaintiff may, without leave, amend his statement of claim, including a claim specially endorsed on the writ, once, either before the statement of defence has been delivered, or after it has been delivered and before the expiration of the time limited for reply, and before replying. R.R.O. 1960, Reg. 396, r. 129.

130. Where a plaintiff has amended his statement of claim, the opposite party shall plead thereto or amend his pleading within the time he then has to plead, or within ten days from the delivery of the amendment, whichever last expires, and, in case the opposite party has pleaded before the delivery of the amendment and does not plead again or amend within the time above mentioned, he shall be deemed to rely on his original pleading in answer to such amendment. R.R.O. 1960, Reg. 396, r. 130.

131. Either party may amend his pleadings at any time on filing the written consent of the opposite party. R.R.O. 1960, Reg. 396, r. 131.

132. An amendment may be made by leave of the court, or of the judge at the trial, and such

amendment shall be at once made on the face of the record. R.R.O. 1960, Reg. 396, r. 132.

133. A party who has obtained leave to amend shall make the amendment within the time limited by the order, or, if no time is limited, within ten days from the date of the order. R.R.O. 1960, Reg. 396, r. 133.

134. A pleading may be amended by written alterations in the copies filed and served and by additions on paper to be interleaved therewith if necessary, unless the amendments are so numerous or of such a nature that making them in the copies filed and served would render them difficult or inconvenient to read, in either of which cases the amendment shall be made by delivering a fresh copy of the pleading as amended. R.R.O. 1960, Reg. 396, r. 134.

135. Where a pleading is amended, a memorandum shall be made in the margin stating the date of and authority for the amendment, and the amendment shall be written or underlined in ink of a different colour from that used in the original pleading. R.R.O. 1960, Reg. 396, r. 135.

136.—(1) The court may, at any stage of the proceedings, order that the name of a plaintiff or defendant improperly joined be struck out, and that any person who ought to have been joined, or whose presence is necessary in order to enable the court effectually and completely to adjudicate upon the questions involved in the action, be added or, where an action has through a *bona fide* mistake been commenced in the name of the wrong person as plaintiff or where it is doubtful whether it has been commenced in the name of the right plaintiff, the court may order any person to be substituted or added as plaintiff.

(2) No person shall be added or substituted as a plaintiff or as the next friend of a plaintiff without his own consent in writing thereto being filed.

(3) Parties added or substituted as defendants shall, unless otherwise ordered, be served with the amended writ of summons, and the proceedings as against them shall be deemed to have begun only at the time when they are added. R.R.O. 1960, Reg. 396, r. 136.

137. If a statement of claim has been delivered previously to a defendant being added, it shall be amended in such manner as the making of the new defendant a party may render desirable, and a copy of the amended statement of claim shall also be served on the new defendant. R.R.O. 1960, Reg. 396, r. 137.

138. The court may order that any pleading, petition or affidavit, or any part of a pleading, petition or affidavit, which is scandalous, be taken off the file, or may direct the scandalous matter to be expunged. R.R.O. 1960, Reg. 396, r. 138.

139. Any pleading that may tend to prejudice, embarrass or delay the fair trial of the action may be struck out or amended. R.R.O. 1960, Reg. 396, r. 139.

140. A further and better statement of the nature of the claim or defence or further and better particulars of any matter stated in any pleading or special endorsement may be ordered in all cases (Form 71). R.R.O. 1960, Reg. 396, r. 140.

GENERAL RULES OF PLEADING

141. Every writ, pleading or other document may be printed, typewritten or written in whole or in part. R.R.O. 1960, Reg. 396, r. 141.

142. Every pleading shall be filed, and served upon all parties concerned therewith, and shall be marked on the face with the date of filing, and with the title of the action, the description of the pleading, and the name and place of business of the solicitor of the party filing it, or the name and address of the party filing it if he does not act by a solicitor. R.R.O. 1960, Reg. 396, r. 142; O. Reg. 242/67, s. 5.

143. Pleadings shall contain a concise statement of the material facts upon which the party pleading relies, but not the evidence by which they are to be proved, and dates, sums and numbers shall be expressed in figures. R.R.O. 1960, Reg. 396, r. 143.

144. Each party shall admit such of the material allegations contained in the pleading of the opposite party as are true, and a defendant shall not deny generally the allegations contained in the statement of claim but shall set forth the facts upon which he relies even though this may involve the assertion of a negative. R.R.O. 1960, Reg. 396, r. 144.

145. A defendant to an action or counter-claim shall raise all matters that show the action or counter-claim not to be maintainable, or that the transaction is either void or voidable in point of law, and all such grounds of defence as if not raised would be likely to take the opposite party by surprise, or would raise issues of fact not arising out of the preceding pleadings, as, for instance, fraud, *The Limitations Act*, release, payment, performance, facts showing illegality either by statute or common law, or *The Statute of Frauds*. R.R.O. 1960, Reg. 396, r. 145; O. Reg. 162/62, s. 5.

146. Except as otherwise provided, the silence of a pleading as to any allegation contained in the previous pleading of the opposite party shall not be construed as an admission of the truth of such allegation. R.R.O. 1960, Reg. 396, r. 146.

147. Every statement of claim and counter-claim shall state specifically the relief claimed, either simply or in the alternative, and may also ask for

general relief, and, when damages are claimed, the amount shall be named. R.R.O. 1960, Reg. 396, r. 147.

148. Any condition precedent, the performance or occurrence of which is intended to be contested, shall be distinctly specified in his pleading by the party relying thereon, and an averment of the performance or occurrence of all conditions precedent necessary for the case by the plaintiff or defendant shall be implied in his pleading. R.R.O. 1960, Reg. 396, r. 148.

149. Where the contents of any document are material, it is sufficient in any pleading to state the effect thereof as briefly as possible, without setting out the whole or any part thereof. R.R.O. 1960, Reg. 396, r. 149.

150. Where it is material to allege malice, fraudulent intention, knowledge or other condition of the mind of any person, it is sufficient to allege the same as a fact, without setting out the circumstances from which the same is to be inferred. R.R.O. 1960, Reg. 396, r. 150.

151. Where it is material to allege notice to a person of any fact, matter or thing, it is sufficient to allege such notice as a fact unless the form or precise terms of the notice is or are material. R.R.O. 1960, Reg. 396, r. 151.

152. Where a contract or relation between persons does not arise from an express agreement, but it is to be implied from a series of letters or conversations, or otherwise from a number of circumstances, it is sufficient to allege the contract or relation as a fact. R.R.O. 1960, Reg. 396, r. 152.

153. Neither party need in any pleading allege any matter of fact that the law presumes in his favour, or as to which the burden of proof lies upon the other side (*e.g., consideration for a bill of exchange*). R.R.O. 1960, Reg. 396, r. 153.

154. If either party wishes to deny the alleged constitution of a partnership, or the right of any other party to claim as executor, or as trustee, or as assignee in insolvency, or in any representative or other alleged capacity, he shall deny the same specifically, or the same will be taken to be admitted. R.R.O. 1960, Reg. 396, r. 154.

155. Unless the incorporation of a corporate party is specifically denied, it is not necessary to prove it. R.R.O. 1960, Reg. 396, r. 155.

156. Where a contract is alleged, a denial of the contract shall be construed only as a denial of the making of the contract in fact, and not of its legality or its sufficiency in law, whether with reference to *The Statute of Frauds* or otherwise. R.R.O. 1960, Reg. 396, r. 156.

157. A defendant in an action for the recovery of land who is in possession by himself or his tenant need not plead his title, unless his defence depends on an equitable estate or right, or he claims relief upon any equitable ground against any right or title asserted by the plaintiff, but, except in the cases hereinbefore mentioned, it is sufficient to state by way of defence that he is so in possession, and he may rely upon any ground of defence that he can prove. R.R.O. 1960, Reg. 396, r. 157.

158. Where a defendant by virtue of any statute enabling him so to do pleads not guilty by statute, he shall in his defence refer to the statute giving the right so to plead, and also to all statutes upon which he relies, giving chapter and section in every such reference, and, if so required, shall deliver particulars of his defence. R.R.O. 1960, Reg. 396, r. 158.

159. A subsequent pleading shall not raise any new ground of claim or contain any allegation of fact inconsistent with the previous pleadings of the party pleading the same. R.R.O. 1960, Reg. 396, r. 159.

160. In actions for libel or slander in which the defendant does not by his defence assert the truth of the statement complained of, he is not entitled on the trial without the leave of the presiding judge to give evidence in chief, with a view to mitigation of damages, as to the circumstances under which the libel or slander was published or as to the character of the plaintiff, unless in his pleading or by notice given seven days at least before the trial he furnishes particulars in writing to the plaintiff of the matters as to which he intends to give evidence. R.R.O. 1960, Reg. 396, r. 160.

161. A ground of defence or counter-claim that has arisen after action but before the defendant has delivered his statement of defence may be pleaded either alone or with other grounds of defence. R.R.O. 1960, Reg. 396, r. 161.

162. If, after a counter-claim has been delivered, a ground of defence thereto arises it may be pleaded in answer thereto. R.R.O. 1960, Reg. 396, r. 162.

163. Where a ground of defence or counter-claim arises after the delivery of the statement of defence or counter-claim, the defendant may, within ten days after such ground of defence or counter-claim has arisen, deliver a further defence or counter-claim, setting forth the same, or introduce the same by amendment into his statement of defence or counter-claim. R.R.O. 1960, Reg. 396, r. 163.

164. Where a ground of defence to a counter-claim arises after the delivery of the defence thereto, the defendant to the counter-claim may, within ten days after such ground of defence has

arisen, deliver a further pleading setting forth the same, or may set up such new ground of defence by amendment. R.R.O. 1960, Reg. 396, r. 164.

165. Any such amendment may be made on *praecipe*. R.R.O. 1960, Reg. 396, r. 165.

166. Where a defendant pleads any ground of defence or counter-claim that has arisen after the commencement of the action, the plaintiff may deliver a confession of such defence, and he may thereupon sign judgment for his costs up to the time of the pleading of such defence unless otherwise ordered (Forms 29 and 101). R.R.O. 1960, Reg. 396, r. 166.

THIRD-PARTY PROCEDURE

167.—(1) Where a defendant who has entered an appearance claims to be entitled to contribution or indemnity from or any other relief over against any person not a party to the action, hereinafter called a third party, he may issue in the office in which the action was commenced a third party notice in accordance with Form 25, which shall include a statement of the defendant's claim against the third party and shall be sealed in the same manner as a writ of summons. O. Reg. 180/64, s. 3.

(2) A copy of the notice certified by the defendant's solicitor shall be filed with the registrar at the time the notice is issued. O. Reg. 180/64, s. 3.

(3) The notice shall be served on the third party within twenty days after the plaintiff's statement of claim has been delivered, together with a copy of the writ, a copy of the plaintiff's statement of claim and copies of any other proceedings taken in the action. O. Reg. 180/64, s. 3; O. Reg. 207/66, s. 1.

(4) A copy of the notice shall be served on the plaintiff within the times prescribed in subrule (3) hereof for service of the notice upon the third party. O. Reg. 180/64, s. 3.

168. A third party notice may be set aside upon an application made at any time before the time limited for the entry of the appearance and delivery of the statement of defence of the third party. O. Reg. 180/64, s. 3.

169.—(1) If a third party desires to dispute his liability to the defendant or the plaintiff's claim in the action as against the defendant he shall enter an appearance and deliver his statement of defence within fifteen days from service of the notice.

(2) The defendant shall deliver his reply, if any, to the third party's statement of defence within ten days from service of such statement of defence.

(3) The third party notice, the third party's statement of defence and the reply, if any, shall constitute the record in the third party proceedings. O. Reg. 180/64, s. 3.

170. Where the third party makes default in entering an appearance and in delivering a statement of defence to the third party notice,

(*a*) he shall be deemed to admit the validity of any judgment obtained (whether by consent or on default or otherwise) against such defendant, and his own liability to contribute or indemnify, claimed in the third party notice;

(*b*) the defendant giving the notice, in case he suffers judgment at any time before trial is entitled at any time to move for judgment against the third party to the extent of the contribution, indemnity or relief over claimed in the third party notice;

(*c*) if the action is tried and results in favour of the plaintiff, the judge who tries the action may, at or after the trial, direct such judgment as the nature of the case requires to be entered for the defendant giving the notice against the third party. O. Reg. 180/64, s. 3; O. Reg. 242/67, s. 6.

171. Where the third party enters an appearance and delivers a statement of defence to the third party notice he may also, if so advised, deliver a statement of defence to the plaintiff's statement of claim, to be so entitled, raising therein any defence open to the defendant which has not been raised by the defendant in his statement of defence, and the plaintiff shall thereupon be at liberty to deliver a reply to such statement of defence within ten days after service thereof, and such pleadings between the plaintiff and the third party shall be included in and form part of the record in the action. O. Reg. 180/64, s. 3.

171*a*. Where the third party has entered an appearance and delivered a statement of defence to the third party notice,

(*a*) he shall be served with all subsequent pleadings and proceedings in the action;

(*b*) the third party and the defendant may have production and discovery each from the other in the same manner as between a plaintiff and a defendant;

(*c*) notice shall be given to the third party in the same manner as to a party to the action of all examinations for discovery between the plaintiff and the defendant; and

(*d*) where the third party has also delivered a statement of defence to the plaintiff's statement of claim, the plaintiff and third party may have production and discovery each from the other. O. Reg. 180/64, s. 3; O. Reg. 189/69, s. 2.

171*b*.—(1) After the close of pleadings in the third party issue the defendant or third party shall set the third party issue down for trial at the same sitting of the court for which the action between the plaintiff and defendant was set down, irrespective of the date of the commencement of such sittings.

(2) The party setting the issue down shall serve notice of trial forthwith upon the opposite party and the plaintiff and file the notice with proof of service thereof with the officer with whom the issue was set down within five days after the issue was set down.

(3) The provisions of rule 248 shall apply *mutatis mutandis*.

(4) The issue shall be placed on the list for trial next following the action between the plaintiff and defendant and shall be tried at or after the trial of the action as the trial judge may direct.

(5) The third party shall be at liberty to appear at the trial of the action and take part therein in such manner and to such extent as the trial judge may direct. O. Reg. 180/64, s. 3.

(6) The third party shall be bound by any judgment or decision in the action. O. Reg. 207/66, s. 2.

171*c*. A third party who has entered an appearance and delivered a statement of defence shall be notified of all proceedings subsequent to trial and shall have the right to participate therein, and may appeal from any judgment or order as if he were a defendant. O. Reg. 180/64, s. 3.

171*d*.—(1) Where a third party claims to be entitled to contribution or indemnity from or other relief over against another person, he may in the same manner as a defendant, within fifteen days of service of the third party notice upon him, issue and serve a notice upon such person and the plaintiff, and the provisions of the rules relating to third party procedure shall apply *mutatis mutendis*. O. Reg. 180/64, s. 3; O. Reg. 207/66, s. 3.

(2) Where a person served with a notice by a third party in turn claims to be entitled to contribution or indemnity from or other relief over against another person, the provisions of sub-rule (1) hereof shall apply as regards such further person and any other further person or persons served, successively O. Reg. 180/64, s. 3; O. Reg. 207/66, s. 3.

(3) Where pursuant to sub-rules (1) and (2) a notice is served on a person already a party to the action, service of the notice may be effected on the solicitor in the action, if any, of the person sought to be made liable as a subsequent party. O. Reg. 207/66, s. 3.

171*e*. Where an action is commenced by a specially endorsed writ and a defendant who has entered an appearance and filed an affidavit of merits issues a third party notice,

(*a*) the third party notice shall be served on the third party within fifteen days after the service of the writ upon the defendant, together with a copy of the writ and a copy of the affidavit of merits of the defendant and within the same time a copy of the third party notice shall be served upon the plaintiff;

(*b*) if the third party desires to dispute the plaintiff's claim in the action as against the defendant or his own liability to the defendant, he shall enter an appearance and no further proceedings shall be taken in the action until an order for directions has been made which order shall be applied for by the defendant issuing the third party notice within ten days after the entry of appearance by the third party;

(*c*) in default of the defendant applying for directions the plaintiff may make the application;

(*d*) upon an application being made the court may give such directions analogous to the rules respecting third party procedure including any directions necessary for the disposition of the action; and

(*e*) where the third party makes default in entering an appearance the defendant giving the notice, in case the plaintiff recovers judgment against him, is entitled at any time to move for judgment against the third party to the extent of the contribution, indemnity or relief over claimed in the third party notice. O. Reg. 180/64, s. 3.

171*f*. Any party affected by the third party proceedings may apply for directions other than those provided for in these rules. O. Reg. 180/64, s. 3.

172. A defendant who claims to be entitled to contribution or indemnity from or relief over against any other defendant may issue and serve a third party notice against such defendant, and the provisions of the rules relating to third party procedure shall apply *mutatis mutandis* except that service of the third party notice may be effected

on the solicitor in the action, if any, of the defendant sought to be made liable as a third party. O. Reg. 180/64, s. 4.

173. A plaintiff is not to be prejudiced or unnecessarily delayed by reason of questions between the defendant and the third party in which he is not concerned, and upon the application of the plaintiff the court may impose such terms as may be necessary to prevent delay of the plaintiff where it may be done without injustice to the defendant and third party. O. Reg. 180/64, s. 4.

TIME AND VACATIONS

174. Where a period of less than six days is prescribed, holidays shall not be reckoned. R.R.O. 1960, Reg. 396, r. 174.

175.—(1) Where a number of days not expressed to be clear days is prescribed, they shall be reckoned exclusively of the first day and inclusively of the last day.

(2) Where the days are expressed to be clear days, or where the term "at least" is added, both days shall be excluded. R.R.O. 1960, Reg. 396, r. 175.

176. Where the time for doing any act or taking any proceeding expires on a holiday, the act or proceeding may be done or taken on the next juridical day. R.R.O. 1960, Reg. 396, r. 176.

177. Any time prescribed may be enlarged or abridged by consent in writing, without order. R.R.O. 1960, Reg. 396, r. 177.

178. The court may from time to time enlarge or abridge the time prescribed by the rules, or by an order, for doing any act or taking any proceeding, and this power may be exercised although the application is not made until after the expiration of the time prescribed. R.R.O. 1960, Reg. 396, r. 178.

179. The vacations are,

(*a*) the long vacation, consisting of the months of July and August; and

(*b*) the Christmas vacation, consisting of the period from the 24th day of December to the 6th day of the following January, both days inclusive. R.R.O. 1960, Reg. 396, r. 179.

180. An examination other than a cross-examination upon an affidavit of merits shall not be held in the long vacation except by consent or by direction of the court. R.R.O. 1960, Reg. 396, r. 180. O. Reg. 201/61, s. 2; O. Reg. 155/65, s. 3.

181.—(1) Unless otherwise directed by the court, the time of the long vacation, or of the Christmas vacation, shall not be reckoned in the computation of the times appointed or allowed by these rules for delivering or amending a pleading, except the defence in matrimonial causes and in actions for alimony, or in the times allowed for,

(*a*) appeals to a judge in chambers;

(*b*) reports becoming absolute, except in undefended mortgage actions;

(*c*) moving to discharge an order adding a party, except an order adding a subsequent encumbrancer in a mortgage action;

(*d*) moving to add to, vary or set aside a judgment by a party served therewith. R.R.O. 1960, Reg. 396, r. 181; O. Reg. 180/64, s. 5.

(2) Unless otherwise ordered by a judge of the Court of Appeal and except as to the times prescribed by rule 498(*e*) the times of the vacations shall similarly not be reckoned for doing an act or taking a proceeding in appeals to the Court of Appeal. O. Reg. 180/64, s. 6.

182. One or more of the judges shall be selected for the hearing in Toronto during long and Christmas vacations of all such applications as require to be heard promptly. R.R.O. 1960, Reg. 396, r. 182.

183. During long vacation all applications within the jurisdiction of the Master that require to be heard immediately or promptly shall be heard by one of the following officers, viz., the Master, the assistant masters, and the registrars, who shall arrange among themselves before the commencement of each long vacation on what days and for what period each shall act, and in the absence of such arrangement the duty devolves upon them in rotation, beginning with the junior officer in order of appointment, and they shall sit at least one day in each week. R.R.O. 1960, Reg. 396, r. 183.

184. The *praecipe* for any cheque to be issued during long vacation shall be lodged in the Accountant's office on or before the 20th day of July, unless otherwise directed by a judge. R.R.O. 1960, Reg. 396, r. 184.

MISCELLANEOUS PROVISIONS

Effect of Non-compliance and Errors

185. A proceeding shall not be defeated by any formal objection, but all necessary amendments shall be made, upon proper terms as to costs and otherwise, to secure the advancement of justice, the determining of the real matter in dispute, and the giving of judgment according to the very right and justice of the case. R.R.O. 1960, Reg. 396, r. 185.

186. Non-compliance with the rules does not render the writ or any act or proceeding void, but the same may be set aside, either wholly or in part, as irregular, or may be amended, or otherwise dealt with, as seems just. R.R.O. 1960, Reg. 396, r. 186.

187. An application to set aside any proceeding for irregularity shall be made within a reasonable time and shall not be allowed if the party applying has taken a fresh step after knowledge of the irregularity. R.R.O. 1960, Reg. 396, r. 187.

188. Where an amendment is directed or allowed at the trial, it is not necessary to issue an order therefor, and the amendment, unless otherwise directed, shall be made at once on the record. R.R.O. 1960, Reg. 396, r. 188.

189.—(1) Where an amendment of a record of the court or document filed, other than a pleading, is directed, no physical alteration of the record or document shall be made, but a note shall be made in the margin or other convenient place of the amendment directed.

(2) Where a judgment or order recorded by photographic plate, microphotographic film or photocopy negative has been so amended, the judgment or order as amended shall be recorded and appropriately indexed. R.R.O. 1960, Reg. 396, r. 189.

Form of Documents, Size of Paper, etc.

190.—(1) All writs, pleadings, affidavits, judgments, orders and other documents shall be printed, typewritten, written or reproduced legibly upon one side of good quality paper eleven inches by eight and one-half inches with a margin upon the left-hand side.

(2) All such documents shall have a single space between lines and a triple space between paragraphs except pleadings, affidavits, judgments and orders which shall have a double space between lines.

(3) In all transcripts of *viva voce* evidence, the questions shall be preceded by the letter "Q", and the answer, which shall continue on the line on which the question concludes, by the letter "A", with no double-spacing between an answer and the following question to the same witness by the same person.

(4) In every transcript every tenth line shall be numbered in the margin and the number of lines on each page shall be about 47, exclusive of headings which shall not be counted in the marginal numbering, and there shall be at least 500 words in every page. O. Reg. 155/65, s. 4.

(5) Every transcript shall contain an index showing the name of each witness with a page reference to where his examination, cross-examination and re-examination commence, shall contain also a list of the exhibits and their numbers, and the page number where they appear in the evidence. O. Reg. 207/66, s. 4.

(6) Records for trial in the Supreme Court shall be backed in light blue coloured paper, in the County Court in light grey coloured paper, and in the Surrogate Court in light green coloured paper, of 130M weight cover stock. O. Reg. 155/65, s. 4; O. Reg. 207/66, ss. 4, 5.

(7) Appeal books shall be bound front and back in buff coloured paper of 130M weight cover stock. O. Reg. 155/65, s. 4; O. Reg. 207/66, s. 4.

(8) Transcripts of evidence for use in appeal except when such transcripts form part of the appeal book shall be bound in red coloured paper of 130M weight cover stock and where there is more than one volume the volumes shall be clearly numbered. O. Reg. 155/65, s. 4; O. Reg. 207/66, s. 4.

(9) Every document filed shall be endorsed with the short style of cause, the nature of the document, the name of the solicitor preparing or filing it, and the court file number. O. Reg. 155/65, s. 4; O. Reg. 207/66, s. 4.

(10) All documents filed in proceedings in the Supreme Court shall have endorsed thereon the name of the county or district in which the proceedings were commenced. O. Reg. 155/65, s. 4; O. Reg. 207/66, s. 4.

191. No notice shall be given orally. R.R.O. 1960, Reg. 396, r. 191.

192.—(1) In all proceedings in an action, except the writ of summons, pleadings, judgments and reports, the following short style of cause is sufficient:

"Between John Smith and others—*Plaintiffs*
and
Richard Roe and others—*Defendants*"

(2) In proceedings under any particular Act (e.g., *The Mechanics' Lien Act*), the style of cause shall be: "In the matter of (*naming the statute*), Between A.B., Plaintiff, and C.D., Defendant (*or* A.B., Applicant, and C.D., Respondent)". R.R.O. 1960, Reg. 396, r. 192.

Copies and Service of Papers

193. Where service of affidavits and other documents is required, true copies, legibly written, typewritten or printed, are to be served. R.R.O. 1960, Reg. 396, r. 193.

194. Where an office copy of an order or judgment is directed to be served, it shall be certified by the officer in whose office the order or judgment is entered. R.R.O. 1960, Reg. 396, r. 194.

195. A party requiring a copy of an affidavit, exhibit or document not directed to be served shall serve a demand for it and it shall be served with all convenient speed. R.R.O. 1960, Reg. 396, r. 195.

196. A party entitled to copies of or extracts from any document in possession of another party may be directed to pay for such copy at the rate of ten cents per folio, if the request for such copy is deemed unreasonable, or the solicitor of the party producing the document is at liberty to give notice that the party requiring such copy is at liberty at some reasonable time and place himself to make it, in which case the party producing is not entitled to any fee in respect thereof. R.R.O. 1960, Reg. 396, r. 196.

197. Revoked. O. Reg. 242/67, s. 7.

198. Revoked. O. Reg. 242/67, s. 8.

199. Revoked. O. Reg. 242/67, s. 9.

200. Admissions and acceptances of the service of an order, notice of motion or other paper, upon the opposite solicitor, need not be verified by affidavit. R.R.O. 1960, Reg. 396, r. 200.

201. Documents that do not require personal service shall be served upon the solicitor of the party to be served. R.R.O. 1960, Reg. 396, r. 201 (1); O. Reg. 242/67, s. 8.

(2) Such service may be made by leaving the document to be served with a clerk in the solicitor's office. R.R.O. 1960, Reg. 396, r. 202 (2); O. Reg. 242/67, s. 8.

202.—(1) Where a party sues or defends in person and no address for service of such party is given, or where a defendant served with a writ of summons or notice in lieu thereof has not appeared thereto, no document that does not require personal service need be served unless the court otherwise directs.

(2) If an address for service upon a party is given, all documents are sufficiently served upon such party if left for him with an adult person appearing to be in charge of the premises at such address.

(3) In case no such adult person can be found at such address, the document is sufficiently served if forwarded by registered mail to the party to be served at the address given. R.R.O. 1960, Reg. 396, r. 202.

203. Where at the time of attendance to serve a document the office of the solicitor for the party upon whom the service is sought to be made is closed or no one is in attendance therein for receiving documents served, service of the document may be effected by mailing it at any time during the same day, addressed to the solicitor, at his office, by registered mail, and the service shall be deemed to have been effected at the time of the attendance for that purpose at the office of the solicitor. R.R.O. 1960, Reg. 396, r. 203.

204. Service of a writ and of other documents in a mortgage action may be effected,

(*a*) in the case of a subsequent encumbrancer who is an execution creditor, by serving the solicitor who issued the execution, or in the case of a renewed execution, by serving the solicitor obtaining the last renewal, and

(*b*) in the case of a subsequent encumbrancer who is a mechanics' lien claimant, by serving the solicitor who filed the claim for lien. O. Reg. 301/70, s. 3.

205. It is not necessary to regular service that the original document be shown, unless sight thereof is demanded. R.R.O. 1960, Reg. 396, r. 205.

206. Unless otherwise ordered, service shall be effected during vacation and on Saturdays before one o'clock in the afternoon, and on other days before the hour of four o'clock in the afternoon, and service effected after those hours shall be deemed to have been made on the next juridical day. R.R.O. 1960, Reg. 396, r. 206.

MOTIONS IN COURT AND CHAMBERS

207. Any power conferred upon the court by a statute or by law may be exercised by a judge sitting in court, and, when so provided by the rules, by a judge in chambers, or the Master, or a local judge or a local master in chambers, or any master or referee to whom a cause or matter is referred. R.R.O. 1960, Reg. 396, r. 207.

208. Any power conferred upon the court may be exercised upon such terms as to costs and otherwise as are deemed just. R.R.O. 1960, Reg. 396, r. 208.

209. The following applications shall be disposed of in chambers:

1. For the sale, lease or mortgaging of the estates of infants.

2. As to the custody, guardianship, maintenance and advancement of infants.

3. For administration or partition without action.

4. Relating to the conduct of actions or matters.

5. For the payment into court of moneys under *The Trustee Act*.

6. Applications for leave to issue and to vacate certificates of *lis pendens*.

7. Appeals from the Master in chambers and local judge.

8. Motions for judgment under rules 57 to 62.

9. An order upon consent dismissing an action either with or without costs.

10. Applications under *The Mental Incompetency Act*.

11. Applications for and on the return of a writ of habeas corpus.

12. Motions for mandamus, prohibition, or interpleader.

13. Motions to wind up companies under the Federal or Ontario Acts.

14. Motions for payment of money out of court.

15. Motions under rules 546 and 567.

16. Applications for interim corollary relief under section 10 of the *Divorce Act* (Canada).

17. Originating motions under paragraphs 3, 4, 6 and 10 of rule 607.

18. Motions under any statute that authorizes an application to a judge. R.R.O. 1960, Reg. 396, r. 209; O. Reg. 155/65, s. 5; O. Reg. 242/67, s. 9; O. Reg. 156/68, s. 5.

210. The Master is empowered and required to dispose of all applications properly made in chambers except with respect to the following matters:

1. Matters relating to criminal proceedings or the liberty of the subject.

2. Appeals and applications in the nature of appeals.

3. Extending the time for appealing to the Court of Appeal. (*See rule 504*).

4. Applications for arrest.

5. Proceedings as to mentally incompetent persons.

6. Originating notices, other than applications for administration, partition or interpleader.

7. Applications as to the custody, maintenance or guardianship of infants, or the sale, lease, mortgage of or dealing with infants' estates or settled estates but this exception shall not include applications under item 16 of rule 209 or other interlocutory applications for the interim custody or interim maintenance of infants.

8. Opposed applications for judgment for partition or administration.

9. Applications for prohibitions or mandamus.

10. The payment of money out of court, or dispensing with payment of money into court, in administration and partition matters.

11. Allowing taxed costs in lieu of commission under rule 660.

12. Striking out a jury notice except for irregularity.

13. Any matter which is expressly required to be done by a judge.

14. The removal of causes from inferior courts.

15. The making of orders for references under *The Arbitrations Act*.

16. Staying proceedings after verdict or judgment at a trial. R.R.O. 1960, Reg. 396, r. 210; O. Reg. 156/68, s. 6.

Local Judges and Local Masters

211. A local judge or a local master has in all causes and matters in his county and in interpleader proceedings where the goods in respect of which interpleader is sought are situate in his county concurrent jurisdiction with, and the same power and authority, as the Master at Toronto. R.R.O. 1960, Reg. 396, r. 211.

212.—(1) A local judge, in actions brought in his county, possesses the like powers as a judge sitting in court or chambers with regard to,

(*a*) motions for judgment in undefended actions other than matrimonial causes;

(*b*) motions to appoint receivers after judgment by way of equitable execution;

(*c*) applications for leave to serve short notice of a motion to be made before a judge sitting in court or chambers,

and, where the solicitors for all parties reside in his county or agree that the same shall be heard before him, any motion or application except,

(*d*) applications for taxed or increased costs under rule 660;

(*e*) motions for injunction, except as provided in rule 213;

(*f*) motions to strike out a jury notice except for irregularity. R.R.O. 1960, Reg. 396, r. 212 (1); O. Reg. 156/68, s. 7.

(2) Where an infant or mentally incompetent person is concerned, the powers conferred by this rule shall not be exercised without the consent of the Official Guardian or of the committee or guardian of or the person authorized to act on behalf of the mentally incompetent person. R.R.O. 1960, Reg. 396, r. 212 (2).

213.—(1) A local judge may in cases of emergency grant an *ex parte* injunction in any action brought in his county upon proof to his satisfaction that the delay required for an application to a judge is likely to involve a failure of justice, but such injunction shall not be for a longer period than eight days.

(2) If all parties interested consent, the local judge may hear any motion to continue, vary or dissolve the injunction. R.R.O. 1960, Reg. 396, r. 213.

214. Motions for partition or administration may be made before a judge in chambers or the local judge of the county where the land (or if more than one parcel, any parcel) is situate or the testator or intestate died. R.R.O. 1960, Reg. 396, r. 214.

General Provisions as to Motions

215. An application in an action or proceeding shall be made by motion, and, unless the nature of the application or the circumstances of the case render it impracticable, notice of the motion shall be given to all parties affected by the order sought (Forms 39 and 40). R.R.O. 1960, Reg. 396, r. 215.

216. If on the hearing of a motion it appears that a person to whom notice has not been given ought to have had notice, the court may either dismiss the motion or adjourn the hearing thereof in order that notice may be given. R.R.O. 1960, Reg. 396, r. 216.

217.—(1) Except where otherwise expressly provided or unless leave is given, there shall be at least two days between the service of a notice of motion in an action and the day for hearing.

(2) Unless leave is given, there shall be at least seven days between the service of an originating notice and the day for hearing. R.R.O. 1960, Reg. 396, r. 217.

218. If satisfied that the delay necessary to give notice of motion might entail serious mischief, the court may make an interim order *ex parte*. R.R.O. 1960, Reg. 396, r. 218.

219. A party affected by an *ex parte* order, or any party who has failed to appear on an application through accident or mistake, or insufficient notice of the application, may move to rescind or vary the order before the judge or officer who made the order, or any judge or officer having jurisdiction,

(*a*) in the case of an *ex parte* order allowing service out of the jurisdiction within the time limited for appearance; and

(*b*) in all other cases within four days from the time when the order comes to his notice. R.R.O. 1960, Reg. 396, r. 219.

220. Every notice of motion by way of appeal shall specify the grounds intended to be argued. R.R.O. 1960, Reg. 396, r. 220.

221. A notice of motion to set aside a proceeding for irregularity shall specify the irregularity complained of and the objections intended to be insisted on. R.R.O. 1960, Reg. 396, r. 221.

222. The court may direct any application to be turned into a motion for judgment. R.R.O. 1960, Reg. 396, r. 222.

223. Where upon an application for an interim injunction or upon any other motion it appears expedient to direct an early trial, the court may make such order as is deemed necessary to secure an early hearing, either at the place named for trial or such other place as is convenient. R.R.O. 1960, Reg. 396, r. 223.

224. A party may, at any stage of an action, apply for such judgment or order as he may, upon any admissions of fact in the pleadings, or in the examination of any other party, be entitled to; and it is not necessary to wait for the determination of any other question between the parties; or he may so apply where the only evidence consists of documents and such affidavits as are necessary to prove their execution or identity without the necessity of any cross-examination, or, where infants are concerned, and evidence is necessary so far only as they are concerned, for the purpose of proving facts that are not disputed. R.R.O. 1960, Reg. 396, r. 224.

225.—(1) The court may adjourn for consideration in chambers any motion or matter brought before it that should have been brought on in chambers or that, though properly brought on in court, may, in the opinion of the court, be disposed of more conveniently in chambers; and any motion or matter brought on in chambers that should have been brought on in court may be adjourned into court.

(2) Any motion or matter improperly brought before the Master or a local judge may be adjourned by him before the court or a judge in chambers.

(3) Any motion improperly made before the Court of Appeal may be adjourned before a judge of the High Court, and any motion that should have been made before the Court of Appeal made before a judge of the High Court may be adjourned before the Court of Appeal. R.R.O. 1960, Reg. 396, r. 225.

226. Where an infant or a mentally incompetent person is a defendant or interested in a fund in court, no order in any way affecting his interest shall be made without notice to his guardian *ad litem* or committee. R.R.O. 1960, Reg. 396, r. 226.

227.—(1) An attendance on a motion in chambers, or on an appointment before a master, registrar or other officer, for half an hour next immediately following the return thereof, shall be deemed a sufficient attendance, and no such motion shall be made or matter be proceeded with *ex parte*, before the expiry of such half-hour.

(2) Notwithstanding this rule, the Taxing Officer at Toronto may proceed *ex parte* after the expiration of fifteen minutes from the time appointed. R.R.O. 1960, Reg. 396, r. 227.

228. Evidence upon a motion may be given by affidavit. R.R.O. 1960, Reg. 396, r. 228.

229.—(1) A person who has made an affidavit to be used upon a motion or at a trial or on a reference may be cross-examined thereon before any officer having jurisdiction in the county in which the witness resides, upon being served with a subpoena for that purpose. R.R.O. 1960, Reg. 396, r. 229.

(2) Where any such person resides out of Ontario, or where an affidavit of merits has been made by a person residing out of Ontario, the court may order that such cross-examination be taken at such place and in such manner as seems just and convenient, and service of the order and of all papers necessary to obtain the cross-examination may be made on the solicitor of the party on whose behalf the affidavit has been filed and any conduct money may be paid to him unless the order makes other provision therefor.

(3) If any such person refuses or neglects to attend at the time and place appointed, for his cross-examination on his affidavit, or refuses to be sworn or to answer any proper questions put to him, the court may, in addition to any other remedy, order that his affidavit be struck out. O. Reg. 249/68, s. 4.

230. Any party may by subpoena require the attendance of a witness to be examined, before any officer having jurisdiction in the county in which the witness resides, for the purpose of using his evidence upon any motion. R.R.O. 1960, Reg. 396, r. 230.

231. Witnesses may by leave of the court be examined *viva voce* before the court upon any motion. R.R.O. 1960, Reg. 396, r. 231.

232. The court may order the issue of a writ of *habeas corpus ad testificandum* to issue directly to the sheriff, jailer or other officer having the custody of a prisoner, to produce him for any examination authorized by these rules or as a witness at a trial (Form 59). R.R.O. 1960, Reg. 396, r. 232.

233. Where money is directed to be paid into a bank, the certificate of the cashier, manager, agent or like officer of the bank, of default in making such payment, is sufficient evidence of such default. R.R.O. 1960, Reg. 396, r. 233.

234.—(1) On all appeals, or hearings in the nature of appeals, and on all motions for a new trial, the court or judge appealed to has all the powers as to amendment and otherwise of the court, judge or officer appealed from, and full discretionary power to receive further evidence, either by affidavit, oral examination before the court or judge appealed to, or as may be directed.

(2) Such further evidence may be given without special leave as to matters that have occurred after the date of the judgment, order or decision from which the appeal is brought.

(3) Upon appeals from a judgment at the trial, such further evidence, except as mentioned in subrule 2, shall be admitted on special grounds only, and not without leave of the court. R.R.O. 1960, Reg. 396, r. 234.

235. Upon any motion the court has power to direct the trial of an issue upon oral evidence and may enlarge the motion before the judge at the trial of the issue. R.R.O. 1960, Reg. 396, r. 235.

236. Where an application under *The Dependants' Relief Act* is directed to be heard by a judge of the Supreme Court, the judge making such order may give directions as to the delivery of pleadings, examination for discovery and production as he deems proper and, subject to any further order of a judge, shall fix the time and place of hearing. R.R.O. 1960, Reg. 396, r. 236.

237.—(1) A judge shall sit in chambers on Tuesday, Thursday and Friday, and in court on Monday and Wednesday in each week, except in vacation, when a sitting shall be held on one day in each week to dispose of urgent business.

(2) All papers for use in the court or chambers at Toronto shall be filed in the Registrar's office, and, when no longer required, all such papers and all papers forwarded for use on the motion shall be transmitted to the office in which the proceedings were commenced.

(3) Motions and other matters to be heard in court, except *ex parte* applications, shall be set down for argument, in the Registrar's office, at least on the day before the day of argument, and a list of the cases set down shall be posted on the notice board the day before the day for which they are set down.

(4) All papers to be used on a motion to be heard by a judge in chambers shall be left with the Registrar on the day before that on which the motion is to be heard, and shall be marked with the name of the office where the proceedings were commenced. R.R.O. 1960, Reg. 396, r. 237 (1-4).

(5) All documents sent from local offices to Toronto shall be sent to the Registrar at Toronto, postage or express charges prepaid. R.R.O. 1960, Reg. 396, r. 237 (5); O. Reg. 301/70, s. 4.

(6) Unless otherwise directed by the judge, *ex parte* and unopposed motions in chambers shall be heard before contested motions and appeals. R.R.O. 1960, Reg. 396, r. 237.

238.—(1) In all cases, except as hereinafter provided, where an appeal is taken to a judge of the Supreme Court and in all cases where a motion is made under sub-rule 1, 2, 7, 9 or 10 of rule 607, rule 611, 612 or 629, the appellant or the applicant, as the case may be, shall, on or before the day prior to the hearing of the appeal or motion, transmit to the Registrar and furnish to each respondent a record containing copies of documents in the following order:

(A) 1. An index.

2. The notice of appeal or originating notice.

3. In the case of an appeal, the judgment or order appealed from the reasons for judgment, if any.

4. Such of the material as is necessary for the due hearing of the appeal or motion.

(B) A concise statement, without argument, of the facts and law relied on by the appellant or applicant. R.R.O. 1960, Reg. 396, r. 238 (1); O. Reg. 162/62, s. 6; O. Reg. 180/64, s. 7.

(2) In all such cases each respondent shall on or before the day prior to the appeal or motion coming on for hearing,

(*a*) furnish to the appellant or applicant two copies of any new material filed by him for use on the appeal or motion; and

(*b*) transmit to the registrar and furnish to each of the other parties a concise statement, without argument, of the facts and law relied on by him. R.R.O. 1960, Reg. 396, r. 238 (2).

(3) This rule does not apply to appeals under sub-rule (2) of rule 499 nor rule 514 nor to appeals from a taxing officer. R.R.O. 1960, Reg. 396, r. 238 (3); O. Reg. 156/68, s. 8.

(4) A judge may dispense with compliance with this rule either in whole or in part. R.R.O. 1960, Reg. 396, r. 238 (4).

239. Sittings shall be held at Ottawa and London on at least one day in each alternate week, except during vacation; and all proceedings in any action or matter that may be heard before a judge in court or in chambers may be heard and determined at such sittings where,

(*a*) the motion is *ex parte*;

(*b*) all parties consent;

(*c*) the matter in controversy arose in the county in which such sittings are held;

(*d*) Ottawa is named as the place of hearing and all respondents reside in, or their solicitors have offices in, any of the following counties, namely, Carleton, Lanark, Leeds and Grenville, Prescott and Russell, Stormont, Dundas and Glengarry, or Renfrew, and, except where all the respondents reside or their solicitors have offices in Ottawa, notice of such motion is served upon such respondents at least four clear days before the return date thereof;

(*e*) London is named as the place of hearing and all respondents reside in, or their solicitors have offices in, any of the following counties, namely, Middlesex, Lambton, Elgin, Oxford, Perth, Norfolk, Kent or Essex, and, except where all the respondents reside or their solicitors have offices in London, notice of such motion is served upon such respondents at least four clear days before the return date thereof; or

(*f*) a judge directs any proceedings to be heard at such sittings. O. Reg. 242/67, s. 10.

240. The local registrar at Ottawa and the local registrar at London shall act as registrar and clerk of the court. R.R.O. 1960, Reg. 396, r. 240; O. Reg. 242/67, s. 11.

241. All proceedings to be brought on at any such sittings shall be filed with the clerk of the court at least two days before the day appointed for the

sittings; and immediately after the time for filing has expired the clerk shall notify the Registrar at Toronto of the state of the list. O. Reg. 242/67, s. 12.

242. Where the judge appointed is unable to attend, such sittings may be presided over by any other judge or by a judge of any county court, upon such judge of a county court being requested by a judge to attend for that purpose. R.R.O. 1960, Reg. 396, r. 242.

243. Revoked. O. Reg. 242/67, s. 13.

244.—(1) At any sittings appointed for the trial of actions, any motion that may be made before a judge in court or in chambers may be made if,

(*a*) the solicitors for all parties consent;

(*b*) the matter in controversy arose in the county;

(*c*) the party opposing or showing cause or his solicitor resides in the county; or

(*d*) the application relates to an action entered for trial at the sittings.

(2) Such a motion shall be set down two days before the sittings unless the judge presiding permits it to be set down later. R.R.O. 1960, Reg. 396, r. 244.

TRIALS

245. Subject to any special statutory provisions, the place of trial of an action shall be regulated as follows:

1. The plaintiff in his statement of claim shall name the county in which he proposes that the action shall be tried.

2. Where the cause of action arose and the parties reside in the same county, the place to be named shall be that county.

3. Except in mortgage actions, where possession of land is claimed, the place to be named shall be the county in which the land is situate.

4. In matrimonial causes,

   (*a*) where the petitioner is resident in Ontario the place to be named shall be the county in which either spouse ordinarily resides, and

   (*b*) where the petitioner is resident out of Ontario the place to be named shall be the county in which the respondent spouse ordinarily resides.

5. The action shall be tried in the county so named, unless otherwise ordered upon the application of either party. R.R.O. 1960, Reg. 396, r. 245; O. Reg. 156/68, s. 9; O. Reg. 301/70, s. 5.

246. After the close of the pleadings, any party may set the action down for trial. R.R.O. 1960, Reg. 396, r. 246.

247. When interlocutory judgment has been signed against any defendant for default of appearance or pleading, the plaintiff may thereupon set the action down for assessment of damages. R.R.O. 1960, Reg. 396, r. 247.

248.—(1) The party setting an action down for trial or for assessment of damages at that time shall file a record containing a certified copy of the pleadings and particulars and of any order containing directions respecting the trial.

(2) Such record shall contain the full style of cause, and shall show the date when the writ was issued, and shall give the names of the solicitors for the several parties, and shall show, if such be the case, that judgment has been signed or the pleadings have been noted closed as against any parties in default. R.R.O. 1960, Reg. 396, r. 248.

NOTE: *Where there is a jury notice, a copy shall be attached to the record.—The Judicature Act, R.S.O. 1970, c. 228, s. 62 (2).*

249.—(1) In all actions other than matrimonial causes, notice of trial or of assessment of damages (Forms 35 and 37) shall be given by the party setting down the action within ten days thereafter and he shall forthwith file such notice and proof of service thereof with the officer with whom the action was set down. O. Reg. 80/63, s. 2.

(2) Save as provided in rule 799, in matrimonial causes notice of hearing (Forms 146 and 147) shall be given to all parties to the proceedings by the party setting the proceedings down for hearing within twenty days thereafter, and he shall forthwith file such notice and proof of service thereof with the officer with whom the proceedings were set down. O. Reg. 156/68, s. 10; O. Reg. 301/70, s. 6.

(3) Except in actions in the Supreme Court to be tried at Toronto without a jury, an action shall be set down and notice of trial or of assessment of damages (Form 35) shall be served ten days before the day fixed for the commencement of the sittings for which such notice of trial is given and unless otherwise ordered by a judge the notice shall be filed not later than six clear days before the first day of such sittings.

(4) Where interlocutory judgment has been signed against a defendant for default of appear-

ance or pleadings, notice of assessment of damages shall be served upon him personally unless otherwise ordered.

(5) Any party who has been served with notice of trial or of assessment of damages may forthwith file in like manner the notice served upon him with proof of service thereof.

(6) When notice of trial or of assessment of damages with proof of service thereof on all parties required to be served is filed, the action shall forthwith be placed on the list of cases for trial at the sittings for which the action was set down.

(7) If two or more parties have set the action down for trial, it shall be placed on the list in the order of the first entry. O. Reg. 80/63, s. 2.

250. An action to be tried without a jury elsewhere than at Toronto may be set down for trial at any sittings appointed for the place named for the trial of such action. R.R.O. 1960, Reg. 396, r. 250.

251. Actions not tried, not struck off the list or disposed of at any sittings for which they were on the list for trial, unless otherwise ordered by a judge, shall stand in their respective order at the head of the next succeeding list, and it shall not be necessary to serve or file further notice of trial. O. Reg. 301/70, s. 7.

252. If, when an action is called on for trial, the defendant appears and the plaintiff does not, the defendant is entitled to judgment dismissing the action, and, if he has a counter-claim, may prove such claim. R.R.O. 1960, Reg. 396, r. 252.

253. The judge at the trial may,

(*a*) order a witness, whether or not a party, to be excluded from the court until called to give evidence;

(*b*) require a party to be examined before the other witnesses on his behalf; and

(*c*) exclude the testimony of any person who does not conform with an order made under clause (*a*) or clause (*b*) of this rule. O. Reg. 242/67, s. 15.

254. The judge may in any case disallow any question put to a witness that appears to the judge to be vexatious and not relevant to any matter proper to be enquired into at the trial. R.R.O. 1960, Reg. 396, r. 254.

255.—(1) At the trial, the addresses to the jury shall be regulated as follows:

1. At the conclusion of the case of the party who begins, if the opposite party states his intention to be not to adduce evidence, and he has not adduced evidence, the party who begins has the right to address the jury for the purpose of summing up the evidence, and the opposite party has the right to reply.

2. If the opposite party does not state his intention to be not to adduce evidence, or if he has adduced evidence, he has the right to open his case, and (after the conclusion of such opening) to adduce such evidence as he thinks fit, and when all the evidence is concluded, to sum up the evidence, and the party who begins has the right to reply.

(2) Where a defendant claims a remedy over against a co-defendant, he has the right to address the jury after the co-defendant.

(3) Where a party is represented by counsel, the right conferred by this rule shall be exercised by his counsel. R.R.O. 1960, Reg. 396, r. 255.

256.—(1) Where, through accident or mistake or other cause, a party omits or fails to prove some fact material to his case, the judge may proceed with the trial, subject to such fact being afterwards proved at such time as the judge directs, and, if the case is being tried by a jury, the judge may direct the jury to find a verdict as if such fact had been proved, and the verdict shall take effect on such fact being afterwards proved as directed, and, if not so proved, judgment shall be entered for the opposite party, unless the judge otherwise directs.

(2) Subrule 1 does not apply to an action for defamation. R.R.O. 1960, Reg. 396, r. 256.

257. Where equitable issues are raised by the pleadings, they shall, unless the trial judge otherwise directs, be tried, and the damages, if any, incidental thereto, assessed by the judge without the intervention of a jury. R.R.O. 1960, Reg. 396, r. 257.

258. Where both legal and equitable issues are raised and notice for a jury has been given, the action shall be entered for trial at the jury sittings, and such issues shall be tried at the same time, unless the trial judge otherwise directs. R.R.O. 1960, Reg. 396, r. 258.

259. Damages in respect of any continuing cause of action shall be assessed down to the time of the assessment. R.R.O. 1960, Reg. 396, r. 259.

260. A party is not entitled to judgment at the trial or on motion on the ground of his pleading being true, if the facts proved are not sufficient in point of law to entitle him to judgment. R.R.O. 1960, Reg. 396, r. 260.

261. If in an action to recover land the plaintiff is, at the time of the service of the writ, entitled to possession, but his right afterwards expires, he may by leave discontinue the action, and the costs are in the discretion of the court. R.R.O. 1960, Reg. 396, r. 261.

262.—(1) Exhibits shall be marked and numbered in accordance with Form 136, and the registrar attending the trial shall, at the conclusion thereof, make a list of the exhibits, giving a description of each exhibit, and stating by whom it was put in (Form 137). The exhibits of each party shall be classified separately in such list.

(2) The exhibits shall remain in court until judgment is given and during any stay of proceedings, and thereafter shall be delivered out, without order, upon the application of either party upon notice to the other, unless an appeal is taken, when the exhibits shall be retained until the appeal is disposed of. R.R.O. 1960, Reg. 396, r. 262.

263. Where exhibits have not been applied for within two years from the date of the trial, the officer in whose custody they are may notify the solicitors for the parties that unless they are applied for in three months they will be destroyed, and, unless such exhibits are applied for within that period, he may by leave of a judge destroy them. R.R.O. 1960, Reg. 396, r. 263.

264. The verdict and judgment shall be endorsed on the record, and shall also be recorded by the registrar or officer acting as clerk at the sittings in a book to be kept for recording the proceedings thereat. R.R.O. 1960, Reg. 396, r. 264.

265. The judge by whom any cause or matter is tried with or without a jury, and the court before which any cause or matter is brought by way of appeal, may inspect any property or thing concerning which any question arises therein, and where the sanity of a party is in question, may examine him for the purpose of determining his sanity. R.R.O. 1960, Reg. 396, r. 265.

266. A view by the jury may be ordered by the judge presiding at the trial. R.R.O. 1960, Reg. 396, r. 266.

267.—(1) The court may obtain the assistance of merchants, engineers, accountants, actuaries, or scientific persons, in such way as it thinks fit, the better to enable it to determine any matter of fact in question in any cause or proceeding, and may act on the certificate of such persons.

(2) The court may fix the remuneration of any such person and may direct payment thereof by any of the parties.

(3) Unless all parties are *sui juris* and consent, the powers conferred by this rule shall only be exercised by or by leave of a judge. R.R.O. 1960, Reg. 396, r. 267.

EVIDENCE

268. The witnesses at the trial of an action or an assessment of damages shall be examined *viva voce* and in open court, but a judge may at any time, for sufficient reason, order that any particular fact or facts may be proved by affidavit, or that the affidavit of a witness may be read at the trial, on such condition as he deems just, or that a witness whose attendance ought for some sufficient cause to be dispensed with, be examined before an examiner; but where the other party *bona fide* desires the production of a witness for cross-examination and such witness can be produced, an order shall not be made authorizing his evidence to be given by affidavit. R.R.O. 1960, Reg. 396, r. 268.

269. All witnesses in a matter pending before a master shall be examined *viva voce*, unless it is otherwise ordered by the master or by the court on special grounds. R.R.O. 1960, Reg. 396, r. 269.

270. The court may, in any cause or matter where it appears necessary for the purposes of justice, make an order for the examination upon oath before an officer of the court or any other person and at any place, of any person, and may permit such deposition to be given in evidence (Form 77). R.R.O. 1960, Reg. 396, r. 270.

271. Service of any notice may, in the absence of an admission of service, be proved by an affidavit of the solicitor in the cause, or his clerk. R.R.O. 1960, Reg. 396, r. 271.

272. A subpoena may be issued from any office of the court at any time in blank and may be completed by the solicitor or party, and any number of names may be inserted in one subpoena (Forms 57 and 58). R.R.O. 1960, Reg. 396, r. 272.

273.—(1) No subpoena for the production of an original record, or of an original document from any registry office, shall be issued, but an order for its production or transmission may be made which shall be obeyed by the officer in whose custody it is.

(2) Except in special circumstances requiring or justifying the production of the original, no such order shall be made where the document may be proved by a certified copy and any officer required to produce a document is entitled to be paid ordinary witness fees. R.R.O. 1960, Reg. 396, r. 273.

274. A party who desires to call as a witness at the trial an opposite party who is within the jurisdiction may either subpoena him or give him or his solicitor at least five days' notice of the intention to examine him as a witness in the cause, paying at the same time the amount proper for conduct money, and, if such opposite party does not attend on such notice or subpoena, judgment may be pronounced against him or the trial of the action may be postponed. R.R.O. 1960, Reg. 396, r. 274.

275.—(1) Upon proof to the satisfaction of the presiding judge of the service of a subpoena upon a witness who fails to attend or to remain in attendance in accordance with the requirements of the subpoena, and that a sufficient sum for his fees as a witness has been duly paid or tendered to him, and that the presence of such witness is material to the ends of justice, the judge may by his warrant (Form 60) directed to any sheriff or other officer of the court, or to any constable, cause such witness to be apprehended anywhere within Ontario, and forthwith to be brought before the court and to be detained in custody as the presiding judge may order, until his presence as such witness is no longer required, or, in the discretion of the judge, to be released on a recognizance (with or without sureties) conditioned for appearance to give evidence.

(2) The service of the subpoena and payment of conduct money may be proved by an affidavit. R.R.O. 1960, Reg. 396, r. 275.

276.—(1) Where the testimony of a person or persons resident out of Ontario is required and for any reason an order under rule 270 is not sufficient, the court may order the issue of a commission to take such testimony (Order: Form 74; Commission: Form 61).

(2) Unless otherwise ordered or the parties otherwise agree, if the name of any person to be examined is not set out in the order, notice of such name shall be given by the party who intends to conduct such examination to the opposite party or to the agent named by him under subrule 1 of rule 279 five days before the time fixed therefor. R.R.O. 1960, Reg. 396, r. 276.

277. If a party for whose examination an order has been made or a commission has issued refuses to attend before the examiner or commissioner, judgment may pass against him. R.R.O. 1960, Reg. 396, r. 277.

278. The notice of a motion for a commission to take evidence shall state the name and address of the commissioner proposed. R.R.O. 1960, Reg. 396, r. 278.

279.—(1) Unless otherwise directed, the examination shall be upon oral questions to be reduced into writing and returned with the commission; and notice of the execution of the commission shall be given to the opposite party, if, within the time prescribed by the order, he gives the name and the address of a person resident within two miles of the place where the commission is to be executed, on whom such notice may be served.

(2) If no agent is named or the name or address given proves to be illusory or fictitious, or if the party so notified fails to attend pursuant to the notice, the commission may be executed *ex parte*. R.R.O. 1960, Reg. 396, r. 279.

280. Where the examination is to take place upon written interrogatories, the interrogatories in chief shall be delivered to the opposite party eight days before the issue of the commission, and the cross-interrogatories shall be delivered to the opposite party within four days after the receipt of the interrogatories in chief, and in default of cross-interrogatories being so delivered, the commission may be executed without cross-interrogatories. R.R.O. 1960, Reg. 396, r. 280.

281. The witnesses shall be examined on oath, affirmation or otherwise in accordance with the law of the country in which the commission is executed. R.R.O. 1960, Reg. 396, r. 281.

282. Where a witness does not understand the English language, the commission shall be executed with the aid of an interpreter nominated by the commissioner and sworn to interpret truly the questions to be put to the witness and his answers thereto, and the examination shall be taken in English. R.R.O. 1960, Reg. 396, r. 282.

283. If a witness produces a book, document, letter, paper or writing and refuses for good cause, to be stated in his deposition, to part with the original, a copy or extract certified by the commissioner shall be annexed to the deposition of the witness. R.R.O. 1960, Reg. 396, r. 283.

284. The depositions may be taken in shorthand either by the commissioner or a shorthand writer duly sworn. R.R.O. 1960, Reg. 396, r. 284.

285.—(1) Unless the examination is taken in shorthand, the depositions shall be subscribed by the witness and by the commissioner.

(2) Where taken in shorthand, it is not necessary that the depositions be read over or signed by the person examined unless counsel attending on the commission so desires. R.R.O. 1960, Reg. 396, r. 285.

286. The commission, interrogatories, depositions and any documents or certified copies thereof or extracts therefrom, referred to therein, shall be sent to the proper officer, on or before the day named in the order for the commission, enclosed in a cover under the seal of the commissioner;

and the same or certified copies thereof may be given in evidence, saving all just exceptions, without any other proof of the absence from Ontario of the witness therein named than an affidavit of the solicitor or agent of the party as to his belief of such absence. R.R.O. 1960, Reg. 396, r. 286.

287. Where the opposite party desires to join in the commission and examine witnesses on his own behalf thereunder, each party shall in the first instance pay the costs of the commission consequent upon the examination of his witnesses. R.R.O. 1960, Reg. 396, r. 287.

288. A commission when returned shall at the request of either party be transmitted for use at the trial, and may be opened at the trial, or before trial at the instance of either party by the officer to whom it is returned on two clear days' notice to the other party. R.R.O. 1960, Reg. 396, r. 288.

289. Every order for a commission shall be read as if it contained the particulars mentioned in the next preceding ten rules, and shall not set forth the same, but may contain any variations therefrom and any other directions that the court sees fit to make. R.R.O. 1960, Reg. 396, r. 289.

290. An affidavit shall be drawn up in the first person, stating the name of the deponent in full, and his description and true place of abode, and shall be signed by him. R.R.O. 1960, Reg. 396, r. 290.

291. In an affidavit made by two or more deponents, the names of the persons making the affidavit shall be inserted in the jurat, unless the affidavit of all the deponents is taken at one time by the same officer, in which case it is sufficient to state that it was sworn by both (or all) of the "above-named" deponents. R.R.O. 1960, Reg. 396, r. 291.

292. Affidavits shall be confined to the statement of facts within the knowledge of the deponent, but, on interlocutory motions, statements as to his belief, with the grounds therefor, may be admitted. R.R.O. 1960, Reg. 396, r. 292.

293.—(1) In an action or proceeding to which a corporation is a party, any affidavit required by these rules to be made by a party may be made by any officer, servant or agent of the corporation having knowledge of the facts required to be deposed to, and he shall state therein that he has such knowledge.

(2) In any action or proceeding to which a partnership is a party, any affidavit required by these rules to be made by a party may be made by any member of the partnership.

(3) Where it appears necessary in the interest of justice, the court may order a further affidavit to be made by any other member of the partnership. R.R.O. 1960, Reg. 396, r. 293.

294. An affidavit having in the jurat or body thereof any interlineation, alteration or erasure shall not be used without leave, unless the interlineation, alteration or erasure is authenticated by the initials of the officer taking the affidavit. R.R.O. 1960, Reg. 396, r. 294.

295. Where an affidavit is sworn by a person who appears to be illiterate, the officer shall certify in the jurat that the affidavit was read in his presence to he deponent, who seemed perfectly to understand it, and signed it in his presence; otherwise such affidavit shall not be used without leave. R.R.O. 1960, Reg. 396, r. 295.

296. Revoked. O. Reg. 300/70, s. 1.

297. Unless otherwise ordered, affidavits upon which a notice of motion is founded shall be served with the notice of motion, and all affidavits shall be served and filed before they are used. R.R.O. 1960, Reg. 396, r. 297.

298. Where properly marked exhibits are referred to in an affidavit filed and are not annexed thereto, such exhibits need not be filed but shall be left for the use of the court and shall be handed out on the disposal of the motion, unless otherwise ordered. R.R.O. 1960, Reg. 396, r. 298.

PARTICULAR PROCEEDINGS IN ACTIONS

Transmission of Interest

299. If by reason of death, where the cause of action survives or continues, or by assignment or conveyance any estate, interest or title devolves or is transferred, the action may be continued by or against the person to or upon whom such estate or title has come or devolved. R.R.O. 1960, Reg. 396, r. 299.

300. Where a change or transmission of interest or liability has taken place or where by reason of any person interested coming into existence after the commencement of the action, it becomes necessary or desirable that a person not already a party should be made a party, or that a person already a party should be made a party in another capacity, an order that the proceedings be carried on between the continuing parties and the new party may be obtained on *praecipe* (Form 63). R.R.O. 1960, Reg. 396, r. 300.

301. Such order and a notice according to Form 64 shall be served upon the continuing parties or their solicitors, and upon the new party. R.R.O. 1960, Reg. 396, r. 301.

302. A person served with such an order may apply to the court to discharge or vary it at any time within ten days from its service. R.R.O. 1960, Reg. 396, r. 302.

303. Where death takes place after verdict or finding of the issues of fact but before the judgment, judgment may be entered notwithstanding the death, whether the cause of action would, apart from this rule, survive or not. R.R.O. 1960, Reg. 396, r. 303.

304. Where a plaintiff has died and proceedings may be continued, the defendant may apply to the court on notice to compel the person entitled to proceed with the action to proceed according to these rules within such time as the court orders, and that in default the action be dismissed for want of prosecution. R.R.O. 1960, Reg. 396, r. 304.

305. Where an action is so dismissed, an order for payment of costs may be made and enforced against the goods and lands that were of the deceased plaintiff. R.R.O. 1960, Reg. 396, r. 305.

Payment into Court, in Satisfaction

306.—(1) In actions in the Supreme Court to be tried at Toronto without a jury, a defendant after appearance and not later than fifteen days after service of notice of trial or assessment of damages may pay into court a sum of money in satisfaction of the claim or cause of action, or of one or more of the claims or causes of action for which the plaintiff sues.

(2) In all other actions, such payment may be made after appearance and not later than eight days before the day fixed for the commencement of the sittings for which the action has been set down for trial. R.R.O. 1960, Reg. 396, r. 306 (1) (2); O. Reg. 301/70, s. 8.

(3) Such payment may be made at any later time on consent or by leave of the court. R.R.O. 1960, Reg. 396, r. 306 (3); O. Reg. 242/67, s. 16.

(4) The money when so paid shall remain in court subject to further order unless the plaintiff elects to take it out as hereinafter provided. R.R.O. 1960, Reg. 396, r. 306 (4).

306*a*.—(1) In actions against Her Majesty the Queen in right of Ontario, in lieu of making payment into court as provided by these rules, the Minister of Justice and Attorney General for Ontario may deliver a confession of judgment for either the whole or part of any claim or cause of action for which the plaintiff sues.

(2) Except for rules 312 and 313, rules 306 to 318*a*, inclusive, shall apply *mutatis mutandis* to confessions of judgment and for the purpose of such rules a confession of judgment shall be treated as a payment into court. O. Reg. 155/65, s. 7.

307. Payment of money into court shall not, unless expressly so stated, be deemed an admission of the cause of action in respect of which it is paid. R.R.O. 1960, Reg. 396, r. 307.

308. Where tender before action is pleaded, the sum alleged to have been tendered shall be paid forthwith into court. R.R.O. 1960, Reg. 396, r. 308.

309.—(1) A defendant paying money into court shall forthwith serve upon the plaintiff notice of payment in and, unless otherwise ordered by the court, shall specify in such notice the claim or cause or causes of action in respect of which payment is made, and the sum paid in respect of each claim or cause of action. R.R.O. 1960, Reg. 396, r. 309 (1); O. Reg. 301/70, s. 9.

(2) The notice shall be in Form 27 or Form 27*a* as applicable. R.R.O. 1960, Reg. 396, r. 309 (2); O. Reg. 155/65, s. 8.

310. A defendant paying money into court shall in his *praecipe* state the rule under which he is paying it in. R.R.O. 1960, Reg. 396, r. 310.

311.—(1) Where money is paid into court under rule 306, the plaintiff, if *sui juris* and personally entitled to the money paid in, may, within seven days of the receipt of the notice of payment into court or, where more than one payment into court has been made, within seven days of the receipt of the notice of the last payment into court, accept the whole sum or any one or more of the specified sums in satisfaction of the claim or claims or of the cause or causes of action to which the specified sum or sums relate, by giving notice to each defendant as in Form 28 and filing same. R.R.O. 1960, Reg. 396, r. 311.

(2) Acceptance of a confession of judgment which has been delivered under rule 306*a* (1) shall be effected by giving notice to each defendant and to the Minister of Justice and Attorney General for Ontario as in Form 28*a* and by filing same. O. Reg. 155/65, s. 9.

312. Where the defendant does not allege tender before action and the plaintiff takes the money in satisfaction of all the causes of action, he may tax his costs of the action on the scale of fees for the court appropriate to the amount taken, but without set-off, and issue execution therefor, unless the defendant pays them within forty-eight hours after taxation. R.R.O. 1960, Reg. 396, r. 312; O. Reg. 207/66, s. 6.

313. Where the defendant alleges tender before action and the plaintiff elects to take the money in satisfaction unless otherwise ordered the defendant may tax his costs, and the amount allowed him shall be paid to him out of the money in court and the balance shall be paid to the plaintiff. R.R.O. 1960, Reg. 396, r. 313.

314. Money may be paid into court under rule 306 by one or more of several defendants sued jointly or in the alternative upon notice to the other defendant or defendants. R.R.O. 1960, Reg. 396, r. 314.

315. Where moneys have been accepted pursuant to rule 311, all further proceedings in the action or in respect of the specified claim, cause or causes of action, as the case may be, shall be stayed and the money shall not be paid out except in pursuance of an order of a judge, or upon the consent of all parties verified by an affidavit of the plaintiff or his solicitor showing that the plaintiff is *sui juris* and personally entitled to the money. R.R.O. 1960, Reg. 396, r. 315.

316.—(1) Where money is paid into court and the plaintiff does not accept, in satisfaction of the claim or cause of action in respect of which the payment into court has been made, the sum so paid in, but proceeds with the action in respect of such claim or cause of action, the money shall remain in court and shall not be paid out except in pursuance of an order of a judge or upon the consent of all parties verified as provided in rule 315.

(2) If the plaintiff proceeds with the action in respect of such claim or cause of action, or any part thereof, and recovers less than the amount paid into court, the amount paid in shall be applied, so far as is necessary, in satisfaction of the plaintiff's claim, and the balance, if any, shall be repaid to the defendant, but, if the defendant succeeds in respect of such claim or cause of action, the whole amount shall be repaid to him. R.R.O. 1960, Reg. 396, r. 316.

317. Except in an action to which a defence of tender before action is pleaded or in which a payment is made under *The Libel and Slander Act*, no statement of the fact that money has been paid into court under the preceding rules shall be inserted in the pleadings, and no communication of that fact shall at the trial of any action be made to the judge or jury until all questions of liability and amount of debt or damages have been decided, but the judge shall, in exercising his discretion as to costs, take into account the fact that the money has been paid into court, the amount of such payment and whether liability has been admitted or denied. R.R.O. 1960, Reg. 396, r. 317.

318. Any defendant to a counter-claim may pay money into court in respect thereof and the foregoing rules apply *mutatis mutandis* to the money so paid in. R.R.O. 1960, Reg. 396, r. 318.

318*a*.—(1) Where a counter-claim is asserted a defendant may offer to surrender his counter-claim, or offer to surrender his counter-claim and pay into court a sum of money in satisfaction of the claims or causes of action or one or more of the claims or causes of action for which the plaintiff sues, in settlement of the action and counter-claim.

(2) Where a counter-claim is accepted in satisfaction or part satisfaction all proceedings thereunder shall be stayed.

(3) Rules 306 to 317 shall apply *mutatis mutandis* to the offer to surrender a counter-claim as though it were payment of money into court. O. Reg. 162/62, s. 8.

Consolidation of Actions

319. Actions may be consolidated by order of the court. R.R.O. 1960, Reg. 396, r. 319.

Discontinuance

320.—(1) The plaintiff may, at any time before receipt of the statement of defence of any defendant, or after the receipt thereof before taking any other proceeding in the action (save an interlocutory application), by notice in writing, filed and served, wholly discontinue his action against such defendant or withdraw any part thereof, and the defendant is entitled to the costs of the action, if wholly discontinued against him, or, if not wholly discontinued, to the costs occasioned by the part withdrawn (Form 31).

(2) A plaintiff may discontinue as to one or more of several defendants.

(3) Such costs may be taxed upon production of the notice served, and, if not paid within four days from taxation, the defendant may issue execution therefor.

(4) Such discontinuance or withdrawal is not a defence to any subsequent action.

(5) Except as provided by the preceding subrules, a plaintiff shall not discontinue without leave of the court, which may be granted upon such terms as to costs and as to any other action against all or any of the defendants and otherwise as are proper. R.R.O. 1960, Reg. 396, r. 320.

321. A defendant may withdraw his defence, or any part thereof, by written notice filed and served. R.R.O. 1960, Reg. 396, r. 321.

Dismissal of Actions for Want of Prosecution

322. If the plaintiff, being bound to deliver a statement of claim, does not deliver it within the time allowed for that purpose, the action may be dismissed for want of prosecution at the expiration of such time. R.R.O. 1960, Reg. 396, r. 322.

323.—(1) An action in the Supreme Court to be tried at Toronto without a jury may be dismissed for want of prosecution unless the plaintiff has set the action down for trial within six weeks after the pleadings are closed and, where required by the rules, has served and filed notice of trial or of assessment of damages within the times prescribed by rule 249.

(2) Any other action may be dismissed for want of prosecution unless the plaintiff has set the action down for trial at the first sittings for

which the action could be set down commencing more than six weeks after the close of pleadings and, where required by the rules, has served and filed notice of trial or of assessment of damages within the time prescribed by rule 249; provided, however, that, where there are separate sittings for the trial of actions with or without a jury, the plaintiff shall not be obliged to set an action down at the jury sittings for trial without a jury. O. Reg. 249/68, s. 5.

324.—(1) Where a judge makes an order under rule 251 the action may be dismissed for want of prosecution unless the action is set down pursuant to any directions in the order or, failing such directions, unless the plaintiff has set the action down for trial at the next sittings for which the action can be set down and, unless otherwise ordered, has served and filed notice of trial or assessment of damages within the time prescribed by rule 249. O. Reg. 417/70, s. 1.

(2) An action struck off the list may be dismissed for want of prosecution unless, within six weeks after the action was struck off the list, the action has been restored to a list pursuant to the order of a judge. O. Reg. 301/70, s. 10.

325.—(1) Where an action has been discontinued or dismissed for want of prosecution, a defendant who has counter-claimed may, if he so elects, proceed with the trial of his counter-claim, and, if he elects to proceed, he shall give notice of his election within ten days after the discontinuance or dismissal of the action, and the counter-claim is then liable to dismissal for want of prosecution for failure to proceed to trial, or the defendant may, if he so elects, discontinue his counter-claim in whole or in part, and the defendant by counter-claim is then entitled to the costs of the counter-claim, if wholly discontinued, or, if not wholly discontinued, to the costs occasioned by the part withdrawn, and subrules 2, 3 and 4 of rule 320 apply *mutatis mutandis*.

(2) In default of such election, the counter-claim shall on the discontinuance of the action be deemed to be discontinued without costs or on the dismissal of the action be deemed to be dismissed without costs. R.R.O. 1960, Reg. 396, r. 325.

Examination for Discovery

326.—(1) A party to an action, whether plaintiff or defendant, may, without order, be orally examined before the trial touching the matters in question by any party adverse in interest, and may be compelled to attend and testify in the same manner, upon the same terms, and subject to the same rules of examination as a witness except as hereinafter provided.

(2) In the case of a corporation, any officer or servant of such corporation may, without order, be orally examined before the trial touching the matters in question by any party adverse in interest to the corporation, and may be compelled to attend and testify in the same manner and upon the same terms and subject to the same rules of examination as a witness except as hereinafter provided.

(3) A corporation may apply to the court to have examined an officer or servant in lieu of the officer or servant selected to be examined.

(4) After the examination of an officer or servant of a corporation, a party is not at liberty to examine any other officer or servant without an order. R.R.O. 1960, Reg. 396, r. 326.

327. Where a party to be examined is out of Ontario, the court may order the examination to be taken at such place and in such manner as seems just and convenient, and service of the order and of all papers necessary to obtain the examination may be made on the solicitor of the party, and any conduct money may be held to him unless the order makes other provisions therefor. R.R.O. 1960, Reg. 396, r. 327.

328. The court may order an examination for discovery at such place and in such manner as are deemed just and convenient of an officer or servant residing out of Ontario of any corporation party to an action, and service of the order and of all papers necessary to obtain such examination may be made upon the solicitor for such party, and conduct money may be paid to him unless the order makes other provision therefor. O. Reg. 249/68, s. 7.

329. At the trial of an action or issue, any party may use in evidence, if otherwise admissible, any part of the examination of an opposite party and of an officer or servant of a corporation that is an opposite party, but the judge may look at the whole of the examination, and, if he is of opinion that any other part is so connected with the part to be so used that the last-mentioned part ought not to be used without such other part, he may direct such other part to be put in evidence. R.R.O. 1960, Reg. 396, r. 329.

330. Where any person refuses or neglects to attend at the time and place appointed for his examination for discovery, or refuses to be sworn or to answer any proper question put to him, the court may, in addition to any other remedy, dismiss the action where any such person is a plaintiff or an officer or servant of a corporation plaintiff or strike out the defence, if any, where any such person is a defendant or an officer or servant of a corporation defendant. O. Reg. 189/69, s. 3.

331.—(1) Where an infant is a party, the opposite party may examine the next friend or guardian of the infant or, at his option, the infant, if he is competent to give evidence. R.R.O. 1960, Reg. 396, r. 331.

(2) Where a child of tender years does not understand the nature of an oath, he may nevertheless be examined for discovery if possessed of sufficient intelligence to be examined and if he understands the duty of speaking the truth, but his examination shall not be used as evidence at the trial pursuant to rule 329 unless otherwise ordered by the trial judge. O. Reg. 301/70, s. 11.

332. Any person examined for discovery may be further examined on his own behalf, or on behalf of the corporation whose officer or servant he is, in relation to any matter respecting which he has been so examined, and such explanatory examination shall be proceeded with immediately after the examination in chief. R.R.O. 1960, Reg. 396, r. 332.

333.—(1) Where an action is prosecuted or defended for the immediate benefit of a person or a corporation, such person or any officer or servant of such corporation may without order be examined for discovery.

(2) For the purpose of this rule, a bankrupt, an officer or servant of a bankrupt corporation or a trustee under the *Bankruptcy Act* shall be deemed to be a person or corporation for whose immediate benefit the action is prosecuted or defended. R.R.O. 1960, Reg. 396, r. 333; O. Reg. 301/70, s. 12.

334. Where an action is brought by an assignee, the assignor or any officer or servant of the corporation, where the corporation is the assignor, may without order be examined for discovery. R.R.O. 1960, Reg. 396, r. 334.

335. Examination for discovery may take place at any time after the statement of defence of the party examining or to be examined has been delivered or after the party to be examined has made default in appearance or after the pleadings have been noted closed as against him, and the examination of a party to an issue may take place at any time after the issue has been filed. R.R.O. 1960, Reg. 396, r. 335.

336.—(1) A person within Ontario liable to be examined for discovery shall attend for examination for discovery before the proper officer in the county in which he resides upon service of an appointment upon his solicitor, or where any such person is an officer or servant of a corporation party to an action upon the solicitor of the corporation, seven days before the day appointed for the examination, and conduct money shall be paid or tendered to the solicitor.

(2) The solicitor shall forthwith communicate the appointment to the person required to attend, and shall not apply the money to any debt due to the solicitor or any other person, or pay the money otherwise than to such person for his conduct money, and the money is not liable to be attached.

(3) The attendance of a person may also be required under rules 344 and 345. O. Reg. 189/69, s. 4.

General Rules as to Examinations

337. Rules 338 to 346 apply to the examination of a witness upon a motion or under an order and to cross-examination upon affidavits and to all examinations for discovery. R.R.O. 1960, Reg. 396, r. 337.

338. Any witness examined is subject to cross-examination and re-examination, and the examination, cross-examination and re-examination shall be conducted as nearly as may be as at a trial. R.R.O. 1960, Reg. 396, r. 338.

339.—(1) The examination, unless otherwise ordered or agreed upon, shall, if the examiner is a shorthand writer or a shorthand writer is available, be taken in shorthand by the examiner or by a shorthand writer approved and duly sworn by him and shall be taken down by question and answer, and it is not necessary for the depositions to be read over to, or signed by, the person examined.

(2) A copy of the depositions so taken, certified by the person taking them as correct, and, if such person be not the examiner, also signed by the examiner, shall be received in evidence saving all just exceptions.

(3) The depositions taken by the examiner shall, upon payment of his fees, be returned to and filed in the office in which the proceedings are carried on. R.R.O. 1960, Reg. 396, r. 339.

340. The person to be examined or any party to the action shall, if so required by the subpoena or notice, produce on the examination all books, papers and documents relating to the matters in issue that he could be required to produce at a trial. R.R.O. 1960, Reg. 396, r. 340.

341. Where a person admits, upon his examination, that he has in his custody or power any such document, the examiner may direct him to produce it for the inspection of the party examining, and for that purpose allow a reasonable time. R.R.O. 1960, Reg. 396, r. 341.

342. If a person under examination objects to a question put to him, the question and the objection shall be noted, and the validity of such objection shall be decided by the examiner, whose decision shall also be noted. R.R.O. 1960, Reg. 396, r. 342.

343. Any direction or ruling of the examiner is subject to review upon any motion with respect to such examination without an appeal. R.R.O. 1960, Reg. 396, r. 343.

344.—(1) Any party who is liable to be examined may be required to attend before the proper officer in the county in which he resides, for examination, upon being served with an appointment and upon payment of the proper conduct money. R.R.O. 1960, Reg. 396, r. 344 (1); O. Reg. 249/68, s. 10.

(2) Any person not a party but liable to be examined shall be served with a subpoena and paid the proper conduct money R.R.O. 1960, Reg. 396, r. 344 (2); O. Reg. 249/68, s. 10.

(3) The party examining shall, also, serve a copy of the appointment or of the subpoena, as the case may be, for such an examination upon the solicitor of the opposite party at least forty-eight hours before the examination. O. Reg. 249/68, s. 10.

345. An order may be made for the examination of any person liable to be examined as aforesaid before any other person or in any other county. R.R.O. 1960, Reg. 396, r. 346.

346. Renumbered as R. 345. O. Reg. 249/68, s. 12.

Production of Documents

347. Each party, after the defence is delivered or an issue has been filed, may by notice require the other within ten days to make discovery on oath of the documents that are or have been in his possession or power relating to any matters in question in the action, and to produce and deposit them with the proper officer for the usual purposes and a copy of such affidavit shall be served forthwith after filing. R.R.O. 1960, Reg. 396, r. 347.

348. The court may at any time order production and inspection of documents generally or of any particular document in the possession of any party, and, if privilege is claimed for any document, may inspect the document to determine the vailidity of such claim. R.R.O. 1960, Reg. 396, r. 348.

349. Where a document is in the possession of a person not a party to the action and the production of such document at a trial might be compelled, the court may at the instance of any party, on notice to such person and to the opposite party, direct the production and inspection thereof, and may give directions respecting the preparation of a certified copy that may be used for all purposes in lieu of the original. R.R.O. 1960, Reg. 396, r. 349.

350.—(1) A party is entitled to obtain the production for inspection of any document referred to in a special endorsement on a writ of summons in the pleadings or affidavits of the opposite party by giving notice to his solicitor, and is entitled to take copies of such documents when so produced for inspection (Form 32). R.R.O. 1960, Reg. 396, r. 350 (1); O. Reg. 301/70, s. 13.

(2) The party to whom such notice is given shall forthwith deliver to the party giving it a notice stating a time within two days from the delivery thereof at which the document may be inspected at the office of his solicitor, and shall at the time named produce the document for inspection (Form 33).

(3) Inspection may also be ordered at such place as the court directs. R.R.O. 1960, Reg. 396, r. 350 (2, 3).

351. If the party from whom discovery of any kind or inspection is sought objects to the same, or any part thereof, the court, if satisfied that the right to the discovery or inspection sought depends on the determination of any issue or question in dispute in the action, or that for any other reason it is desirable that any issue or question in dispute should be determined before deciding upon the right to the discovery or inspection, may order that such issue or question be determined first, and reserve the question as to the discovery or inspection. R.R.O. 1960, Reg. 396, r. 351.

352.—(1) If a party fails to comply with any notice or order for production or inspection of documents, he is liable to attachment and is also liable, if a plaintiff, to have his action dismissed, and, if a defendant, to have his defence, if any, struck out.

(2) Service of the notice of motion upon the solicitor of the party is, unless the court otherwise directs, sufficient. R.R.O. 1960, Reg. 396, r. 352.

Default of Pleading

353. A defendant who fails to deliver a statement of defence and against whom the pleadings have been noted as closed shall be deemed to admit all the statements of fact set forth in the statement of claim. R.R.O. 1960, Reg. 396, r. 353.

354. Where a plaintiff would be entitled to sign judgment for default of appearance to the writ, he is entitled to sign a similar judgment, *mutatis mutandis*, for default of defence. R.R.O. 1960, Reg. 396, r. 354.

355.—(1) In any other case, the plaintiff may after the pleadings have been noted as closed move for judgment upon the statement of claim.

(2) Where default is made by one defendant and the action proceeds to trial as against another defendant, such motion may be made at the trial. R.R.O. 1960, Reg. 396, r. 355.

356. Except by leave, a judgment for default of appearance or defence shall not be signed, nor shall pleadings be noted closed nor shall an action be set down on motion for judgment for default, after the expiration of one year from the time

when the party to sign the judgment or note the pleadings or to move for judgment first became entitled so to do. R.R.O. 1960, Reg. 396, r. 356.

357. Where issues arise otherwise than between plaintiff and defendant and if any party to any such issue makes default in delivering any pleading, the court may, at the trial or on motion, give such judgment as upon the pleadings seems just. R.R.O. 1960, Reg. 396, r. 357.

358. In a matrimonial cause or in an action to declare the invalidity of a marriage, a judgment shall not be given except after trial. R.R.O. 1960, Reg. 396, r. 358.

Replevin

359. An order of replevin may be obtained,

(*a*) on motion therefor, on showing the facts of the wrongful taking or detention complained of, the value and description of the property, and that the person claiming the property is the owner thereof or is lawfully entitled to the possession thereof;

(*b*) on *praecipe*, if the person claiming the property, his servant or agent, makes an affidavit stating,

(i) that the person claiming the property is the owner or lawfully entitled to the possession thereof,

(ii) the value thereof,

(iii) that the property was wrongfully taken out of the possession of the claimant, or fraudulently got out of his possession, within two months next before the making of the affidavit,

(iv) that the deponent is advised and believes that the claimant is entitled to the order, and

(v) that there is good reason to apprehend that, unless the order is issued without waiting for a motion, the delay would materially prejudice the just rights of the claimant with respect to the property;

(*c*) on *praecipe*, if the property was distrained for rent or damage feasant and the person claiming the property, his servant or agent, makes an affidavit stating,

(i) that the person claiming the property is the owner or is lawfully entitled to the possession thereof (describing the property),

(ii) the value thereof, and

(iii) that the property was taken under colour of a distress for rent or damage feasant,

and in such case the order shall state that the defendant has taken and unjustly detains the property under colour of a distress for rent or damage feasant, as the case may be (Form 86). R.R.O. 1960, Reg. 396, r. 359.

360. The motion shall be on notice to the defendant, unless the special circumstances of the case in the opinion of the court justify the making of an *ex parte* order, and the court, instead of granting or refusing the order, may direct the sheriff to take a bond in less or more than treble the value of the property, or may direct him, in addition to taking a bond pursuant to rule 362, to take and detain the property until the further order of the court, instead of at once replevying the property to the plaintiff, or may order that the plaintiff, instead of giving a bond, be at liberty to pay into court to the credit of the action, subject to further order, such sum as is proper to stand as security to the defendant in the same manner and to the same extent as any bond that the plaintiff would otherwise be required to give to the sheriff. R.R.O. 1960, Reg. 396, r. 360.

361. The defendant may apply to the court to discharge, vary or modify the order, or to stay proceedings thereunder, or for any other relief with respect to the return, safety or sale of the property or any part thereof or otherwise. R.R.O. 1960, Reg. 396, r. 361.

362.—(1) Before the sheriff acts on the order, he shall take a bond (Form 139) from the plaintiff with two sufficient sureties in such sum as is prescribed by the order, or, if no special provision has been made, then in treble the value of the property as stated in the order of replevin.

(2) The plaintiff may, instead of giving a bond, pay into court twice the value of the goods as stated in the order, and the sheriff may act upon a certificate of the Accountant that the money has been paid. R.R.O. 1960, Reg. 396, r. 362.

363. Where an order of replevin is issued for any property that had not been previously taken out of the plaintiff's possession and for which the plaintiff might bring an action for conversion, the defendant is entitled, if the plaintiff fails in the action, to be fully indemnified against all damages sustained by the defendant, including any extra costs that he may incur in defending the action, and the bond shall be conditioned so as to require the plaintiff and the sureties to indemnify and save harmless the defendant from all loss and damage that he may sustain by reason of the seizure and

of any deterioration of the property in the meantime, in the event of its being returned, and all costs, charges and expenses that the defendant may incur, including reasonable costs not taxable between party and party, but this provision shall not be required in cases of distress for rent or damage feasant. R.R.O. 1960, Reg. 396, r. 363.

364. The sheriff shall not serve a copy of the writ of summons or order until he has replevied the property, or some part thereof if he cannot replevy the whole. R.R.O. 1960, Reg. 396, r. 364.

365. Where the order is issued on *praecipe* under clause *b* of rule 359, the sheriff shall take and detain the property, and shall not replevy it to the plaintiff without the order of the court, but may, after seven days from the time of taking it, redeliver it to the defendant, unless in the meantime the plaintiff obtains and serves on the sheriff an order directing a different disposition of the property. R.R.O. 1960, Reg. 396, r. 365.

366. The sheriff shall return the order on or before the tenth day after the service thereof, and shall transmit annexed thereto,

(*a*) the names of the sureties in, and the date of the bond taken from the plaintiff, and the name or names of the witnesses thereto;

(*b*) the place of residence and addition of the sureties;

(*c*) the number, quantity and quality of the articles of property replevied, and, in case he has replevied only a portion of the property and cannot replevy the residence by reason of its having been eloigned out of his county, or not being in the possession of the defendant or of any other person for him, he shall state in his return the articles that he cannot replevy and the reason therefor. R.R.O. 1960, Reg. 396, r. 366.

367.—(1) Where the sheriff makes a return of the property distrained, taken or detained having been eloigned, the court may make an order (Form 87) directing the sheriff to take in *withernam* goods and chattels of the defendant.

(2) Where a sheriff makes a return that the whole or a part of the property has been eloigned, or that for any reason it cannot be replevied, the plaintiff may, if he so elects, serve the writ of summons, and, in his statement of claim, claim either the return of the goods and damages for their dentention, or damages for their conversion. R.R.O. 1960, Reg. 396, r. 367.

368. Where the plaintiff is entitled to sign judgment by default, he may sign final judgment for $5 and costs, but he is not entitled to recover a larger sum except upon an assessment or upon filing the consent of the defendant or his solicitor, and an affidavit verifying the signature to such consent. R.R.O. 1960, Reg. 396, r. 368.

Interim Preservation of Property, Inspection, etc.

369. Where there is a dispute arising upon a contract or an alleged contract affecting the title to any property, the court may make an order for the preservation or interim custody of the property, or may order that the amount in dispute be brought into court or otherwise secured, or may order the sale of the property and the payment of the proceeds into court. R.R.O. 1960, Reg. 396, r. 369.

370. The court may, at any time, order the sale, in such manner and on such terms as seem just, of any goods, wares or merchandise that may be of a perishable nature or likely to be injured from keeping, or which for any other reason it may be desirable to have sold at once. R.R.O. 1960, Reg. 396, r. 370.

371. Where a plaintiff seeks to recover specific property other than land, and the defendant does not dispute the title of the plaintiff, but claims to retain the property by virtue of a lien or otherwise as security for money, the court may order that the plaintiff pay into court, to abide the event of the action, the amount of money in respect of which the lien or security is claimed, and such further sum, if any, for interest and costs as the court directs, and that, upon such payment into court being made, the property claimed be given up to him. R.R.O. 1960, Reg. 396, r. 371.

372.—(1) The court may, upon the application of any party and upon such terms as seem just, make any order for the detention or preservation of property, being the subject of the action, or for the inspection of any property, the inspection of which is necessary for the proper determination of the question in dispute, and for all or any of the purposes aforesaid may authorize any person or persons to enter upon or into any land or building in the possession of a party and may authorize any samples to be taken, or any observation to be made or experiment to be tried, that may seem necessary or expedient for the purpose of obtaining full information or evidence.

(2) The court may also on notice to any person not a party to the action make an order authorizing entry upon or into any lands or building in the possession of such person for the purposes of such inspection. R.R.O. 1960, Reg. 396, r. 372.

Security for Costs

373.—(1) Security for costs may be ordered,

(*a*) where the plaintiff resides out of Ontario;

(*b*) where the plaintiff is ordinarily resident out of Ontario, though he may be temporarily resident within Ontario;

(*c*) where the plaintiff has brought another action or proceeding for the same cause which is pending in Ontario or in any other country;

(*d*) where the plaintiff, or any person through or under whom he claims, has had judgment or order passed against him in another action or proceeding for the same cause in Ontario or in any other country, with costs, and such costs have not been paid;

(*e*) where the plaintiff sues as an informer, or seeks to recover a penalty given to an informer or person who sues for it under a statute or law by which a penalty is given to any person who sues for it, either for his sole benefit, for the benefit of the Crown, or partly for his benefit and partly for the benefit of the Crown, and the defendant swears that in his belief the plaintiff or informer is not possessed of property sufficient to answer the costs of the action in case a judgment is rendered in favour of the defendant, and that he (the applicant) has a good defence to the action upon the merits, as he is advised and believes;

(*f*) where the action is brought by a nominal plaintiff;

(*g*) where upon the examination of the plaintiff it appears that there is good reason to believe that the action is frivolous and vexatious, and that the plaintiff is not possessed of sufficient property in Ontario to answer the costs of the action;

(*h*) where an action is brought on behalf of a class and the plaintiff is not possessed of sufficient property to answer the costs of the action, and it appears that the plaintiff is put forward or instigated to sue by others;

(*i*) where under a statute the defendant is entitled to security for costs; or

(*j*) where either party to a garnishment, interpleader or other issue is an active claimant, and would, if a plaintiff, be liable to give security for costs. R.R.O. 1960, Reg. 396, r. 373; O. Reg. 189/69, s. 5.

(2) A defendant must appear before obtaining an order for security for costs. O. Reg. 189/69, s. 5.

374.—(1) Where it appears by the writ of summons, or by an endorsement thereon, that the plaintiff resides out of Ontario, the order may be obtained on *praecipe* (Form 62).

(2) The amount of the security required by a *praecipe* order shall be $500 in an action in the Supreme Court or $200 in an action in a county court.

(3) The amount of the security shall be paid into court within four weeks from the date of service of the *praecipe* order upon the plaintiff. O. Reg. 189/69, s. 6.

375. In all cases in which an order for security for costs is obtained on application to the court, the amount of the security required to be given and the time within which the security is to be given shall be fixed by the court. O. Reg. 189/69, s. 6.

376. Where security for costs is ordered, proceedings in the action shall be stayed from the service of the order until the security is given. O. Reg. 189/69, s. 6.

377. The day on which an order for security for costs is served, and the time until and including the day on which the security is given shall not be reckoned in the computation of time allowed for taking any proceeding in the action. O. Reg. 189/69, s. 6.

378. The amount of security required by any order for security for costs may be increased or decreased by the court at any time and from time to time. O. Reg. 189/69, s. 6.

379. Upon payment into court of the amount of security required, the plaintiff shall forthwith serve a notice upon the defendant obtaining the order, specifying the fact and purpose of such payment. O. Reg. 189/69, s. 6.

380. Upon default in giving security, the action may, upon an *ex parte* application, be dismissed with costs. O. Reg. 189/69, s. 6.

381.—(1) Where an order for security for costs has been obtained in an action commenced by a writ of summons which is specially endorsed, a plaintiff may pay into court the sum of $100 in an action in the Supreme Court and $50 in an action in a county court as a partial compliance with such order, and thereupon he is at liberty to cross-examine upon the affidavit of merits of the defendant obtaining the order and move for judgment, but the order for security for costs shall remain in force in all other respects.

(2) Such payment into court does not prejudice any motion that may be made to set aside the order for security for costs.

(3) Where upon motion under rule 57, the plaintiff is awarded judgment for a portion only of his claim, he may issue the judgment and execution thereunder, but so long as the order for security stands he shall not take any other proceedings with respect to the residue of his claim until the order has been fully complied with. O. Reg. 189/69, s. 6.

382. Where money has been paid into court as security for costs, it may be paid out on the consent of the solicitors in the cause or matter without order and may be paid to the solicitors upon production of the consent of the client verified by affidavit. O. Reg. 189/69, s. 6.

383. Revoked. O. Reg. 189/69, s. 6.

384. Revoked. O. Reg. 189/69, s. 6.

385. Revoked. O. Reg. 189/69, s. 6.

Interim Alimony

386.—(1) In rules 386 to 388 interim alimony shall be deemed in a matrimonial cause to include monies payable by way of alimony or an alimentary pension by either spouse for the maintenance of the other and monies payable for the maintenance of the children of the marriage pending the hearing and determination of the petition. O. Reg. 156/68, s. 11.

(2) In an alimony action, or in a matrimonial cause the defendant may, at any time before the statement of defence is due, give notice in writing that he submits to pay the interim alimony, and costs, as demanded by the plaintiff in the endorsement on the writ, or in the petition for divorce, and in that case no motion for interim alimony shall be made until there has been a default in payment, and in case of default, affidavits being filed verifying the endorsement and notice and the default, an order for payment of the sum demanded shall be issued on *praecipe*. R.R.O. 1960, Reg. 396, r. 386 (1); O. Reg. 156/68, s. 11.

(3) The defendant may give notice in writing that he submits to pay such less sum as he deems proper and names in his notice.

(4) Where a notice has been so served and the plaintiff accepts the amount therein mentioned as sufficient, the defendant shall pay thereafter the sum so offered as interim alimony, and no order for interim alimony shall be made until there has been default in payment.

(5) Where a notice has been so served, the plaintiff's interim disbursements may be taxed without order.

(6) Where the plaintiff does not accept the amount offered and upon motion for interim alimony it is found that the sum so offered is reasonable, and the defendant pays to the plaintiff the sum so offered, no order for interim alimony shall be made until there has been default in payment. R.R.O. 1960, Reg. 396, r. 368 (2-5).

387.—(1) Subject to sub-rule (2) an application for interim alimony or for interim disbursements shall not be made until the time for delivering the defence has expired, and costs shall not be ordered to be paid *de die in diem* by the defendant, but only the amount of the cash disbursements actually and properly made by the plaintiff's solicitor.

(2) An order for interim corollary relief under the *Divorce Act* (Canada) and an order for interim disbursements in a matrimonial cause may be made at any time after service on the respondent spouse of the notice of petition and the petition. O. Reg. 156/68, s. 12.

388. Where an order for interim alimony or interim disbursements has not been complied with, a judge, if satisfied of the husband's ability to pay, may postpone the trial of the action or may order the pleading of the party in default to be struck out. R.R.O. 1960, Reg. 396, r. 388.

389. Where the plaintiff in an alimony action fails to obtain a judgment for alimony, no costs beyond the amount of the cash disbursements actually and properly made by the plaintiff's solicitors shall be ordered to be paid by the defendant. R.R.O. 1960, Reg. 396, r. 389.

Change of Solicitor

390. A party suing or defending by a solicitor may change his solicitor by filing and serving a notice to that effect. R.R.O. 1960, Reg. 396, r. 390.

391. A party suing or defending in person and desiring to be represented by a solicitor may file and serve a notice to that effect. R.R.O. 1960, Reg. 396, r. 391.

392. A party represented by a solicitor and desiring to sue or defend in person may file and serve a notice to that effect. R.R.O. 1960, Reg. 396, r. 392.

393.—(1) Where a solicitor who has acted for a party in a cause or matter has died or cannot be found, or has been struck off the roll of solicitors, or has been suspended from practice, and the party has not given notice of change of solicitor or notice of intention to act in person in accordance with the preceding rules, any other party to the cause or matter may, on notice to be served on the first-named party personally or by prepaid post letter addressed to his last known place of address, unless the court otherwise directs, apply to the court for an order declaring that the solicitor has ceased to be the solicitor acting for the first-named party in the cause or matter and the court may make an order accordingly.

(2) Where the order is made, the party applying for the order shall serve on every other party to the cause or matter (not being a party in default as to entry of appearance) a copy of the order and also leave at the office in which the cause or matter was commenced a copy of the order together with an affidavit showing that the order has been duly served as aforesaid and thereafter, unless and until the first-named party either appoints another solicitor or else gives such an address for service as is required of a party acting in person and complies with the preceding rules relating to the notice of appointment of a solicitor or notice of intention to act in person, any document in respect of which personal service is not requisite may be served on the party so in default by mailing it to the party at his address given in the writ or appearance, as the case may be, by registered letter.

(3) Any order made under this rule does not affect the rights of the solicitor and the party for whom he acted as between themselves. R.R.O. 1960, Reg. 396, r. 393.

394.—(1) Where a solicitor who has acted for a party in a cause or matter has ceased to act and the party has not given notice of change of solicitor in accordance with the preceding rules, the solicitor may on notice to be served on the party personally or by prepaid post letter addressed to his last known place of address, unless the court otherwise directs, apply to the court for an order to the effect that the solicitor has ceased to be the solicitor acting for the party in the cause or matter, and the court may make an order accordingly; provided that, unless and until the solicitor has,

(*a*) served a copy of the order upon the party for whom he has ceased to act personally or otherwise as the court may direct; and

(*b*) served a copy of the order on every other party to the cause or matter (not being a party in default as to entry of appearance); and

(*c*) filed in the office in which the cause or matter was commenced a copy of the order together with an affidavit showing that the order has been duly served as aforesaid,

he shall, subject to rules 390, 391 and 392, be considered the solicitor of the party to the final determination of the cause or matter whether in the High Court or the Court of Appeal. R.R.O. 1960, Reg. 396, r. 394 (1); O. Reg. 162/62, s. 9.

(2) From and after the time when the order has been deposited as required by clause *c* of subrule 1, any document in respect of which personal service is not requisite may be served on the party to whom the order relates by mailing it to the party at his address given in the writ or appearance, as the case may be, by registered letter, unless and until that party shall either appoint another solicitor or else give an address for service as is required of a party acting in person, and shall also comply with rules 390, 391 and 392 relating to notice of appointment of a solicitor or notice of intention to act in person. R.R.O. 1960, Reg. 396, r. 394 (2); O. Reg. 162/62, s. 10.

(3) Any order made under this rule does not affect the rights of the solicitor and the party as between themselves. R.R.O. 1960, Reg. 396, r. 394 (3).

Compounding Penal Actions

395. Leave to compound a penal action may be given, but, in cases where part of the penalty goes to the Crown, notice shall first be given to the Attorney General for Canada or the Minister of Justice and Attorney General for Ontario, as the case may be. R.R.O. 1960, Reg. 396, r. 395.

396. The order for compounding shall not be made unless the defendant undertakes to pay the sum for which the court has given him leave to compound such action. R.R.O. 1960, Reg. 396, r. 396.

397. Where leave is given to compound, the proportion of the Crown shall, unless otherwise ordered, be paid into court for the use of Her Majesty. R.R.O. 1960, Reg. 396, r. 397.

Transmission of Papers

398. Every local officer upon praecipe shall transmit to the Registrar's Office, Toronto, all papers, documents and exhibits required for use in Toronto in any proceeding and, where the same exceeds five pounds in weight, upon payment of the necessary postage or express charge on the excess over five pounds for transmission and return. O. Reg. 180/64, s. 8.

399. Where papers, documents and exhibits in the custody of an officer of the court in any proceeding are required by or for use before any other officer, the officer having custody of the same shall transmit them upon the production of a request signed by the officer requiring them and where the same exceeds five pounds in weight, upon payment of the necessary postage or express charge on the excess postage or express charge on the excess over five pounds for transmission and return. O. Reg. 189/64, s. 8.

Striking Out Jury Notices

400.—(1) When an application is made to a judge in chambers for an order striking out a jury notice and it appears to him that the action is one that ought to be tried without a jury, he shall direct that the issues shall be tried and the damages assessed without a jury, and, in case the action has

been entered for trial, shall direct the action to be transferred to the non-jury list. R.R.O. 1960, Reg. 396, r. 400 (1).

(2) The refusal of such an order by the judge in chambers does not interfere with the right of the judge presiding at the trial to try the action without a jury. R.R.O. 1960, Reg. 396, r. 400 (2); O. Reg. 155/65, s. 10.

(3) The judge presiding at a jury sittings in Toronto may in his discretion strike out the jury notice and transfer the action for trial to a non-jury sittings, and this power may be exercised notwithstanding that the case is not on the peremptory list for trial before the said judge. R.R.O. 1960, Reg. 396, r. 400 (3).

Procedure when Judgment Delayed

401. When a judge who has reserved judgment in any cause, action, issue, motion or matter,

(*a*) dies without giving judgment; or

(*b*) having resigned his office or having been appointed to any other court does not give judgment within the time allowed by statute; or

(*c*) has not given judgment within six months from the time of reserving it,

the Chief Justice of the High Court may order that the cause, action, issue, motion or matter be restored to the proper list for trial or hearing, and, in case the original trial or hearing was upon evidence given *viva voce*, may direct that the re-trial or re-hearing shall be upon a transcript of the reporter's notes of such evidence, or upon such transcript and additional evidence given *viva voce* or by affidavit, or upon such transcript and evidence given *viva voce* and evidence given by affidavit, or upon new evidence, or otherwise as in his opinion the circumstances of the particular case may require, and may dispose of the costs of the original trial or hearing and of the costs of procuring and furnishing any copies of the transcript of the reporter's notes, or may refer the question as to such costs or any of them to the judge presiding at the re-trial or re-hearing, but no directions for a re-trial or re-hearing which include a direction for the use of the transcript of the reporter's notes shall be deemed to limit or restrict the power of the judge presiding at such re-trial or re-hearing in his discretion to permit the recalling or to receive other or additional evidence. R.R.O. 1960, Reg. 396, r. 401.

REFERENCES

Referees

402.—(1) In the event of the referee declining to act, a judge may appoint a new referee. R.R.O. 1960, Reg. 396, r. 402 (1).

(2) Where a master or referee has ceased to hold office or become incapacitated prior to settling his report, an application may be made to the Chief Justice of the High Court for directions, whereupon rule 401 applies *mutatis mutandis*. R.R.O. 1960, Reg. 396, r. 402 (2); O. Reg. 155/65, s. 11.

(3) Where a master or referee has ceased to hold office or become incapacitated after settling but prior to signing his report, any officer having jurisdiction to make such a report may sign the report. R.R.O. 1960, Reg. 396, r. 402 (3); O. Reg. 155/65, s. 11.

(4) In the absence, or with the consent, of a master or referee who has entered upon the hearing of a reference, any interlocutory application in the reference may be made to any other master or referee and that other master or referee may deal with the application and make any order thereon which could have been made by the first-mentioned master or referee. O. Reg. 189/69, s. 7.

403. The practice and procedure on a reference to a referee shall be the same, as nearly as may be, as the practice and procedure in the Master's office. R.R.O. 1960, Reg. 396, r. 403.

404. The court may require explanations or reasons from a master or refereee, and may remit the cause or matter, or any part thereof, for further consideration, to the same or any other master or referee. R.R.O. 1960, Reg. 396, r. 404.

Proceedings on References

405. Every order of reference shall be brought into the Master's office within ten days after it is issued by the party having the carriage of it, and, in default, any other party having an interest in the reference may assume the carriage of the order. R.R.O. 1960, Reg. 396, r. 405.

406. Unless otherwise directed by the Master, and subject to rules 477 and 478, notice of the reference before him shall be given to every party affected by or interested in the inquiry though any such party may not have appeared in the action, but, in the absence of special direction, when default in appearance is made to such notice, no further notice need be given unless the party in default files a written request for notice with an address for service. O. Reg. 189/69, s. 8.

407. Where in proceedings before the Master it appears to him that a person not already a party ought to be made a party and ought to be at liberty to attend the proceedings before him, he may make an order adding him as a party defendant and direct a copy of the order, endorsed with a notice (Form 44), and a copy of the judgment or order of reference endorsed with a notice in accordance with Form 43, to be served upon such

person, who thereupon shall be treated and named as a party to the action and shall be bound as if he had been originally made a party. R.R.O. 1960, Reg. 396, r. 407.

408. A person so served may apply to the court at any time within ten days from the date of such service to discharge, add to, vary or set aside the order of reference or the order adding him as a party. R.R.O. 1960, Reg. 396, r. 408.

409. Where at any time during a reference it appears to the Master that the interests of the parties can be classified, he may require the parties constituting each or any class to be represented by the same solicitor and, where the parties constituting such class cannot agree upon the solicitor to represent them, the Master may nominate him. R.R.O. 1960, Reg. 396, r. 409.

410. Where a party prosecuting a reference does not proceed with due diligence, the Master may upon the application of any other person interested commit to him the prosecution of the reference. R.R.O. 1960, Reg. 396, r. 410.

411. A reference shall be proceeded with as far as possible *de die in diem*, and, when an adjournment is ordered, the Master shall note in his book the reason thereof and shall when practicable fix the time when it is to be resumed so as to avoid the service of a new appointment. R.R.O. 1960, Reg. 396, r. 411.

412. The Master shall, unless he dispenses with it, in the first instance issue an appointment to consider, and, upon the return of the appointment, he shall fix a time at which to proceed with the reference and shall give any special directions he thinks fit, as to,

(*a*) the parties who are to attend on the several accounts and inquiries;

(*b*) the time when each proceeding is to be taken;

(*c*) the mode in which any accounts referred to him are to be taken or vouched;

(*d*) the evidence to be adduced in support thereof;

(*e*) the manner in which each of the accounts and inquiries is to be prosecuted,

and any such directions may be afterwards varied or added to, as are found necessary. R.R.O. 1960, Reg. 396, r. 412.

413. Under an order of reference the Master has power,

(*a*) to take the accounts with rests or otherwise;

(*b*) to take account of money, rents and profits received or which, but for wilful neglect or default, might have been received;

(*c*) to set occupation rent;

(*d*) to take into account necessary repairs, and lasting improvements, and costs and other expenses properly incurred otherwise, or claimed to be so;

(*e*) to make all just allowances;

(*f*) to report special circumstances;

(*g*) and generally in taking the accounts, to inquire, adjudge and report as to all matters relating thereto, as fully as if they had been specifically referred. R.R.O. 1960, Reg. 396, r. 413.

414. The Master may cause parties to be examined, and to produce books, papers and writings, as he thinks fit, and may determine what books, papers and writings are to be produced, and when and how long they are to be left in his office, or, in case he does not deem it necessary that such books, papers or writings be left or deposited in his office, he may give directions for their inspection by the parties requiring them at such time and in such manner as he deems expedient. R.R.O. 1960, Reg. 396, r. 414.

415. The Master may cause advertisements for creditors or for heirs or next of kin, or other unascertained persons, and the representatives of such as are dead, to be published as the circumstances of the case require, and in such advertisements he shall appoint a time within which such persons are to come in and prove their claims, and shall notify them that, unless they so come in, they are to be excluded from the benefit of the order, but a claim may nevertheless be received by the Master at any later time (Form 49). R.R.O. 1960, Reg. 396, r. 415.

416. The Master shall consider the claims brought in before him pursuant to such advertisement upon a day to be fixed by him when settling the advertisement, and the executor or person appointed to examine the claims may require the claimant to produce before him any document in his possession (Form 50), and, if any claim is to be contested, shall cause notice of contestation to be served upon the claimant, fixing a day when he will adjudicate upon the claim (Form 45), and, where a claim is not to be contested or is to be contested in part only, a notice shall be sent according to Form 52. R.R.O. 1960, Reg. 396, r. 416.

417. The executor or administrator, or such other person as the Master directs, shall examine the claims sent in pursuant to the advertisement and ascertain as far as he is able, which of them are just and proper. R.R.O. 1960, Reg. 396, r. 417.

418. The executor or administrator, or one of the executors or administrators, or such other person as the Master directs, shall, on or before the day appointed to consider the claims, file an affidavit, verifying a list of the claims sent in pursuant to the advertisement, and stating which of them are just and proper to be allowed, and the reasons for such belief. R.R.O. 1960, Reg. 396, r. 418.

419. Under every order whereby the delivery of deeds or execution of conveyances is directed or becomes necessary, the Master shall give directions as to delivery of such deeds, settle conveyances where the parties differ, and give directions to the parties as to the conveyances and as to the execution thereof. R.R.O. 1960, Reg. 396, r. 419.

420. Where an account is to be taken, the accounting party, unless the Master otherwise directs, shall bring in the account in debit and credit form, verified by affidavit, and the items on each side of the account shall be numbered consecutively, and the account shall be referred to by the affidavit as an exhibit, and shall not be annexed thereto. R.R.O. 1960, Reg. 396, r. 420.

421. The Master may direct that in taking accounts the books of account in which the accounts required to be taken have been kept, or any of them, be taken as *prima facie* evidence of the truth of the matters therein contained. R.R.O. 1960, Reg. 396, r. 421.

422. Before proceeding to the hearing and determining of a reference, the Master may appoint a day for the purpose of entering into the accounts and inquiries, and may direct the production and inspection of vouchers, and, if deemed proper, the cross-examination of the accounting party on his affidavit, with a view to ascertaining what is admitted and what is contested between the parties. R.R.O. 1960, Reg. 396, r. 422.

423. A party seeking to charge an accounting party beyond what he has in his account admitted to have received shall give notice thereof to the accounting party, stating as far as he is able the amount sought to be charged and the particulars thereof in a short and succinct manner, and the Master may direct any party who seeks to falsify an account to deliver particulars of the item objected to, and the particulars shall refer to the item by number. R.R.O. 1960, Reg. 396, r. 423.

424. The Master shall keep in his office a book in which he shall enter proceedings taken before him and the directions that he gives in relation to the prosecution of the reference, or otherwise, and it is not necessary to issue or serve any formal order or document embodying such directions to bind the parties attending the reference. R.R.O. 1960, Reg. 396, r. 424.

425. In giving directions and in regulating the manner of proceeding before him, the Master shall devise and adopt the simplest, most speedy and least expensive method of prosecuting the reference, and with that view may dispense with any proceeding ordinarily taken which he conceives to be unnecessary or substitute a different course of proceeding for that ordinarily taken. R.R.O. 1960, Reg. 396, r. 425.

426. Where the Master directs parties not in attendance before him to be notified to attend at some future day or for different purposes at different future days, it is not necessary to issue separate appointments, but the parties shall be notified by one appointment, signed by the Master, of the proceedings to be taken, and of the times appointed by him for taking them. R.R.O. 1960, Reg. 396, r. 426.

427. As soon as the hearing of a matter pending before the Master is completed, he shall so inform the parties to the reference then in attendance and make a note to that effect in his book, and after such entry no further evidence shall be received or proceedings had without the special permission of the Master, and the Master shall then fix a day to settle his report and shall cause notice of such day to be given to all parties interested not then in attendance who have appeared upon the reference or requested notice under rule 406, unless for special reason such notice is dispensed with. R.R.O. 1960, Reg. 396, r. 427.

428. No part of any account, affidavit, deposition, examination or pleading used in the Master's office shall be stated or recited in the report, but the same may be referred to by date or otherwise. R.R.O. 1960, Reg. 396, r. 428.

429. Reports affecting money in court or to be paid into court shall set forth in figures in a schedule a brief summary of the sums found by the report and paid or payable into or out of court and the funds or shares to which the sums of money are respectively chargeable. R.R.O. 1960, Reg. 396, r. 429.

430. As soon as the Master's report is settled and signed, it shall be delivered to the party prosecuting the reference, or, in case he declines to take it, then, in the discretion of the Master, to any other party applying therefor. R.R.O. 1960, Reg. 396, r. 430.

431. Pending a reference to a master, all affidavits, papers and documents relating thereto required to be filed shall be filed with the Master, but every report or certificate of a master shall be filed in the office in which the proceedings were commenced, and, upon the completion of the reference, the papers shall be transferred to the office in which the proceedings were commenced. R.R.O. 1960, Reg. 396, r. 431.

432. Any party affected by a report may file it or a duplicate of it and shall forthwith serve notice of filing upon all parties appearing in the action or attending upon the reference. R.R.O. 1960, Reg. 396, r. 432.

433.—(1) Where the Master is directed to appoint money to be paid at some time and place, he shall appoint it to be paid into a bank to the joint credit of the party to whom it is made payable and the Accountant, and the party to whom it is made payable may name the bank into which he desires it to be paid.

(2) Where money is paid into a bank in pursuance of such appointment, the party paying may pay it either to the credit of the party to whom it is made payable or to the joint credit of the party and the Accountant, and, if it be paid to the sole credit of the party, such party is entitled to receive it without order.

(3) When money is paid to the joint credit of the Accountant and the party entitled, the Accountant shall sign the cheque for payment out upon the production of the consent of the party paying in, duly verified, or of his solicitor, or, in the absence of such consent upon the order of a judge. R.R.O. 1960, Reg. 396, r. 433.

434. Where by a report any money in court is found to belong to infants, the Master shall require proper evidence of the age of the infants to be given before him and shall in his report state the date of birth and age at the time of his report of each of such infants, or shall certify specially his reason for not so doing. R.R.O. 1960, Reg. 396, r. 434.

435. In administration suits, reports shall, as far as possible, be according to Form 54. R.R.O. 1960, Reg. 396, r. 435.

436. Every master has the same power, authority and jurisdiction as the Master at Toronto when sitting in chambers with respect to all matters referred to him or which arise in his office. R.R.O. 1960, Reg. 396, r. 436.

437. Where a master acts under rule 436, the fees shall, with respect to such business, be the same as are payable for the like business in chambers. R.R.O. 1960, Reg. 396, r. 437.

438. In taking accounts in administration proceedings, interest shall be computed on the deceased's debts from the date of the judgment or order, and, on legacies, from the end of one year after the deceased's death, unless another time of payment is directed by the will. R.R.O. 1960, Reg. 396, r. 438.

439. Where an order is made for payment of money out of court to creditors, the person whose duty it is to prosecute the order shall send each creditor, or his solicitor, if any, a notice that the cheques may be obtained from the Accountant, and shall deposit with the Accountant any papers necessary to enable the creditors to receive their cheques (Form 53). R.R.O. 1960, Reg. 396, r. 439.

440. Every notice required to be given to a creditor or claimant shall, unless the Master otherwise directs, be transmitted by registered letter to the creditor or claimant at the address given in the claim sent in, or, in case the creditor or claimant has employed a solicitor, to such solicitor at the address given by him. R.R.O. 1960, Reg. 396, r. 440.

441. Where a sale is ordered, the Master may cause the property to be sold either by public auction, private contract or tender, or part by one mode and part by another, as he thinks best for the interest of all parties. R.R.O. 1960, Reg. 396, r. 441.

442. The party having the conduct of the sale shall bring into the Master's office a draft advertisement showing,

(*a*) the short style of cause;

(*b*) that the sale is in pursuance of an order of the court;

(*c*) the time and place of the sale;

(*d*) a short and true description of the property to be sold;

(*e*) the manner in which the property is to be sold, whether in one lot or several, and, if in several, in how many, and what lots;

(*f*) what proportion of the purchase money is to be paid down by way of deposit, and at what time or times, and whether the residue of such purchase money is to be paid with or without interest;

(*g*) that the sale is subject to a reserve bid, if such is the case;

(*h*) any particulars in which the proposed conditions of sale differ from the standing conditions. R.R.O. 1960, Reg. 396, r. 442.

443. Upon the return of the appointment to settle the advertisement, the Master shall also fix the time and place of sale, name an auctioneer, where one is to be employed, give direction for publication, fix the reserve bid, and make every other necessary arrangement preparatory to the sale. R.R.O. 1960, Reg. 396, r. 443.

444. The standing conditions of sale shall be those set forth in Form 55. R.R.O. 1960, Reg. 396, r. 444.

445. All parties may bid except the party having the conduct of the sale and except any trustees, agents and other persons in a fiduciary position. R.R.O. 1960, Reg. 396, r. 445.

446. Where no auctioneer is employed, the Master or his clerk shall conduct the sale. R.R.O. 1960, Reg. 396, r. 446.

447. The purchaser shall sign an agreement to purchase at the time of the sale. R.R.O. 1960, Reg. 396, r. 447.

448. The deposit shall be paid to the vendor or his solicitor at the time of sale and shall forthwith be paid by him into court in the name of the purchaser. R.R.O. 1960, Reg. 396, r. 448.

449. After the sale is concluded, the auctioneer, where one is employed, shall make an affidavit as to the result of the sale, and, where no auctioneer is employed, the Master or his clerk shall certify the result, and, where expedient, a separate report on the sale may be made (Form 56). R.R.O. 1960, Reg. 396, r. 449.

450. Objection to the sale shall be by motion to set it aside, and notice of the motion shall be served upon the purchaser and on the other parties, and biddings shall be opened only on special grounds. R.R.O. 1960, Reg. 396, r. 450.

451. The purchaser may pay his purchase money or the balance thereof into court without further order, and, after confirmation of the report on sale, upon notice to the party having the conduct of the sale, he may, if he so desires, obtain a vesting order, and, when he is entitled to be let into possession, if possession is wrongfully withheld from him, an order against any party in possession for the delivery thereof to him may be made upon his application or upon the application of the vendor. R.R.O. 1960, Reg. 396, r. 451.

452. The vendor shall forthwith upon demand deliver an abstract of title to the purchaser, and, if the purchaser does not serve objections within seven days, he shall be deemed to have accepted the abstract as sufficient, but, if objections are served, the vendor shall answer them within fourteen days, and, if the purchaser is still dissatisfied and the parties cannot agree, either party may obtain from the Master an appointment to consider the abstract. R.R.O. 1960, Reg. 396, r. 452.

453. The Master shall determine all questions upon the abstract and the sufficiency thereof, and, if desired by the purchaser, may require the vendor to make the same as perfect as he can, and, if the vendor neglects or refuses to do so, may permit the purchaser to supply defects therein at the vendor's expense. R.R.O. 1960, Reg. 396, r. 453.

454. The Master shall not make a report on the abstract but shall mark the objections as allowed or disallowed, and, when he finds the abstract perfect or as perfect as the vendor can make it, he shall certify to that effect thereon, and such certificate is final without filing, unless appealed from in the same manner as a Master's report. R.R.O. 1960, Reg. 396, r. 454.

455. After acceptance or confirmation of the abstract, the verification shall be proceeded with, and the vendor shall with all diligence afford the purchaser all the means of verification in his power, in the manner and according to the practice usual with conveyances, and, after having done so, he may serve a notice on the purchaser to make objections or requisitions, if any, within seven days, or otherwise he will be deemed to have accepted the title. R.R.O. 1960, Reg. 396, r. 455.

456. Upon being served with such notice, the purchaser, if dissatisfied, shall serve his objections or requisitions within the time thereby limited, and the like course shall be followed upon such objections or requisitions as is prescribed in relation to the abstract. R.R.O. 1960, Reg. 396, r. 456.

457. In the case of the refusal or neglect of the vendor to verify the abstract to the best of his ability or to furnish any necessary proof or documents in his power, the Master may authorize the purchaser to do so at the vendor's expense. R.R.O. 1960, Reg. 396, r. 457.

458. Rules 452 to 457 apply to all cases of reference to the Master as to title as well as to sales by the court. R.R.O. 1960, Reg. 396, r. 458.

459. Purchase money shall not be paid out of court except upon consent of the purchaser or his solicitor or upon proof being made to the Accountant that the purchaser has received a conveyance or vesting order in respect of the property for which the money in question was paid into court. R.R.O. 1960, Reg. 396, r. 459.

460. No conveyance shall be settled until evidence is produced of the purchase money having been paid into court, and, where a mortgage is taken for part of the purchase money, until evidence is given to the said officer of such mortgage having been registered and deposited with the Accountant. R.R.O. 1960, Reg. 396, r. 460.

461. Where the Master is to appoint a committee, guardian or receiver, the name proposed and the names of his proposed sureties shall be given in the appointment and the Master shall appoint the committee, guardian or receiver and settle and approve the proposed security, and, when the security has been duly filed, shall sign a written appointment. R.R.O. 1960, Reg. 396, r. 461.

462. The Master shall appoint a time when the person appointed is to pass his accounts and pay his balances into court, and, in default of compliance with

such direction, the person appointed may, on the passing of his accounts, be disallowed any salary or compensation for his services, and may be charged with interest upon his balances. R.R.O. 1960, Reg. 396, r. 462.

MENTAL INCOMPETENCY PROCEEDINGS

462*a*.—(1) Where the respondent in proceedings under *The Mental Incompetency Act* requires the proceedings to be removed into the Supreme Court he shall serve a notice of removal upon the applicant and file the same with proof of service thereof with the clerk of the county or district court in which the proceedings were brought, not later than two days preceding the day of the return of the application for the declaration of mental incompetency or incapability.

(2) Upon filing of the notice of removal and proof of service thereof the clerk of the county or district court shall forthwith transmit the papers to the proper office of the Supreme Court in the County or District in which the proceedings were brought.

(3) Within ten days of service upon him of the notice of removal the applicant shall serve upon the respondent and file a notice of the time and place of the hearing of the application before a judge of the Supreme Court in chambers and thereafter the practice and procedure of the Supreme Court in effect on March 25th, 1964, shall apply to proceedings coming within this rule. O. Reg. 180/64, s. 10.

462*b*.—(1) Where an order has been made by a judge of a county or district court appointing a permanent committee or propounding a scheme of management or propounding a subsequent scheme not previously confirmed by a judge of the Supreme Court, the order shall be issued and filed forthwith in the office of the clerk of the said county or district court.

(2) Unless the order has been appealed, the applicant shall lodge with the clerk of the said county or district court a notice of motion returnable before a judge in chambers at Toronto for an order confirming the appointment of the committee and the scheme of management and the clerk shall thereupon transmit the notice of motion, the order and all other papers filed in the proceedings to the Registrar of the Supreme Court at Toronto.

(3) The notice of motion for confirmation shall be lodged with the clerk of the said county or district court at least ten days prior to the day upon which the motion is returnable.

(4) Upon receipt of the notice of motion and supporting material the Registrar shall place the application on the list of cases for hearing and it shall not be necessary for counsel to appear in the first instance.

(5) The order shall be considered by the presiding judge and if in his opinion it is proper to confirm the appointment of the committee and the scheme of management he shall confirm the same by so endorsing the notice of motion and an order prepared by the solicitor for the applicant shall be issued and entered in the Supreme Court and a copy thereof forthwith shall be filed with the clerk of the county or district court in which the proceedings were commenced.

(6) Where the judge is not satisfied he shall state shortly his reasons therefor in writing and either direct an amendment to be made before an order is issued or adjourn the motion and direct the Registrar to give notice to the applicant of the adjourned hearing upon which counsel shall appear. O. Reg. 180/64, s. 10.

463. Upon the death of a person who has been found mentally incompetent or mentally incapable under the provisions of *The Mental Incompetency Act* the accounts of his committee shall be passed by a judge of the county or district court in the county or district in which the proceedings are pending, or where the matter has been referred to the Master, by the Master to whom the matter has been referred, upon notice to his executor or administrator, and, upon payment over to the executor or administrator of the balance found to be due by the judge or Master, as the case may be, and upon confirmation of the order or report, the bond given by the committee shall be handed over for cancellation. O. Reg. 180/64, s. 11.

MORTGAGE ACTIONS

464. A mortgagee may in an action claim foreclosure of the equity of redemption or a sale of the mortgaged premises and payment of the mortgage debt by any party personally liable therefor and possession of the mortgaged premises. The writ shall be endorsed in accordance with the form applicable thereto. R.R.O. 1960, Reg. 396, r. 464.

465.—(1) Subject to sub-rule (2), in an action for foreclosure all persons interested in the equity of redemption shall be made defendants by writ.

(2) Where by reason of their number or otherwise it is expedient to institute the action without making subsequent encumbrancers defendants by writ the plaintiff may, upon obtaining judgment with a reference, apply to add the subsequent encumbrancers as defendants in the Master's Office but where the Master considers that such alternative procedure was taken without sufficient reason he may, in his discretion, disallow the additional costs occasioned thereby.

(3) In an action for sale, subsequent encumbrancers shall not be made defendants by writ, but shall be added as parties in the Master's Office. O. Reg. 189/69, s. 9.

466.—(1) Where a defendant by writ in an action for foreclosure or sale desires an opportunity to redeem the mortgaged property, he shall, within the time limited for appearance and, whether an appearance is entered or not, file a notice to that effect and, where the defendant filing such notice is a subsequent encumbrancer, the notice shall contain particulars of his claim verified by affidavit.

(2) Any defendant who has complied with sub-rule (1) shall be entitled to four clear days' notice of the taking of the account of the amount due to the plaintiff.

(3) Any defendant who has complied with sub-rule (1) shall be entitled to six calendar months from the date of the taking of the account of the amount due to the plaintiff within which to redeem the mortgaged property unless he is a subsequent encumbrancer, in which case, in a foreclosure action turned into a sale action pursuant to rule 467, he shall not be entitled to redeem, and in a foreclosure action he shall only become so entitled if his claim is not disputed or, if disputed, is proved on a reference to the Master. O. Reg. 189/69, s. 9; O. Reg. 301/70, s. 14.

(4) Where a judgment for sale has been obtained in a foreclosure action a subsequent encumbrancer, whether or not he has complied with sub-rule (1), shall be entitled to notice of the first appointment on the reference in the sale action. O. Reg. 189/69, s. 9.

467.—(1) Where a defendant in a foreclosure action having an interest in the equity of redemption, other than as a subsequent encumbrancer, desires a sale, but does not desire to defend the action, he shall, within the time limited for appearance, serve and file, with proof of service, a notice to that effect and pay into court the sum of $150 to meet the expenses of the sale, and thereupon judgment for sale shall issue.

(2) Where a defendant in a foreclosure action is a subsequent encumbrancer and desires a sale, but does not desire to defend the action, or redeem the mortgaged property he shall, within the time limited for appearance serve and file, with proof of service, a notice to that effect and pay into court the sum of $150 to meet the expenses of the sale, and thereupon a judgment for sale conditional upon such defendant proving his claim on a reference to the Master shall issue (Form 104A).

(3) Where a subsequent encumbrancer added in the Master's Office desires a sale, he shall, within the time limited by rule 477 serve and file a notice to that effect, with proof of service, and pay into court the sum of $150 to meet the expenses of the sale, and thereupon the Master, on the return of the reference, shall make an order amending the judgment from a judgment for foreclosure to a judgment for sale, provided, however, that no such order shall be made until after the subsequent encumbrancer desiring a sale has proved his claim to the satisfaction of the Master. O. Reg. 189/69, s. 9.

468. Where there are infant defendants, the Official Guardian may require the judgment to be for sale without making any deposit. R.R.O. 1960, Reg. 396, r. 468.

469.—(1) If the plaintiff prefers that the sale be conducted by an adult defendant desiring the sale, he may so elect, and he shall serve upon such defendant and file, with proof of service, notice of such election, whereupon such defendant shall conduct the sale and shall be entitled to a return of his deposit.

(2) In other cases the Master shall deal with the deposit in making his report. O. Reg. 189/69, s. 10.

470. The court may, on special application either before or after judgment, direct a sale instead of a foreclosure and may direct an immediate sale without previously determining the priorities of encumbrancers or giving the usual or any time to redeem. R.R.O. 1960, Reg. 396, r. 470.

471. In a mortgage action where the defendants, or some of the defendants, are infants and default is made by the adult defendants and the Official Guardian does not desire to set up any defence, the plaintiff, upon filing affidavits showing such facts and circumstances as entitle him to judgment, may move for judgment in chambers, upon notice to the Official Guardian. R.R.O. 1960, Reg. 396, r. 471.

472.—(1) In an action for foreclosure or sale where the writ has been specially endorsed and the defendant or defendants fail to appear and fail to comply with rule 466 (1) the plaintiff may obtain judgment for immediate foreclosure or immediate sale, as the case may be, unless a reference is desired as to subsequent encumbrancers (Form 104).

(2) If a reference is desired as to encumbrancers, the plaintiff is entitled to judgment with a reference, and, if no encumbrancer proves a claim the Master shall so certify, and, upon confirmation of the Master's report, a final order of foreclosure or of sale shall be made.

(3) If upon the reference in an action for foreclosure or redemption a subsequent encumbrancer proves a claim, the usual period of redemption shall be granted. O. Reg. 189/69, s. 11.

473.—(1) Where no reference as to subsequent encumbrancers is desired, the registrar may take the account of the amount due to the plaintiff and, where more than one party is entitled to redeem, determine the priority in which each is so entitled, and sign judgment accordingly (Form 103).

(2) Such judgment may be appealed to a judge in chambers in the manner prescribed for appeals from the Master.

(3) Where, on the taking of the account, or in determining priorities any dispute arises between the parties or the registrar is in doubt, he may sign judgment directing a reference to the Master (Form 102).

(4) Where subsequent encumbrancers are not made defendants by writ and a reference is desired as to encumbrancers, the registrar shall sign judgment directing a reference to the Master (Form 102).

(5) As an alternative to obtaining judgement for immediate payment before the registrar, the plaintiff may, where a reference is desired, obtain judgment for the amount to be found due by the Master.

(6) Where the writ has not been personally served the claim of the plaintiff shall be duly vertified by an affidavit which shall be filed with the registrar. O. Reg. 189/69, s. 11.

474. In a redemption action, where the writ has been specially endorsed and the defendant fails to appear, the plaintiff may sign judgment (Form 105). O. Reg. 189/69, s. 11.

475. Upon a reference pursuant to a judgment for foreclosure or sale or redemption of mortgaged property, the Master shall determine who has any lien, charge or encumbrance thereon subsequent to the mortgage in question. O. Reg. 189/69, s. 11.

476. The plaintiff shall file with the Master sufficient evidence to enable him to determine who appears to have any lien, charge or encumbrance upon the mortgaged property subsequent to the mortgage in question. O. Reg. 189/69, s. 11.

477.—(1) The Master shall direct all such persons as appear to have any lien, charge or encumbrance upon the mortgaged property subsequent to the mortgage in question who are not defendants by writ to be made parties to the action and to be served with notice of the reference (Form 46).

(2) Any person served with such notice may apply, within ten days from the date of the service, to discharge, add to, vary or set aside the judgment or the order making him a party.

(3) Where it appears to the Master that a defendant by writ, who has not been made a party to the action as a subsequent encumbrancer, may have some lien, charge or encumbrance upon the mortgaged property, subsequent to the mortgage in question, the Master shall direct such defendant to be served with notice of the reference (Form 47). O. Reg. 189/69, s. 11.

478.—(1) Subject to sub-rules (2) and (3), all defendants by writ shall be served with notice of the reference stating the names and nature of the claims of all those appearing to have a lien, charge or encumbrance upon the mortgaged property (Form 48).

(2) Any defendant by writ who is not a subsequent encumbrancer and has failed to comply with sub-rule (1) of rule 466 may be served with notice of the reference by prepaid post addressed to him at his last known address.

(3) Any subsequent encumbrancer who has been made a defendant by writ and has failed to comply with sub-rule (1) of rule 466 is not entitled to any notice of the reference. O. Reg. 189/69, s. 11.

479.—(1) Where a party appearing to have any lien, charge or encumbrance, subsequent to the mortgage in question, has been served with a notice under rules 477 or 478 and fails to attend and prove his claim at the time and place appointed, the Master shall so report and, upon confirmation of his report, the claim of any such party shall be deemed to have been foreclosed.

(2) Where no defendant other than a subsequent encumbrancer has complied with sub-rule (1) of rule 466 and where no subsequent encumbrancer has proved a claim on the reference, the Master shall so report, and, upon the confirmation of his report, a final order of foreclosure or of sale may be obtained upon an *ex parte* application. O. Reg. 189/69, s. 11.

480.—(1) On the reference, the Master shall take an account of what is due to the plaintiff and to any subsequent encumbrancer who has proved a claim and shall tax their costs and shall appoint a time and place for payment.

(2) One day shall be fixed for redemption by all of the parties entitled to redeem, and where more than one party is entitled to redeem the Master shall determine the priority in which each is so entitled.

(3) In a sale action, any defendant having an interest in the equity of redemption other than a subsequent encumbrancer, who has complied with sub-rule (1) of rule 466 shall be entitled to redeem and, in order to redeem, he shall be required to pay the amount found due to the plaintiff and to any subsequent encumbrancer who has proved a claim including their costs. O. Reg. 189/69, s. 11.

481. On any proceeding for foreclosure or sale by, or for redemption against, an assignee of a mortgagee, the statement of the mortgage account, under the oath of such assignee, is sufficient *prima facie* evidence of the state of such account, and an affidavit or oath shall not be required from the mortgagee or any intermediate assignee denying any payment to such

mortagee or intermediate assignee, unless the mortgagor or his assignee, or the party proceeding to redeem, denies by oath or affidavit the correctness of such statement of account. R.R.O. 1960, Reg. 396, r. 481.

482. The Master's report shall state the names of all persons who have been made parties in his office, and all subsequent encumbrancers who have been served with notice of the reference and the names of such as have made default, and shall set forth the amount of the claims and the priorities of such as have attended and proved their claims who shall be certified as the only encumbrancers upon the property. The report shall bear date the day upon which it is settled and shall be signed and filed within fourteen days thereafter, otherwise a new account shall be taken. O. Reg. 189/69, s. 12.

483.—(1) Subsequent accounts shall, from time to time, be taken, subsequent costs taxed, and necessary proceedings had, for redemption by, or foreclosure of, the other parties entitled to redeem the mortgaged property, as if specific directions for all these purposes had been contained in the judgment.

(2) Where more than one defendant entitled to redeem makes payment, any such defendant may apply to the Master for an order for further directions, and thereupon sub-rule (1) shall apply. O. Reg. 189/69, s. 12.

484.—(1) If a judgment directs a sale on default in payment, then an order for sale may be obtained on an *ex parte* application.

(2) Upon a judgment or order for sale being obtained the property shall be sold with the approbation of the Master, and the purchaser shall pay his purchase money into court unless otherwise directed by the Master. O. Reg. 189/69, s. 12.

485. When so paid, the purchase money shall be applied in payment of what has been found due to the plaintiff and the other encumbrancers, if any, according to their priorities, together with subsequent interest and subsequent costs. O. Reg. 189/69, s. 12.

486. Upon a reference under a judgment for redemption, the Master shall take an account of what is due to the defendant including costs, if any, and shall appoint a time and place for payment. O. Reg. 189/69, s. 12.

487. Where the judgment is for redemption or foreclosure or redemption or sale, such proceedings are in such case to be thereupon had, and with the same effect as in an action for foreclosure or sale, and in such case the last encumbrancer shall be treated as the owner of the equity of redemption. R.R.O. 1960, Reg. 396, r. 487.

488. Subject to *The Mortgages Act*, upon payment of the amount found due, the mortgagee shall, unless the judgment otherwise directs, assign and convey the mortgaged property to the party making the payment, or to whom he may appoint, free and clear of all encumbrances done by the mortgagee, and shall deliver up all deeds and writings in his custody or power relating thereto. R.R.O. 1960, Reg. 396, r. 488.

489. If the purchase money is not sufficient to pay what has been found due to the mortgagee (where the mortgagor or person liable to pay the debt is a defendant), he is entitled on an *ex parte* application to an order for the payment of the deficiency. R.R.O. 1960, Reg. 396, r. 489.

490.—(1) Where the state of account as ascertained by a judgment, order or report is changed before the day appointed for payment, the mortgagee may, before the day appointed, give notice of the change of account to the person called upon to pay, giving particulars of the change of account and of the sum to be paid.

(2) If notice of change of account has been given and the sums therein mentioned appear proper to be allowed or paid, a final order may be granted without further notice or the officer applied to may in his discretion require notice to be given and may fix a new day.

(3) If any party to whom notice of change of account is given is dissatisfied, he may apply to the Master to determine the amount to be paid and to fix a new day.

(4) If the state of account has been changed before the day appointed for payment and no such notice has been given and the amount payable for redemption is reduced, a new day shall be appointed for payment upon notice to the persons entitled to redeem but, if the amount payable has been increased, the mortgagee may apply for a final order without the appointment of a new day.

(5) If the state of the account has been changed after the day appointed for payment, it is not necessary to appoint a new day unless the officer to whom the application is made for a final order so directs. O. Reg. 189/69, s. 13.

491.—(1) In an action for foreclosure or sale or for recovery of possession of any mortgaged property for default in the payment of interest or of an instalment of the principal, the defendant may, before judgment or after judgment but before sale or final foreclosure or recovery of possession of the mortgaged property, move to stay the action upon payment of the amount then due for principal, interest and costs.

(2) Any action so stayed may upon subsequent default in the payment of a further instalment of the principal, or of the interest, be proceeded with by leave of the court. R.R.O. 1960, Reg. 396, r. 491.

492. In default of payment according to the report in a foreclosure action, a final order of foreclosure may, on an *ex parte* application, be granted against the party making default. R.R.O. 1960, Reg. 396, r. 492.

493. In a redemption action, on default of payment being made according to the report, the defendant in entitled, on an *ex parte* application, to a final order of foreclosure against the plaintiff or to an order dismissing the action with costs to be paid by the plaintiff. R.R.O. 1960, Reg. 396, r. 493.

494. In a redemption action where the plaintiff is declared foreclosed, directions may be given either by the final order foreclosing the plaintiff, or by subsequent orders, that all necessary inquiries be made, accounts taken and proceedings had for redemption or foreclosure, or redemption or sale, as against any subsequent encumbrancers, or for the adjustment of the relative rights and liabilities of the original defendants as among themselves. R.R.O. 1960, Reg. 396, r. 494.

495.—(1) In mortgage actions, the original period allowed for redemption shall be six months, and when it becomes necessary to fix a date for redemption after the lapse of the original period, the further time allowed shall be one month.

(2) Notwithstanding sub-rule (1), the court may, on the application of any party entitled to redeem, extend the time for redemption from time to time for such time and upon such terms as may seem just.

(3) Notwithstanding sub-rule (1), the time for redemption may be abridged on the consent of all parties entitled to redeem or in cases where in the opinion of the court the value of the mortgaged property may depreciate to the detriment of one or more of the parties to the action. O. Reg. 189/69, s. 14.

496.—(1) Where it is made to appear that by reason of their number or otherwise it is expedient to permit a mortgage action to proceed without the presence of all persons interested in the equity of redemption, other than subsequent encumbrancers, the court may give directions accordingly and may order such other persons to be made parties in the Master's Office after judgment.

(2) Where on a reference it appears that there are persons interested in the equity of redemption other than subsequent encumbrancers who are not already parties to the action, such persons may be made parties in the Master's Office upon such terms as seem just and any such order shall direct a copy of the order endorsed with a notice according to Form 45, and a copy of the judgment or order of reference endorsed with a notice according to Form 43, to be served on every such person.

(3) A person so served may apply within ten days from the date of such service to discharge, add to, vary or set aside the judgment or the order making him a party. O. Reg. 189/69, s. 14.

APPEALS AND NEW TRIALS

Appeals to the Court of Appeal

497.—(1) Unless otherwise provided, an appeal to the Court of Appeal or a motion for a new trial shall be made by notice of motion served upon all parties interested within fifteen days after the date of the judgment or order appealed from (Form 130).

(2) The notice shall state the relief asked and shall set forth the grounds of appeal and no other grounds may be argued except by leave of the court.

(3) A motion, other than an appeal, shall be upon notice and shall be set down at least two days before the return day and copies of all necessary papers shall be supplied for the use of the judges. R.R.O. 1960, Reg. 396, r. 497.

498. In all cases, other than an appeal from an interlocutory order,

(*a*) the appeal shall be set down for hearing by filing the notice of motion and proof of service within five days after service and there shall at the same time be left with the Registrar proof that the copies of the evidence required for use upon the appeal have been ordered;

(*b*) the appellant shall within thirty days after setting down the appeal cause to be transmitted to the Registrar the record and exhibits and all such other papers as are necessary for the hearing of the appeal and shall deliver to him five legible copies of an appeal book for the use of the judges, each containing in the order shown:

(i) an index,

(ii) the notice of appeal,

(iii) the pleadings,

(iv) the judgment or order appealed from,

(v) the reasons for judgment,

(vi) such of the exhibits filed as are documents or parts of documents and which are material to the hearing of the appeal, in order of the dates of such documents; provided however that documents having common characteristics may be arranged in separate groups in order of their dates, if any,

(vii) the evidence when not transcribed by a reporter,

(viii) any other document material to the hearing of the appeal;

(*c*) where the evidence has not been received from the reporter within the time limited by clause *b*, it is sufficient if it is put in within five days after it is ready;

(*d*) where compliance with the rule as to appeal books would cause undue expense or delay, a judge of the Court of Appeal may give special directions;

(*e*) as soon as the record, exhibits, appeal book and evidence have been lodged with the Registrar,

(i) the appeal shall be deemed to be perfected, and

(ii) not later than five days after the appeal is perfected, an appellant shall serve the other parties with a notice of the date upon which it was so perfected and file proof of such service, and if the appellant shall fail to serve such notice or file proof of service thereof within the prescribed time any other party to the appeal may serve the said notice and file proof of such service, and

(iii) appeals in respect of which proof of service of notice of perfection have been filed on or before the 15th day of the month shall be placed upon the next monthly list of cases to be heard;

(*f*) in county court appeals, where copies of the evidence and of the proceedings at the trial are necessary, a certificate from the judge that such copies have been ordered from the reporter shall be deemed to dispense with the inclusion of such evidence and proceedings in the papers certified, and the appeal may be set down without such copies upon the appellant's solicitor undertaking to deposit them as soon as they are received from the reporter, and, in case such undertaking is not performed, rule 502 applies and may be enforced;

(*g*) the appellant shall, contemporaneously with the delivery of the appeal books to the Registrar, deliver a copy thereof to the solicitor for the respondent, and, if the evidence has not then been received from the reporter, a copy of the evidence shall be delivered to the respondent within the time limited by clause *c*;

(*h*) in appeals from a county court, three copies of the appeal book, and, in appeals from a division court, one copy of the appeal book, for the use of the judges or judge, are sufficient. R.R.O. 1960, Reg. 396, r. 498; O. Reg. 80/63, s. 4; O. Reg. 180/64, ss. 12-18; O. Reg. 155/65, s. 12.

499.—(1) In an appeal from an interlocutory order other than an appeal from an interim order for corollary relief under the *Divorce Act* (Canada),

(*a*) leave to appeal shall be obtained from a judge, other than the judge appealed from;

(*b*) the application for leave shall be made within one week from the pronouncing of the order appealed from, or such further time as is allowed by the judge hearing the application for leave to appeal;

(*c*) leave to appeal shall not be granted unless,

(i) there are conflicting decisions by a judge or court upon the matter involved in the proposed appeal and it is in the opinion of the judge desirable that an appeal be allowed, or

(ii) there appears to the judge hearing the application to be good reason to doubt the correctness of the decision or order in question and the appeal involves matters of such importance that in the opinion of the judge leave to appeal should be given;

(*d*) the judge granting leave shall shortly state his reasons;

(*e*) if leave is given, notice of appeal shall be served and the appeal shall be set down within seven days after the granting of leave, and appeal books shall be put in within a week thereafter;

(*f*) except as provided in clauses *a* and *e*, rules 497 and 498 apply. R.R.O. 1960, Reg. 396, r. 499; O. Reg. 162/62, s. 11; O. Reg. 156/68, s. 13; O. Reg. 26/70, s. 1.

(2) (*a*) An appeal from an interim order for corollary relief under the *Divorce Act* (Canada) shall be to the Court of Appeal without leave and shall be heard by a single justice of appeal.

(*b*) Such appeal shall be by notice of motion served upon all parties interested within fifteen days after the date of the order appealed from and shall be returnable in not less than two days nor more than seven days after the date of the last such service and shall be set down at least two days before the return day. O. Reg. 156/68, s. 13; O. Reg. 26/70, s. 2.

500. Unless otherwise provided, in an appeal under a statute where leave to appeal is necessary, leave to appeal shall be obtained on notice to the parties interested within fifteen days from the pronouncing of the order appealed from, or within such further time as a judge allows, and, if leave is given, notice of appeal shall be served and the appeal shall be set down for hearing within seven days after the granting of leave, and, except as aforesaid, rules 497 and 498 apply. R.R.O. 1960, Reg. 396, r. 500.

501.—(1) In an appeal to the Court of Appeal, from any judgment, order or decision the parties shall lodge with the Registrar five copies of a legible statement, and, in appeals from a division court one copy of such statement, of the points of law and fact intended to be argued, including a list of cases intended to be cited, and such references to the evidence, by page and line, as may facilitate the argument. O. Reg. 180/64, s. 19.

(2) Such statements shall be lodged and served upon the other parties not later than the 25th day of the month preceding the month in which the appeal is to be heard. O. Reg. 180/64, s. 19.

(3) In default the appeal may be heard *ex parte* or costs may not be awarded to the defaulting party if successful. R.R.O. 1960, Reg. 396, r. 501 (3).

NOTE: *It is not intended or desired that this statement should be a factum or a brief; it should be a concise statement of the points without argument.* O. Reg. 180/64, s. 20.

502.—(1) An appeal that is not perfected nor prosecuted as required, within the time prescribed or allowed, shall be deemed to be in default and the respondent may have it struck from the list by the Registrar as an abandoned appeal upon giving five days' notice to the appellant of his intended application.

(2) If the appeal is perfected within the five days from the giving of such notice or if within that time application is made for an order extending the time the Registrar shall take no action.

(3) If the appeal is not perfected within the five days or within such further time as is allowed, the Registrar shall strike the appeal off the list and shall issue an order for payment of the costs of the abandoned appeal (Form 131). R.R.O. 1960, Reg. 396, r. 502 (1-3).

(4) Where an appeal is not perfected within one year from the filing of the notice of appeal, unless otherwise ordered by the Court of Appeal or a judge thereof, it shall be deemed to be abandoned. O. Reg. 180/64, s. 21.

(5) (*a*) In the three months following the abandonment of the appeal the Registrar may,

(i) upon the application of the respondent tax the costs of the abandoned appeal; and

(ii) issue a certificate dismissing the appeal.

(*b*) After the expiration of the said three month period the Registrar shall return the papers to the office from which he received them. O. Reg. 180/64, s. 21.

503. It is not necessary for a respondent to give notice of motion by way of cross-appeal except in cases where the respondent intends to appeal upon his claim or counter-claim in the action, but, if a respondent intends upon the hearing of the appeal to contend only that the decision appealed against should be varied, he shall, within five days after the notice of appeal has been served upon him, give notice of such intention to any parties who may be affected by such contention and shall forthwith file such notice with proof of service. The omission to give such notice does not diminish the power of the court but may in the discretion of the court be ground for an adjournment of the appeal or for a special order as to costs. R.R.O. 1960, Reg. 396, r. 503.

504. The time limited by rules 497 to 503 may be extended by a written consent or by a judge of the Court of Appeal. R.R.O. 1960, Reg. 396, r. 504.

Stay of Execution Pending Appeal

505. The judge at the trial may stay the entry of judgment or the issue of execution for a period not exceeding thirty days, but this does not prevent the settlement of the judgment. R.R.O. 1960, Reg. 396, r. 505.

506.—(1) Unless otherwise ordered by a judge of the Court of Appeal, the execution of the judgment appealed from shall, upon an appeal being set down to be heard, be stayed pending the appeal, but, if the judgment appealed from awards a mandamus or an injunction, execution shall not be stayed unless so ordered by the judge appealed from or by a judge of the Court of Appeal.

(2) Where leave to appeal from an interlocutory order is granted, the judge hearing the application may give directions as to staying proceedings. R.R.O. 1960, Reg. 396, r. 506.

507. Where an execution has been issued and is thereafter stayed upon an appeal, the appellant is entitled to obtain a certificate from the Registrar that the execution has been stayed pending the appeal, and, upon the certificate being lodged with the sheriff, the execution shall be superseded, but the execution debtor shall pay the sheriff's fees and the sum so paid shall be allowed to him as part of the costs of the appeal. R.R.O. 1960, Reg. 396, r. 507.

508. Where the execution of a judgment is stayed pending an appeal, all further proceedings in the action, other than the issue of the judgment and the taxation of costs thereunder, shall be stayed unless otherwise ordered by a judge of the Court of Appeal. R.R.O. 1960, Reg. 396, r. 508.

Default and Disagreement of Jury

509. Where a party does not appear at the trial, the judgment may be set aside and a new trial ordered by the judge presiding at the sittings or by any other judge. R.R.O. 1960, Reg. 396, r. 509.

510. Where the jury disagree, the action may be re-tried at the same sittings or at any subsequent sittings as may be directed. R.R.O. 1960, Reg. 396, r. 510.

511.—(1) Where a jury is directed to answer questions and answers some but not all, or where the answers are conflicting so that judgment cannot be entered upon such findings, the action shall be re-tried as in the case of a disagreement.

(2) If the answers entitle either party to judgment as to some but not all the causes of action, the judge may direct judgment to be entered on the causes of action as to which the answers are sufficient, and the issues upon the remaining causes of action shall then be re-tried as upon a disagreement. R.R.O. 1960, Reg. 396, r. 511.

Appeals from Masters and Referees—Local Judges and Officers in Chambers

512.—(1) Every report or certificate of a master shall be filed and shall be deemed to be confirmed at the expiration of fourteen days from the date of service of notice of filing the same, unless notice of appeal is served within that time.

(2) Where notice of filing is not necessary, a report shall be confirmed fourteen days after filing. R.R.O. 1960, Reg. 396, r. 512.

513. An appeal from the report or certificate of a master or referee shall be to the court upon seven clear days' notice, and is returnable within one month from the date of service of notice of filing of the report or certificate. R.R.O. 1960, Reg. 396, r. 513.

514.—(1) Except in the case of an interim order for corollary relief under the *Divorce Act* (Canada), a person affected by an order of the Master upon any application heard by him under rule 210, a local judge, local master or other officer in chambers, or of a master under the authority of rule 436, may appeal therefrom to a judge in chambers. O. Reg. 26/70, s. 3.

(2) The appeal shall be by motion, on notice served within four days and returnable within ten days after the decision complained of provided that an appeal brought under rule 239 may be returnable at the next sittings of the court held pursuant to the said rule where such sittings commences more than four days after the decision appealed from, or if four days or less, at the next following sittings. R.R.O. 1960, Reg. 396, r. 514 (2); O. Reg. 249/68, s. 13.

(3) The appeal is not a stay of proceedings unless ordered by a judge or by the officer whose decision is complained of.

(4) Where the judgment, order or decision is made or given in vacation, a person affected thereby may, if the matter is urgent, appeal therefrom during vacation to the vacation judge, or may appeal after vacation in the same manner and within the same time as if the judgment, order or decision had been made on the first day after vacation.

(5) Appeals in chambers shall be argued by counsel. R.R.O. 1960, Reg. 396, r. 514 (3-5).

515. Any person affected by a judgment or order of a local judge in court may appeal therefrom to a judge in court, and such appeal shall be brought within the time and upon the like notice and proceedings as in cases of appeals from orders and decisions of local judges in chambers. R.R.O. 1960, Reg. 396, r. 515.

Appeals from Taxation

516.—(1) An appeal from the report or certificate of an officer to whom the taxation of a solicitor's bill under *The Solicitors Act* has been referred lies and may be brought in the same manner as in the case of the report of a master.

(2) In other cases, a party dissatisfied with the decision of a taxing officer upon any question of principle or as to any item respecting which objections have been duly filed, may appeal from the certificate of the taxing officer to a judge in chambers, and the practice upon the appeal shall be the same as upon an appeal from an order made by the Master. R.R.O. 1960, Reg. 396, r. 516.

FORM OF JUDGMENTS AND ORDERS, ETC.

517. Judgments and orders shall be divided into convenient paragraphs, numbered consecutively. R.R.O. 1960, Reg. 396, r. 517.

518. It is not necessary in a judgment or order to reserve liberty to apply, but any party may apply to the court from time to time. R.R.O. 1960, Reg. 396, r. 518.

519. Every judgment or order shall show on its face the day of the week and month on which it was given or made, and every judgment shall also show the date upon which it was actually signed, and (except judgments signed by default and *praecipe* orders)

shall show the name or names of the judge or officer who gave or made it, and shall take effect from its date (Forms 68 and 69). R.R.O. 1960, Reg. 396, r. 519.

520. An order for payment of money into court on behalf of, or as the property of, an infant shall, unless otherwise directed, state the date of the birth and the full address of the infant. R.R.O. 1960, Reg. 396, r. 520.

521. All judgments and orders directing payment of costs shall direct payment to the party entitled to receive it and not to his solicitor. R.R.O. 1960, Reg. 396, r. 521.

522.—(1) Every judgment and every order made in court, or in chambers, or issued on *praecipe* shall be entered at full length in the office in which the cause or matter was commenced.

(2) Entry shall be made by,

(*a*) copying the order or judgment or inserting a facsimile thereof in the book kept for that purpose; or

(*b*) recording the order or judgment on microphotographic film; or

(*c*) any other process which shall be approved by the Chief Justice of Ontario. O. Reg. 180/64, s. 22.

523.—(1) The entering clerk shall note in the margin of the judgment or order book the day of entering, and shall at the foot of the judgment or order note the same date and a reference to the book in which the entry has been made.

(2) Where the judgment or order is recorded by photographic plate, microphotographic film or photocopy negative, the date of recording and a reference to the plate, film or negative number and to the document number shall be noted on the judgment or order before recording. R.R.O. 1960, Reg. 396, r. 523.

524. All judgments and orders of the Court of Appeal shall be entered in the Registrar's office at Toronto and, if the action was commenced elsewhere, also in the office where the action was commenced. R.R.O. 1960, Reg. 396, r. 524.

525.—(1) Any judgment in a mortgage action may direct in general terms that all necessary inquiries be made, accounts taken, costs taxed and proceedings had for redemption or foreclosure (or for redemption or sale, as the case may be) and that for these purposes the cause is referred to (*naming the Master*).

(2) Any judgment directing a sale may so direct in general terms and refer the action to the Master for that purpose.

(3) Any judgment directing partition or administration may be in general terms.

(4) Any judgment in general terms shall confer upon the Master all the powers given by these rules and all other powers necessary to enable him to carry the judgment into full effect. R.R.O. 1960, Reg. 396, r. 525.

526. Any judgment by default may be set aside upon an application in chambers. R.R.O. 1960, Reg. 396, r. 526.

527. Clerical mistakes in judgments or orders or errors arising therein from any accidental slip or omission may at any time be corrected upon an application in chambers. R.R.O. 1960, Reg. 396, r. 527.

528. Where a judgment or order requires amendment in any particular on which the court did not adjudicate, it may be amended on motion. R.R.O. 1960, Reg. 396, r. 528.

529. A party entitled to maintain an action for the reversal or variation of a judgment or order upon the ground of matter arising subsequent to the making thereof or subsequently discovered, or to impeach a judgment or order on the ground of fraud, or to suspend the operation of a judgment or order, or to carry a judgment or order into operation, or to any further or other relief than that originally awarded, may move in the action for the relief claimed. R.R.O. 1960, Reg. 396, r. 529.

530. Upon the production of the certificate of the Registrar of the Supreme Court of Canada upon an appeal to that court, the officer of this court with whom the judgment or order appealed from was entered shall cause the certificate of the Supreme Court of Canada to be entered, and all subsequent proceedings may be taken thereupon as if the decision had been given in this court. R.R.O. 1960, Reg. 396, r. 530.

531. Every judgment and order by which a judgment is affirmed, reversed, set aside, varied or in any way modified shall, in addition to any other entry thereof, be entered in the office where the original judgment or order was entered. R.R.O. 1960, Reg. 396, r. 531.

532. Judgments and orders pronounced in trials at Toronto shall be settled by the registrar to whom is assigned the duty of settling judgments. R.R.O. 1960, Reg. 396, r. 532.

533.—(1) Judgments in cases tried elsewhere than at Toronto shall be settled by the local registrar or other officer acting as registrar at the place of trial, unless a party affected applies to the registrar at Toronto to whom is assigned the duty of settling judgments to settle it or to reconsider the settlement of it by the local officer.

(2) When settled, the minutes may be varied by the trial judge on the application of either party. R.R.O. 1960, Reg. 396, r. 533.

534. Notice of settling minutes of a judgment or order, other than a simple judgment or order for recovery of a sum certain with or without costs or dismissing an action or motion, shall be given unless dispensed with by the officer by whom the judgment or order is to be settled, and the proposed minutes of the judgment or order shall be served or left in his office for inspection, and any party may take a copy thereof. R.R.O. 1960, Reg. 396, r. 534.

535. Where judgment may be signed upon the filing of an affidavit or production of a document, the officer shall examine the affidavit or document produced and ascertain that it is regular and sufficient. R.R.O. 1960, Reg. 396, r. 535.

536. Where a judgment or order is obtained upon a condition and the condition is not complied with, the judgment or order shall be deemed to have been waived or abandoned as far as it is beneficial to the person obtaining it, and any person interested in the matter, on the breach or non-performance of the condition, may take such proceedings as the judgment or order in such case warrants or such proceedings as might have been taken if the judgment or order had not been made. R.R.O. 1960, Reg. 396, r. 536.

537.—(1) Every judgment shall be signed by the Registrar or by the proper officer in whose office the action was commenced.

(2) Every judgment or order pronounced by the court or by a judge in chambers shall be settled and signed by the registrar or officer attending the court or chambers at which it is pronounced, but the judge pronouncing such order may himself settle or sign it.

(3) Every judgment or order pronounced by a local judge or a county judge in court or chambers, other than a judgment after trial, shall be settled and signed by the judge pronouncing it, but, where the judge who pronounced it has signed a memorandum of it, it may be settled and signed by the local registrar or clerk of the county court of the county in which it was pronounced.

(4) Orders made by an officer sitting in chambers shall be signed by him, but in his absence an officer having concurrent jurisdiction may sign an order that has been approved by all parties represented on the application in the name of the officer who pronounced it by subscribing on it the name of such officer and adding thereto his own signature and office preceded by the word "by". R.R.O. 1960, Reg. 396, r. 537 (1-4).

(5) Where an officer sitting in chambers has ceased to hold office or become incapacitated after pronouncing judgment, the application may be heard by another officer having jurisdiction to hear such an application. R.R.O. 1960, Reg. 396, r. 537 (5); O. Reg. 155/65, s. 13.

(6) Where an officer sitting in chambers has ceased to hold office or become incapacitated after pronouncing judgment and before signing the order, an officer having jurisdiction to make such an order may settle and sign it. R.R.O. 1960, Reg. 396, r. 537 (6); O. Reg. 155/65, s. 14.

(7) Orders made by a judge of the Court of Appeal shall be settled and signed by the Registrar or by the judge. R.R.O. 1960, Reg. 396, r. 537 (7).

538.—(1) The minutes of every final judgment or order of the Court of Appeal shall be settled and initialled by the Registrar.

(2) Any party to the appeal who is dissatisfied with the minutes as settled by the Registrar may apply on notice of motion returnable before the Chief Justice or other presiding judge of the court that heard the appeal, specifying in precise terms the alteration in the minutes sought by him, and the Chief Justice or other presiding judge may hear the application or may delegate the hearing to any other member of the court who heard the appeal. R.R.O. 1960, Reg. 396, r. 538 (1, 2).

(3) The judge settling the minutes may refer the motion to the court. R.R.O. 1960, Reg. 396, r. 538 (4); O. Reg. 162/62, s. 12.

539.—(1) In order to acknowledge satisfaction of a judgment, a satisfaction piece shall be signed by the party acknowledging it or his personal representative, and his signature shall, unless the court expressly dispenses therewith, be witnessed by some practising solicitor, expressly named by him, and attending at his request to inform him of the nature and effect of the satisfaction piece before it is signed (Form 138).

(2) The solicitor shall declare himself in the attestation thereto to be the solicitor for the person so signing it and state that he is witness as such solicitor, and, in cases where the satisfaction piece is signed by the personal representative of a party deceased, his representative character shall be proved by the production of the probate of the will or of the letters of administration (or a certified copy) to the officer having custody of the judgment.

(3) The satisfaction piece shall be filed in the office in which the judgment is entered, and the proper officer shall make and sign at the foot or in the margin of the satisfaction piece the following note: "This satisfaction piece has been noted and recorded this....day of....., 19....".

(4) If the original judgment is produced, the proper officer shall make and sign at the foot or in the margin thereof the following note: "Satisfaction acknowledged. See satisfaction piece filed this... day of....., 19....".

(5) Where the judgment has been entered in a judgment book, the proper officer shall make and sign in the margin or at the foot of the judgment as entered in the book a similar note to that set out in subrule 4.

(6) Where the judgment has been recorded by photographic plate, microphotographic film or photocopy negative, the satisfaction piece shall be recorded and appropriately indexed. R.R.O. 1960, Reg. 396, r. 539.

ENFORCEMENT OF JUDGMENTS AND ORDERS

Generally

540. A judgment for the recovery by or payment to a person of money may be enforced by the issue of a writ of execution against the goods and chattels, lands and tenements of the debtor, but, if the amount due on the judgment is less than $200, no execution shall issue against lands and tenements. O. Reg. 242/67, s. 18.

NOTE: See requirements of *The Execution Act, R.S.O. 1970, c. 152.*

541. Any judgment for the payment of money into court may be enforced in the same way as a judgment for payment to a person, and the person having the carriage of the judgment shall be deemed to be a judgment creditor for the purpose of its enforcement. O. Reg. 242/67, s. 18.

542. A judgment for the recovery of money on behalf of an infant, mentally incompetent person or person of unsound mind or on behalf of a class shall direct the money to be paid into court, and no payment to the guardian, next friend or committee of money of such infant, mentally incompetent person or person of unsound mind or person having the conduct of the proceedings on behalf of the class is a valid discharge as against the infant, mentally incompetent person or person of unsound mind or the class. O. Reg. 242/67, s. 18.

543. Every writ of execution for the levying of any money to be paid into court shall be endorsed by the officer issuing the writ with the following notice: "All Money made under this Execution is to be paid into Court by the Sheriff." O. Reg. 242/67, s. 18.

544. Where a party is by a judgment entitled to any relief subject to or upon the fulfilment of a condition or contingency, he may, upon the fulfilment of the condition or contingency, apply for leave to issue execution. O. Reg. 242/67, s. 18.

545. As between the original parties to a judgment, a writ of execution other than a writ of possession may, without leave, issue at any time within six years from the date of the judgment. O. Reg. 242/67, s. 18.

546. Where the six years have elapsed or where a party is entitled to execution upon a judgment of assets *in futuro* or where any change has taken place by death or otherwise in the parties entitled or liable to execution, the party alleging himself to be entitled to execution may apply to the court for leave to issue execution. O. Reg. 242/67, s. 18.

547. Every writ of execution shall be endorsed with the name and address of the solicitor issuing it, and, if he issues it as agent for another solicitor, the name and address of such other solicitor shall also be endorsed, and where the writ is issued by a suitor in person, his name and address shall be endorsed. O. Reg. 242/67, s. 18.

548. Every writ of execution for the recovery of money shall be endorsed with a direction to the officer to whom it is directed to levy the money really due and payable and sought to be recovered under the judgment, stating the amount, and also to levy interest thereon at the rate of 5 per cent per annum from the time of the rendering of the verdict or of the giving of the judgment, as the case may be. O. Reg. 242/67, s. 18.

549. The officer issuing the writ or renewal thereof shall endorse upon it a memorandum signed by him of the amount which the party issuing it is entitled to receive for its costs, and any renewal and for any further or other writs or renewals, and no sum not so endorsed is to be collected for such costs. O. Reg. 242/67, s. 18.

550. Upon every execution there may be levied, in addition to the sum recovered by the judgment and interest thereon, the poundage, fees and expenses of execution. O. Reg. 242/67, s. 18.

551.—(1) Under an execution against one partner, partnership assets shall not be taken in execution, but an order may be made charging the partner's interest in the partnership property and profits with the payment of the amount of the executions in the sheriff's hands, and by the same or a subsequent order a receiver may be appointed of the partner's share of profits whether already declared or accruing and of any other money that may be coming to him in respect of the partnership, and the court may direct all accounts and inquiries and give all such other directions as might be directed or given as if the charge had been given by the partner.

(2) The other partners may redeem the interest charged, or in the event of a sale, may purchase the same. O. Reg. 242/67, s. 18.

552. The sheriff to whom a writ is directed shall keep a record of all returns thereto and renewals thereof and shall give a certificate thereof when demanded, which certificate shall be deemed a return and shall be in Form 129. O. Reg. 242/67, s. 18.

553.—(1) The sheriff, when required to return a writ to the court, shall file the writ or his certificate under rule 552 in the office from which the order to return the writ was issued.

(2) When a writ has been executed or has expired the sheriff shall endorse a memorandum thereof on the writ and return it to the office from which it was issued.

(3) The officer to whom a writ is returned shall endorse thereon the day and hour when it was filed in his office.

(4) Where a writ has been withdrawn, the sheriff shall record the day and hour of such withdrawal and endorse a memorandum thereof on the writ and return it to the party who filed it or to his solicitor. O. Reg. 242/67, s. 18.

554. Where the party who delivered a writ or process to a sheriff to be executed, or any other person entitled to call for a return requires by a demand in writing the sheriff to return the writ, either by returning the writ to the court from which the writ issued or by granting a certificate under rule 552, the sheriff shall, within eight days, return the writ according to the terms of the requisition, and if he fails to do so the party serving the demand may apply to a judge for an order directing the sheriff to comply with such demand. O. Reg. 242/67, s. 18.

555. Where the sheriff is ordered to return a writ and does not make the return within the time specified in the order, the court may order the sheriff to be attached and to pay all costs consequent on his default. O. Reg. 242/67, s. 18.

Writs of Fieri Facias

556. Every judgment creditor is entitled immediately to issue one or more writs of *fieri facias*, but, if the judgment is for payment within a period therein mentioned, the writ shall not be issued until after the expiration of such period (Forms 115, 116 and 117). O. Reg. 242/67, s. 18.

557. Where goods or chattels are seized in execution under a writ of *fieri facias*, the sheriff or his officers acting for him shall, on request, deliver to the owner, his agent or servant, an inventory thereof before they are removed from the premises on which they have been so seized, and no sheriff or other officer shall sell any goods or chattels under a writ of execution until he has previously thereto forwarded a notice of the time and place of the sale to the execution creditor or his solicitor and to the said owner, his agent or servant, by registered mail to the last known address, at least eight days prior to the date of the sale, and by publishing such notice in a newspaper having a general circulation in the county or district where the goods or chattels have been seized. O. Reg. 242/67, s. 18.

558. Where goods are seized by a sheriff under a writ of *fieri facias* and they remain unsold in his hands for want of buyers, he shall state in his return of "goods on hand for want of buyers", the time when and the place where such goods were offered for sale by him and the names of at least three persons who were present at the time of such attempted sale, if so many were present, but, if so many were not present, then the names of those who were present, if any, and that there were no others, and, if no person was present, then he shall state that fact. O. Reg. 242/67, s. 18.

559. Where a sheriff makes a return to a writ of *fieri facias* that he has goods and chattels or lands and tenements on hand for want of buyers, the execution creditor may give written instructions to the sheriff to expose for sale or sell, or cause to be sold, the said goods or lands for the best price that can be obtained for the same and the said writ of *fieri facias* shall continue in full force and effect as to any residue owing thereunder after such sale. O. Reg. 242/67, s. 18.

560. If the amount authorized to be made and levied under a writ of *fieri facias* is made and levied thereunder out of goods and chattels, the person issuing the writ is not entitled to the expenses of any seizure or advertisement of lands thereunder, and the return to be made by the sheriff to the writ for sale of lands shall be to the effect that the amount has been so made and levied as aforesaid. O. Reg. 242/67, s. 18.

561. The Sheriff shall not expose lands for sale under a writ of *fieri facias* or sell the lands within less than twelve months from the day on which the writ is filed with him or, after a withdrawal of the writ, within less than twelve months from the day on which the writ is refiled with him. O. Reg. 242/67, s. 18.

562. Where a writ of *fieri facias* is issued against an absconding debtor in an action in which an order for attachment has been issued, the court may order the sheriff to sell lands of the absconding debtor before the expiration of the twelve months. O. Reg. 242/67, s. 18.

563. A sale of lands shall not be had under any writ of *fieri facias* until after a return of *nulla bona*, in whole or in part, in the same action or matter by the sheriff of the same county, or in the case of a small claims court writ of execution, a return of *nullo bona* by the bailiff of the small claims court from which it was issued. O. Reg. 242/67, s. 18.

564.—(1) Before the sale of lands under a writ of *fieri facias*, the sheriff shall,

(*a*) forward a notice to the execution creditor or his solicitor and to the execution debtor by registered mail to his last known address at least one month preceding the sale;

(*b*) publish once in *The Ontario Gazette* at least one month preceding the sale and in a newspaper having a general circulation in the county or district in which the lands are situate, an advertisement of sale, at least upon one day in each week for two successive weeks, the last of such advertisements to be published not less than one week nor more than three weeks preceding the date of the sale; and

(*c*) for at least one month preceding the sale put up and continue a notice of such sale in a conspicuous place in his office.

(2) Such notice and advertisement shall specify,

(*a*) the property to be sold;

(*b*) the name of the plaintiff and defendant;

(*c*) the time and place of the intended sale; and

(*d*) the name of the debtor whose interest is to be sold.

(3) Nothing herein contained shall be taken to prevent an adjournment of the sale to a future day. O. Reg. 242/67, s. 18.

565. The advertisement in *The Ontario Gazette* of any lands for sale under a writ of *fieri facias*, during the currency of the writ shall be deemed a sufficient commencement of the execution to enable the writ to be completed by a sale and conveyance of the lands after the writ has become returnable. O. Reg. 242/67, s. 18.

566.—(1) A writ of *fieri facias* remains in force for six years from its issue, unless renewed before its expiration, when it is in force for a further period of six years from the date of such renewal, and so on from time to time, and where the writ is filed with a sheriff, he shall send notice of such expiration by ordinary mail not less than one month nor more than two months prior to such expiration to the person who filed the writ at the last address of such person endorsed thereon.

(2) A writ which is filed with a sheriff may be renewed by filing with him before the writ expires a *praecipe* (Form 118), and the sheriff shall endorse and sign upon the writ a memorandum stating the day, month and year of such renewal, and a writ so endorsed shall be entitled to priority according to the time of the last filing thereof.

(3) A writ which is not filed with a sheriff may be renewed by filing the *praecipe* before the writ expires with the officer who issued the writ, and the officer shall make the same endorsement accordingly. O. Reg. 242/67, s. 18.

Writs of Possession

567.—(1) A judgment for the recovery or for the delivery of the possession of land may be enforced by writ of possession (Form 122).

(2) Unless otherwise provided by the judgment a writ of possession shall not be issued except by leave of the court obtained on an *ex parte* application and such leave shall not be given unless it is shown by affidavit that all persons in actual possession of the whole or any part of the lands and tenements have received sufficient notice of the proceedings in which such judgment was obtained to have enabled them to apply to the court for relief or otherwise.

(3) A second or subsequent writ for recovery of the same property pursuant to the judgment shall not be issued until the prior writ has been returned showing that possession has not been obtained of the whole property recoverable under the judgment. O. Reg. 242/67, s. 18.

568. A writ of possession remains in force for one year from the date of the judgment or order authorizing its issue, and where the writ is filed with a sheriff, no notice of its expiration need be given by him. O. Reg. 242/68, s. 18.

Attachment, Committal and Sequestration

569. A judgment requiring any person to do an act, other than the payment of money, or to abstain from doing anything, may be enforced by attachment or by committal (Form 125). O. Reg. 242/67, s. 18.

570. A writ of attachment shall not be issued without the leave of the court or a judge, on notice to the person against whom the attachment is to be issued. O. Reg. 242/67, s. 18.

571. Where a person is taken or detained in custody under a writ of attachment, without obeying the judgment, then, upon the sheriff's return that the person has been so taken or detained, the party prosecuting the judgment is entitled upon motion to a writ of sequestration against the estate and effects of the disobedient person. O. Reg. 242/67, s. 18.

572. If an attachment cannot be executed against the person refusing or neglecting to obey the judgment by reason of his being out of the jurisdiction of the court or of his having absconded or that with due diligence he cannot be found or if in any other case the court thinks proper to dispense with a writ of attachment, an order may be granted for a writ of sequestration against the estate and effects of the disobedient person, and it is not necessary for that purpose to issue an attachment. O. Reg. 242/67, s. 18.

573. If a person who is ordered to pay money neglects to obey the judgment, the court may, upon the application of the party prosecuting the

judgment, at the expiration of the time limited for performance, make an order for a writ of sequestration (Form 126). O. Reg. 242/67, s. 18.

574. A writ of sequestration shall be directed to the sheriff, unless otherwise ordered. O. Reg. 242/67, s. 18.

575. Where a person has been committed to jail for contempt of court, there to be detained and imprisoned until he has purged his contempt, if it be made to appear that he is in actual custody under such committal, the court may modify the order and limit the term of imprisonment or grant such other relief as in the nature and circumstances of the case seems just, but any relief that may be granted to any such person does not relieve him from any civil liability. O. Reg. 242/67, s. 18.

576. Any judgment against a corporation wilfully disobeyed may be enforced by sequestration against the corporation or by attachment against the directors or other officers of the corporation. O. Reg. 242/67, s. 18.

577. Any corporation or individual disobeying a judgment or guilty of any other contempt of court may be fined and such fine may be in lieu of or addition to punishment by attachment, committal or sequestration. O. Reg. 242/67, s. 18.

578. Any person not a party against whom obedience to a judgment may be enforced is liable to the same process and punishment as if he were a party. O. Reg. 242/67, s. 18.

579. If a *mandamus* granted in an action or otherwise, or a mandatory order, injunction or judgment for specific performance of a contract, is not complied with, the court, besides or instead of proceeding against the disobedient party for contempt, may direct that the act required to be done may be done so far as practicable by the party by whom the judgment has been obtained, or some other person appointed by the court, at the cost of the disobedient party, and, upon the act being done, the expenses incurred may be ascertained in such manner as the court directs, and execution may issue for the amount so ascertained and for costs. O. Reg. 242/67, s. 18.

Writs of Delivery

580.—(1) Where a judgment directs the recovery of specific goods, chattels, deeds, securities, documents or any property other than land or money, a writ of delivery may issue directing the sheriff to cause such goods or property to be delivered up in accordance with the judgment (Form 123).

(2) If the goods and property are not delivered up by the judgment debtor and cannot be found and taken by the sheriff, the judgment creditor may apply for an order directing the sheriff to take goods and chattels of the judgment debtor to double the value of the property in question to be kept until the further order of the court to enforce obedience to the judgment.

(3) By leave of the court, such judgment may also be enforced by attachment, committal or sequestration. O. Reg. 242/67, s. 18.

Writs of Assignment of Dower

581. A judgment for the recovery of dower may be enforced by a writ of assignment of dower, directed to the sheriff of the county in which the lands lie, and the writ shall set forth the lands out of which the plaintiff is to recover dower (Forms 127 and 128). O. Reg. 242/67, s. 18.

582. Revoked. O. Reg. 242/67, s. 18.

583. Revoked. O. Reg. 242/67, s. 18.

584. Revoked. O. Reg. 242/67, s. 18.

585. Revoked. O. Reg. 242/67, s. 18.

586. Revoked. O. Reg. 242/67, s. 18.

EXAMINATION OF JUDGMENT DEBTORS

587.—(1) A judgment creditor may, without an order, examine the judgment debtor upon oath annually before, the proper officer of the county in which he resides touching his estate and effects and as to the property and means he had when the debt or liability that was the subject of the cause or matter in which judgment has been obtained against him was incurred, or, in the case of a judgment for costs only, at the time of the commencement of the cause or matter, and as to the property and means he still has of discharging the judgment, and as to the disposal he has made of any property since contracting such debt or incurring such liability, or, in the case of a judgment for costs only, since the commencement of the cause or matter, and as to any and what debts are owing to him.

(2) No further examination shall be had without an order until the expiration of one year from the close of the preceding examination. R.R.O. 1960, Reg. 396, r. 587.

588. Where the judgment is against a corporation, the judgment creditor may in like manner examine any of the officers of the corporation touching the names and residences of the stockholders in the corporation, the amount and particulars of stock held or owned by each stockholder and the amount paid thereon, and as to what debts are owing to the corporation, and as to the estate and effects of the corporation, and as to the disposal made by it of any property since contracting the debt or liability in respect of which the judgment was obtained, or, in

the case of a judgment for costs only, since the commencement of the cause or matter. R.R.O. 1960, Reg. 396, r. 588.

589. The court may order any clerk or employee or former clerk or employee of the judgment debtor, or any person or the officer or officers of any corporation to whom the debtor has made a transfer of his property or effects, exigible under execution, since the date when the liability or debt that was the subject of the action in which judgment was obtained was incurred, or, where the judgment is for costs only, since the commencement of the cause or matter, to submit to being examined upon oath as to the estate and effects of the debtor, and as to the property and means he had when the debt or liability aforesaid was incurred, or, in the case of a judgment for costs only, at the date of the commencement of the cause or matter, and as to the property or means he still has of discharging the judgment, and as to the disposal he has made of any property since contracting the debt or incurring the liability, and as to any and what debts are owing to him. R.R.O. 1960, Reg. 396, r. 589.

590. Where the court is satisfied that there is reasonable ground for supposing that a person or corporation is in possession of any property of the judgment debtor exigible under execution, it may order such person or any officer of the corporation to attend and submit to examination touching the property and means of the judgment debtor. R.R.O. 1960, Reg. 396, r. 590.

591. Where a difficulty arises in or about the execution or enforcement of a judgment, the court may make such order for the attendance and examination of any party or person as seems just. R.R.O. 1960, Reg. 396, r. 591.

592. A person liable to be examined under the preceding rules may be compelled to attend and testify, and to produce books and documents, in the same manner and subject to the same rules of examination, and the same consequences of neglecting to attend or refusing to disclose the matters in respect of which he may be examined, as in the case of a witness. R.R.O. 1960, Reg. 396, r. 592.

593. A person liable to be examined as a judgment debtor or as an officer of a corporation that is a judgment debtor need not be served with a subpoena, but may be served with an appointment, signed by the officer before whom he is to be examined, at least forty-eight hours before the time fixed for his examination, and the person to be examined shall be paid the same travelling expenses as a witness but no witness fees. R.R.O. 1960, Reg. 396, r. 593; O. Reg. 301/70, s. 15.

594. Where the judgment debtor does not attend, does not allege a sufficient excuse for not attending, or, if attending, refuses to disclose his property or his transactions, or does not make satisfactory answers respecting the same, or, if it appears from such examination that he has concealed or made away with his property in order to defeat or defraud his creditors or any of them, the court may order the debtor to be committed to the common jail of the county or district in which he resides for a term of not more than twelve months, or that a writ of *capias ad satisfaciendum* may be issued against the debtor, or, in case the debtor is at large upon bail, may make an order for his committal to close custody, and the sheriff, on due notice of the order, shall forthwith take the debtor and commit him to close custody until he obtains an order allowing him to go out of close custody, on giving the necessary bond in that behalf, or until he is otherwise discharged in due course of law. R.R.O. 1960, Reg. 396, r. 594.

595. Where an officer of a corporation or other person liable to be examined does not attend and does not show a sufficient excuse for not attending, or, if attending, refuses to disclose any of the matters in respect of which he may be examined, the court may order him to be committed to the common jail of the county or district in which he resides for a term of not more than six months. R.R.O. 1960, Reg. 396, r. 595.

596. Where a person has been committed to jail, the court may limit the term of imprisonment or grant such other relief as seems just, but the order does not relieve such person from any civil liability to any other person. R.R.O. 1960, Reg. 396, r. 596.

GARNISHMENT PROCEEDINGS

597.—(1) The court, upon the *ex parte* application of the judgment creditor, upon affidavit stating that the judgment is unsatisfied and,

(*a*) that some person within Ontario is indebted to the judgment debtor; or

(*b*) that some person not within Ontario is indebted to the judgment debtor and that the debt to be attached is one for which such person might be sued in Ontario by the judgment debtor,

may order that all debts owing or accruing from such third person (hereinafter called the garnishee) to the judgment debtor, shall be attached to answer the judgment debt and that the garnishee do at a time named show cause why he should not pay the judgment creditor the debt due from the garnishee to the judgment debtor or so much thereof as is sufficient to satisfy the judgment debt and the claims of any other execution creditors. Notice of the application to pay over shall, unless dispensed with, be given to the judgment debtor (Form 78).

(2) Where the garnishee is not within Ontario and is neither a British subject nor in British dominions, notice of the order and not the order itself shall be served (Form 79).

(3) Where a debt owing from a firm carrying on business within Ontario, but having members out of Ontario, is attached, service may be effected upon any person having control or management of the partnership business or any member of the firm within Ontario. R.R.O. 1960, Reg. 396, r. 597.

598. The garnishee shall be deemed to be indebted, although any debt sought to be attached has been assigned, charged or encumbered by the judgment debtor, if the assignment, charge or encumbrance is fraudulent as against creditors or is otherwise impeachable by them. R.R.O. 1960, Reg. 396, r. 598.

599. The order from the time of service binds the debts attached. R.R.O. 1960, Reg. 396, r. 599.

600. If the garnishee admits his liability, he may pay the amount admitted into court, less $3 for his costs of paying in, and give notice of such payment to the judgment creditor. R.R.O. 1960, Reg. 396, r. 600.

601.—(1) If the garnishee does not pay into court the amount due from him to the judgment debtor and does not dispute the debt due or claimed to be due from him to the judgment debtor, or, if he does not appear upon notice to him, then the court may order payment into court of the debt (Form 80).

(2) If the debt is not payable at the time of the attachment, an order may be made for the payment thereon when it becomes payable. R.R.O. 1960, Reg. 396, r. 601.

602. If the garnishee disputes his liability, the court may determine the dispute in a summary way or may order that an issue be tried in such manner as is directed. R.R.O. 1960, Reg. 396, r. 602.

603.—(1) Where a garnishee has notice of an assignment of the debt or of a claim thereto or charge thereon, he shall give notice thereof, and the court may order the assignee or the claimant to appear and state the nature and particulars of his claim.

(2) After hearing the allegations of such third person and of any other person who by the same or a subsequent order may be ordered to appear, or in the case of such third person not appearing when ordered, the court may order payment of the amount due from the garnishee, or may order an issue to be tried, or may bar the claim of the third person, or may make such other order as seems just. R.R.O. 1960, Reg. 396, r. 603.

604. Where the debt claimed to be due or accruing from a garnishee is of an amount recoverable in a county court, the order to show cause shall require the garnishee to appear before the judge of the county court of the county within which the garnishee resides, on a day and at a place within his county to be appointed by such judge, and the garnishee shall be served with notice of the day and place appointed and all subsequent proceedings shall then be taken and carried on before such judge. R.R.O. 1960, Reg. 396, r. 604.

605.—(1) Where the debt claimed to be due or accruing from a garnishee is of an amount recoverable in a small claims court, the order to show cause shall require the garnishee to appear before the judge of the small claims court within whose jurisdiction the garnishee resides, on a day to be appointed in writing by such judge, and the garnishee shall be served with notice of the day appointed.

(2) The proceedings shall thereafter be carried on before the judge as though the garnishment summons had been issued out of the small claims court, and all proceedings may thereafter be carried on in the small claims court, and execution may be issued in the small claims court to enforce any order or judgment made. R.R.O. 1960, Reg. 396, r. 605.

606. Payment into court or under an order by the garnishee is a valid discharge to him as against the judgment debtor or any assignee or claimant of whose claim he has given notice and who has been called upon to show cause under the preceding rules. R.R.O. 1960, Reg. 396, r. 606.

ORIGINATING NOTICES

607. The executors or administrators of a deceased person or any of them, and the trustees under any deed or instrument or any of them, or any person claiming to be interested in the relief sought as creditor, devisee, legatee, next of kin or heir at law of a deceased person, or as *cestui que trust* under the trusts of any deed or instrument, or as claiming by assignment or otherwise under any such creditor or other person as aforesaid, may apply by originating notice for the determination without an administration of the estate or trust of any of the following questions or matters:

1. Any question affecting the rights or interests of the person claiming to be creditor, devisee, legatee, next of kin or heir at law, or *cestui que trust*.

2. The ascertainment of any class of creditors, legatees, devisees, next of kin or others.

3. The furnishing of any particular accounts by the executors or administrators or trustees and the vouching (where necessary) of such accounts.

4. The payment into court of any money in the hands of the executors or administrators or trustees.

5. Directing the executors or administrators or trustees to do or abstain from doing any particular act in their character as such executors or administrators or trustees.

6. The approval of any sale, purchase, compromise or other transaction.

7. The opinion, advice or direction of a judge pursuant to *The Trustee Act*.

8. The approval of an arrangement under *The Variation of Trusts Act*.

9. The determination of any question arising in the administration of the estate or trust.

10. The fixing of the compensation of any executor, administrator or trustee. R.R.O. 1960, Reg. 396, r. 607.

608.—(1) The persons to be served with notice under rule 607 in the first instance are as follows:

1. Where the notice is served by an executor or administrator or trustee,

   (*a*) for the determination of any question under paragraph 1, 5, 6, 7, 9 or 10 of rule 607, the persons or one of the persons whose rights or interests are sought to be affected;

   (*b*) for the determination of any question under paragraph 2 of rule 607, any member or alleged member of the class;

   (*c*) for the determination of any question under paragraph 3 of rule 607, any person interested in taking such accounts;

   (*d*) for the determination of any question under paragraph 4 of rule 607, and person interested in the money;

   (*e*) if there is more than one executor or administrator or trustee and they do not all concur in the application, service of the notice shall be upon those who do not concur.

2. Where the notice is served by a person other than the executors, administrators or trustees, it shall be served upon the executors, administrators or trustees and upon one or more of the persons interested adversely to the applicant.

3. In any proceedings under *The Variation of Trusts Act*,

   (*a*) the Official Guardian;

   (*b*) the persons or one of the persons whose rights or interests are sought to be affected.

(2) The judge before whom the motion is returnable may direct such other person to be served as he deems proper. R.R.O. 1960, Reg. 396, r. 608.

609. When upon an originating notice under *The Vendors and Purchasers Act* it appears that some third person is or may be interested in the question raised, the court may require notice to be given to such person so that the question may be determined not only as between the vendor and purchaser, but so as to bind such third person. R.R.O. 1960, Reg. 396, r. 609.

610.—(1) Where any person claims to be the owner of land, but does not desire to have his title thereto quieted under *The Quieting Titles Act*, he may have any particular question that would arise upon an application to have his title quieted determined upon an originating notice.

(2) Notice shall be given to all persons to whom notice would be given under *The Quieting Titles Act*, and the court has the same power finally to dispose of and determine such particular question as it would have under that Act, but this does not render it necessary to give the notice required by rule 712. R.R.O. 1960, Reg. 396, r. 610.

611. Where the rights of a person depend upon the construction of a deed, will or other instrument, he may apply by originating notice, upon notice to all persons concerned, to have his rights declared and determined. R.R.O. 1960, Reg. 396, r. 611.

612.—(1) Where the rights of the parties depend,

(*a*) upon the construction of a contract or agreement and there are no material facts in dispute; or

(*b*) upon undisputed facts and the proper inference from such facts,

such rights may be determined upon originating notice.

(2) A contract or agreement may be construed before there has been a breach thereof. R.R.O. 1960, Reg. 396, r. 612.

613.—(1) The judge may summarily dispose of the questions arising on an originating notice and give such judgment as the nature of the case requires, or may give such directions as he thinks proper for the trial of any questions arising upon the application.

(2) Any special directions touching the carriage or execution of the judgment or order or the service thereof upon persons not parties may be given as are deemed proper. R.R.O. 1960, Reg. 396, r. 613.

614. Service of an originating notice does not interfere with or control any power or discretion vested in any executor, administrator or trustee,

except so far as such interference or control may necessarily be involved in the particular relief sought. R.R.O. 1960, Reg. 396, r. 614.

ADMINISTRATION, PARTITION, INFANTS' ESTATES AND DOWER

Administration

615. Any person claiming to be a creditor, or a specific, pecuniary, or residuary legatee, or the next of kin, or one of the next of kin, or the heir, or a devisee interested under the will of a deceased person, may apply by originating notice for the administration of the estate, real or personal, of such deceased person (Form 106). R.R.O. 1960, Reg. 396, r. 615.

616. A judgment for the administration of an estate in which an infant or a mentally incompetent person who has no committee except the Public Trustee is interested shall not be made unless the infant or mentally incompetent person is made a party defendant and notice is given to the Official Guardian, and notice of such application shall, unless otherwise ordered, also be given to such mentally incompetent person. R.R.O. 1960, Reg. 396, r. 616.

617. An executor or administrator may, upon summary application, obtain a judgment for administration. R.R.O. 1960, Reg. 396, r. 617.

618.—(1) Where judgment for administration is granted, the Minister to whom the matter is referred shall proceed to administer the estate in the most expeditious and least expensive manner, and in doing so shall, without special direction, take,

(*a*) an account of the personal estate of the deceased that has come to the hands of his executor or administrator;

(*b*) an account of his debts;

(*c*) an account of his funeral expenses;

(*d*) an account of the testator's legacies;

(*e*) an inquiry as to what parts, if any, of the real and personal estate are outstanding or disposed of;

(*f*) an inquiry as to what real estate the deceased was seised of, or entitled to, at the time of his death;

(*g*) an inquiry as to what encumbrances affect the real estate;

(*h*) an account of the rents and profits of the real estate received by any party since the death;

(*i*) an account of what is due to such of the encumbrancers as consent to sale in respect of their encumbrances;

(*j*) an inquiry as to what are the priorities of such last-mentioned encumbrances.

(2) The Master shall, under any such reference, have power to deal with both the real and personal estate, including the power to give all necessary directions for its realization, and shall finally wind up all matters connected with the estate, without any further directions, and without any separate interim or interlocutory reports or orders, except where the special circumstances of the case absolutely call therefor.

(3) All money realized from the estate shall forthwith be paid into court, and no money shall be distributed or paid out for costs or otherwise without an order of a judge, and, on the application for an order for distribution, the judge may review, amend or refer back the report, or make such other order as seems just. R.R.O. 1960, Reg. 396, r. 618.

619. It is not obligatory on the court to pronounce or make a judgment or order for the administration of any trust or of the estate of any deceased person, if the questions between the parties can be properly determined without such judgment or order. R.R.O. 1960, Reg. 396, r. 619.

620. In any action or proceeding for the administration or execution of trusts by a creditor or beneficiary under a will, intestacy or instrument of trust, where no accounts or insufficient accounts have been rendered, the court may, instead of pronouncing judgment for administration,

(*a*) order that the executors, administrators or trustees render to the plaintiff or applicant a proper statement of their accounts with an intimation that if it is not done they may be made to pay the costs of the proceedings, and may direct the action or proceeding to be stayed or to stand over in the meantime, as seems just;

(*b*) make the usual judgment for administration with a provision that no proceedings are to be taken thereunder without the leave of the court and such judgment shall prevent proceedings being taken by any creditor or beneficiary without first obtaining leave. R.R.O. 1960, Reg. 396, r. 620.

621. Special directions touching the carriage or execution of the judgment may be given as are deemed expedient, and, in the case of applications by two or more persons or classes of persons, judgment may be granted to one or more of the claimants as seems just, and the carriage of the judgment may be subsequently given to other persons interested. R.R.O. 1960, Reg. 396, r. 621.

Partition

622.—(1) An adult person entitled to compel partition of land or any estate or interest therein may, by originating notice served on one or more of the persons entitled to a share therein, apply for partition or sale (Form 107).

(2) Where an infant or a mentally incompetent person who has no committee except the Public Trustee is interested, he shall be made a party defendant before judgment, and notice shall be given to the Official Guardian and notice of such application shall, unless otherwise ordered, also be given to the mentally incompetent person.

(3) The Master shall proceed in the least expensive and most expedious manner for partition or sale, the adding of parties, the ascertainment of the rights of the various persons interested, the taxation and payment of costs, and otherwise.

(4) All moneys realized shall forthwith be paid into court, and no moneys shall be distributed or paid out for costs or otherwise, without an order of a judge, and, on the application for an order for distribution, the judge may review, amend or refer back to the Master his report or make such other order as seems just. R.R.O. 1960, Reg. 396, r. 622.

623. An application for partition on behalf of an infant by his guardian or next friend may be made with the sanction of a judge to be first obtained upon notice to the Official Guardian. R.R.O. 1960, Reg. 396, r. 623.

Dower

624. Where the right to dower is not disputed, either the dowress or the tenant of the freehold may apply upon originating notice for a writ for the assignment of dower. R.R.O. 1960, Reg. 396, r. 624.

Infants' Estates

625. All applications for the sale, mortgage, lease or other disposition of an infant's estate shall be made to a judge upon notice to the Official Guardian. R.R.O. 1960, Reg. 396, r. 625.

626.—(1) The affidavits filed shall state the nature and amount of the personal property to which the infant is entitled, the necessity of resorting to the real estate, its nature, value, and the annual profits thereof and the occupation of the lands to be disposed of, and shall state specifically the relief desired and circumstances sufficient to justify the order sought.

(2) If an allowance for maintenance is desired, a case shall also be stated and made to justify such an order and to regulate the amount.

(3) If the appointment of a guardian is desired, a case shall be stated and made for the appointment of the person proposed. R.R.O. 1960, Reg. 396, r. 626.

627.—(1) The consent of all infants over sixteen years of age shall be filed, verified by an affidavit of a solicitor stating that the consent was read over by him to the infant and fully explained to and apparently understood by the infant.

(2) When so directed by the judge, the infant shall be produced before him or before a master and shall be examined apart as to his consent.

(3) Where the infant is out of Ontario, the judge may direct inquiry as to the infant's consent in such manner as seems proper. R.R.O. 1960, Reg. 396, r. 627.

628. Witnesses in support of the application may be examined *viva voce* before the judge making the order or before a master. R.R.O. 1960, Reg. 396, r. 628.

MANDAMUS, ETC.

629. Mandamus, prohibition and *certiorari* may be granted upon a summary application by originating notice. R.R.O. 1960, Reg. 396, r. 629.

630. No writ of mandamus, prohibition or *certiorari* shall be issued, but all necessary provisions shall be made in the judgment or order (Forms 88 and 89). R.R.O. 1960, Reg. 396, r. 630.

631. The court may require notice to be given to any person claiming any right or interest in the subject-matter of the application. R.R.O. 1960, Reg. 396, r. 631.

INTERPLEADER

632. Relief by way of interpleader may be granted,

(*a*) where the person seeking relief (hereinafter called the applicant) is under liability for any debt, money, goods or chattels, for or in respect of which he is, or expects to be, sued by two or more persons (hereinafter called the claimants) making adverse claim thereto; or

(*b*) where the applicant is a sheriff and claim is made to any money, goods or chattels, lands or tenements, taken or intended to be taken in execution under a writ of execution, or to the proceeds or value thereof, by any person other than the person against whom the process issued. R.R.O. 1960, Reg. 396, r. 632.

633. The applicant shall satisfy the court by affidavit or otherwise,

(*a*) that he claims no interest in the subject-matter in dispute, other than in respect of a lien or for charges or costs;

(*b*) that he does not collude with any of the claimants; and

(*c*) that he is willing to pay or transfer the subject-matter into court, or to dispose of it as the court directs. R.R.O. 1960, Reg. 396, r. 633.

634. The applicant is not disentitled to relief by reason only that the titles of the claimants have not a common origin, but are adverse to and independent of one another. R.R.O. 1960, Reg. 396, r. 634.

635. Where the applicant is a defendant, application for relief may be made at any time after service of the writ of summons, and the court may stay all proceedings in the action. R.R.O. 1960, Reg. 396, r. 635.

636. The applicant may make a motion calling on the claimants to appear and state the nature and particulars of their claims, and either to maintain or relinquish them. R.R.O. 1960, Reg. 396, r. 636.

637. Where a claimant does not appear on the motion after having been served with a notice of motion calling on him to appear and maintain or relinquish his claim, or, having appeared, neglects or refuses to comply with any order made thereafter, an order may be made declaring him and all persons claiming under him to be forever barred as against the applicant and all persons claiming under him, but the order does not affect the rights of the claimants as among themselves (Form 81). R.R.O. 1960, Reg. 396, r. 637.

638. Where the claimants appear on the motion, any claimant may be made a defendant in any action already commenced in respect of the subject-matter in dispute in lieu of or in addition to the applicant, or an issue between the claimants may be stated and tried, and in the latter case the order shall direct which of the claimants is to be plaintiff and which the defendant (Forms 82 and 83). R.R.O. 1960, Reg. 396, r. 638.

639. The court may, with the consent of both claimants, or on the request of any claimant, if, having regard to the value of the subject-matter in dispute, it seems desirable so to do, dispose of the merits of their claims, and, subject to appeal, decide the same in a summary manner (Form 84). R.R.O. 1960, Reg. 396, r. 639.

640. Where the question is one of law and the facts are not in dispute, the court may decide the question without directing the trial of an issue, or may order that a special case be stated for the opinion of the court. R.R.O. 1960, Reg. 396, r. 640.

641. Where goods or chattels have been seized in execution by a sheriff, and any claimant alleges that he is entitled, under a bill of sale or otherwise, to the goods or chattels by way of security for debt, the court may order a sale, and direct the application of the proceeds of the sale in discharge of the amount due the claimant if it is not disputed, or that sufficient to answer the claim be paid into court pending trial of the claim. R.R.O. 1960, Reg. 396, r. 641.

642. Where a sheriff applies for relief by interpleader and any execution creditor declines to join in contesting the claim of the adverse claimant, the court may direct that such creditor be excluded from any benefit that may be derived from the contestation of the claim. R.R.O. 1960, Reg. 396, r. 642.

643. The court that tries the issue may finally dispose of the interpleader proceedings, including all costs not otherwise provided for. R.R.O. 1960, Reg. 396, r. 643.

644. When a sheriff finds property in the possession of a debtor against whose property he has a writ or other process in his hands, and a claim is set up to such property by or on behalf of a third person who is out of possession or is in joint possession with the debtor, the claim of such third person shall be made in writing, and upon receipt thereof the sheriff shall forthwith give notice thereof to the execution creditor, and the execution creditor shall, within seven days thereafter, give notice to the sheriff that he admits or disputes the claim, and, if the execution creditor admits the title of the claimant and gives notice as directed by this rule, he is only liable to the sheriff for fees and expenses incurred before the receipt of the notice admitting the claim, and no action shall be brought against the sheriff in respect of the seizure of the property. R.R.O. 1960, Reg. 396, r. 644.

645. Where the execution creditor does not in due time admit or dispute the title of the claimant to the property and the claimant does not withdraw his claim thereto by notice in writing to the sheriff, the sheriff may apply for relief by interpleader. R.R.O. 1960, Reg. 396, r. 645.

646. Where a sheriff has more than one writ of execution against the same property or there is more than one claimant to goods seized under the execution, he shall make one application and make all the execution creditors and claimants parties. R.R.O. 1960, Reg. 396, r. 646.

647. Where there is an execution from the Supreme Court, the application for interpleader shall be made in the Supreme Court notwithstanding that other executions in the sheriff's hands have issued from county or division courts. R.R.O. 1960, Reg. 396, r. 647.

648.—(1) Where an issue is directed to be tried, the costs of the sheriff incurred in consequence of the adverse claim are a first lien or charge upon the moneys or goods that may be found in the issue to be applicable upon the execution.

(2) The sheriff may also tax such costs, and serve a copy of the certificate of taxation upon each of the parties to the issue, and the successful party upon the issue shall tax such costs as part of his costs of the cause, and upon receipt of the costs shall pay them over to the sheriff.

(3) Where after the service of the certificate the party succeeding upon the issue neglects or refuses to tax such costs, the sheriff may obtain an order that the successful party pay them.

(4) Where the proceedings are compromised between the parties thereto, the costs of the sheriff shall be paid by the party by whom the execution was issued. R.R.O. 1960, Reg. 396, r. 648.

649. Where, after the seizure, an issue is directed, and the property seized remains, pending the trial of the issue, in the custody of the sheriff who seized the property, the court may make an order for the payment to the sheriff of a reasonable sum for his trouble in and about the custody of the property, and the sheriff has a lien upon the property for payment of the same in the event that the property is held to be exigible against the claimant. R.R.O. 1960, Reg. 396, r. 649.

650. The court may make all such orders respecting the satisfaction or payment of any lien or charges of the applicant as are just and reasonable. R.R.O. 1960, Reg. 396, r. 650.

651.—(1) Relief by interpleader may be granted in a county court,

(*a*) where the applicant is sued in the county court; or

(*b*) where the applicant is not so sued and the debt, money, goods or chattels in question do not exceed in value $3000. R.R.O. 1960, Reg. 396, r. 651 (1); O. Reg. 155/65, s. 15.

(2) Where the applicant is a sheriff acting under a writ or writs of execution issued from a county court or different county courts, the application may be made to the judge of his own county. R.R.O. 1960, Reg. 396, r. 651 (2).

652. All subsequent proceedings shall be had and taken in the county where the application is made, but the judge to whom the application is made may order that the subsequent proceedings be had and taken in any other county if that course seems just and more convenient. R.R.O. 1960, Reg. 396, r. 652.

653. Where the amount claimed under or by virtue of writs of execution in the sheriff's hands does not exceed the sum of $1200, exclusive of interest and sheriff's costs, or when the goods seized are not, in the opinion of the judge or other person making the order, of the value of more than $400, the issue may be directed to be tried in a county court, and in such case all subsequent proceedings shall be had and taken in the county court. R.R.O. 1960, Reg. 396, r. 653.

654. Where the amount of the execution or the value of the goods does not exceed $200, the issue may be directed to be tried in a small claims court, and thereafter all proceedings shall be carried on in such court. R.R.O. 1960, Reg. 396, r. 654.

655. Where money has been paid into court and an issue has been directed to be tried in the county or small claims court, the money shall be paid out upon the order of the county or small claims court. R.R.O. 1960, Reg. 396, r. 655.

COSTS

656. Where an action of the proper competence of a county court is brought in the Supreme Court, or an action of the proper competence of a small claims court is brought in the Supreme Court or in a county court, and the trial judge makes no order to the contrary, the plaintiff shall not recover any costs. O. Reg. 189/69, s. 15.

657. Where judgment is entered for default and the action is within the jurisdiction of an inferior court, the taxation shall be on the scale of fees in such court. R.R.O. 1960, Reg. 396, r. 657.

658. The Taxing Officer may make all inquiries necessary to determine whether an action is within the competence of an inferior court. R.R.O. 1960, Reg. 396, r. 658.

659.—(1) A judgment or order may direct payment of a sum in gross in lieu of taxed costs.

(2) No sum in excess of $50 shall be allowed without taxation, save by a judge.

(3) In all cases where infants or mentally incompetent persons are concerned and are represented by the Official Guardian, the Taxing Officer may fix costs at a sum gross to be inserted in the order. R.R.O. 1960, Reg. 396, r. 659.

660.—(1) In actions or proceedings for administration or partition, or administration and partition, unless otherwise ordered by a judge, instead of the costs being allowed according to the tariff, each person properly represented by a solicitor and entitled to costs out of the estate, other than creditors not parties to the action or proceeding, is entitled to his actual disbursements in the action or proceeding, not including counsel fees, and there shall be allowed for

the other costs of the suit payable out of the estate a commission on the amount realized or on the value of the property partitioned, which commission shall be apportioned among the persons entitled to costs, as seems just.

Subject to such increase or decrease upon the recommendation of the Master as is approved by a judge on the confirmation of the Master's report, such commission shall be as follows:

On the first $1,000	15 per cent
On every $100 over $1,000 and up to $2,500	5 " "
On every additional $100 over $2,500 and up to $5,000	4 " "
On every additional $100 over $5,000 and up to $10,000	3 " "
On every additional $1,000 over $10,000 and up to $15,000	2 " "
On every additional $1,000 over $15,000	1 " "

and such remuneration shall be in lieu of all fees whether between party and party or between solicitor and client. On the application for confirmation of the Master's report, the judge may direct that the amount of such commission be varied or be taxed.

(2) Where an order or judgment in any such action or proceeding by any form or words directs that the costs thereof be taxed, it shall be taken to mean the allowance of commission and disbursements, in accordance with subsection 1, unless it is otherwise expressly provided. R.R.O. 1960, Reg. 396, r. 660.

661. The costs of every interlocutory *viva voce* examination and cross-examination shall be borne by the party who examines unless, as to the whole or part thereof, it be otherwise directed, in actions in the Supreme Court by the Taxing Officer at Toronto, on his appointment served, and in actions in a county court by a judge thereof. R.R.O. 1960, Reg. 396, r. 661.

662. Where the Official Guardian or other guardian of an infant or mentally incompetent person is entitled to costs, the court may order a successful party to pay such costs and add them to his own. R.R.O. 1960, Reg. 396, r. 662.

663. Where several actions are brought on one bond, recognizance, promissory note, bill of exchange or other instrument, or where several actions are brought against the maker and endorser of a note or against the drawer, acceptor or endorser of a bill of exchange, there shall be collected or recovered the costs taxed in one action only, at the election of the plaintiff, and the actual disbursements only in the other actions, unless the court otherwise orders, but this provision does not extend to any interlocutory costs. R.R.O. 1960, Reg. 396, r. 663.

664. Where any one of the persons constituting a class formed by a master for representation in his office by one solicitor insists on being represented by a different solicitor, he shall pay the costs of his own solicitor and all such further costs as are occasioned to any of the parties by this being represented by a different solicitor from the solicitor so nominated. R.R.O. 1960, Reg. 396, r. 664.

665. No *ex parte* order in an action shall contain any direction as to costs, but the costs of any such motion shall be dealt with the Taxing Officer. R.R.O. 1960, Reg. 396, r. 665.

666. Costs claimed upon a specially endorsed writ may be taxed although paid, and, if more than one-sixth be taxed off, the plaintiff's solicitor shall bear the cost of taxation. R.R.O. 1960, Reg. 396, r. 666.

667.—(1) Unless otherwise ordered, if a party who serves a notice of motion does not set the motion down, he shall be deemed to have abandoned it, and the opposite party is thereupon entitled without an order to the costs of the motion.

(2) A party who serves a notice of motion may countermand it by notice served on the opposite party who is thereupon entitled to the costs of the motion.

(3) In either of such cases, the costs may be taxed without an order, upon the production of the notice of motion served, with an affidavit that the motion was not set down, or of the notice of countermand served, and, if the costs are not paid within four days from taxation, the party entitled thereto may issue an execution therefor.

(4) This rule applies to an appeal to the Court of Appeal. R.R.O. 1960, Reg. 396, r. 667.

668.—(1) Where costs are ordered to be paid, they may be taxed either by the Taxing Officer at Toronto or by the proper officer where the proceedings were begun.

(2) On the signing of default judgment, the officer signing judgment may fix and ascertain costs without taxation.

(3) The officer taking an account in a mortgage action may tax costs. R.R.O. 1960, Reg. 396, r. 668.

669. Where a notice of taxation is necessary, one day's notice is sufficient if served with a copy of the bill of costs and affidavit of disbursements. R.R.O. 1960, Reg. 396, r. 669.

670. The Taxing Officer may direct what parties are to attend before him on the taxation of costs to be borne by a fund or estate, and he may disallow the costs of any person whose attendance he considers unnecessary in consequence of the interest of such party in the fund or estate being small or remote or sufficiently protected by other parties interested. R.R.O. 1960, Reg. 396, r. 670.

671. Where a party entitled to costs refuses or neglects to bring in his bill of costs for taxation or to procure the bill to be taxed and thereby prejudices any other party, the Taxing Officer shall certify the costs of the other parties and certify such refusal or neglect, or may allow such party refusing or neglecting a nominal or other sum for such costs, so as to prevent any other party being prejudiced by such refusal or neglect. R.R.O. 1960, Reg. 396, r. 671.

672. Where a party entitled to receive costs is liable to pay costs to any other party, the Taxing Officer may adjust the costs by way of deduction or set off. R.R.O. 1960, Reg. 396, r. 672.

673. A set-off of damages or costs between parties shall not be allowed to the prejudice of the solicitor's lien for costs in the particular action in which the set-off is sought, but interlocutory costs in the same action awarded to the adverse party may be set off notwithstanding any lien. R.R.O. 1960, Reg. 396, r. 673.

674. Between party and party the Taxing Officer shall not allow the costs of proceedings,

(*a*) unnecessarily taken;

(*b*) not calculated to advance the interests of the party on whose behalf the proceedings were taken;

(*c*) incurred through overcaution, negligence or mistake; or

(*d*) that do not appear to have been necessary or proper for the attainment of justice or defending the rights of the party. R.R.O. 1960, Reg. 396, r. 674.

675.—(1) Upon a taxation between a solicitor and his client, the Taxing Officer may allow the costs of proceedings taken that were in fact unnecessary where he is of the opinion that such proceedings were taken by the solicitor because, in his judgment, reasonably exercised, they were conducive to the interests of his client, and may allow the costs of proceedings that were not calculated to advance the interests of the client where the proceedings were taken by the desire of the client after being informed by his solicitor that they were unnecessary and not calculated to advance his interests.

(2) This rule does not apply to solicitor and client costs payable out of a fund not wholly belonging to the client, or by a third party. R.R.O. 1960, Reg. 396, r. 675.

676. Where two or more defendants defend by different solicitors under circumstances entitling them to but one set of costs, the Taxing Officer shall allow but one set of costs, and, if two or more defendants defending by the same solicitor separate unnecessarily in their defences or otherwise, the Taxing Officer shall allow but one defence and set of costs. R.R.O. 1960, Reg. 396, r. 676.

677.—(1) It is the duty of the Taxing Officer, without any direction, to disallow in whole or in part the costs of any writ, pleading, petition, affidavit, evidence, account, statement or other proceeding that is improper, unnecessary or contains unnecessary matter or is of unnecessary length.

(2) Affidavits and evidence may be disallowed, although the same may be entered as read in any judgment or order. R.R.O. 1960, Reg. 396, r. 677.

678. Where anything in the course of an action or reference that ought to have been admitted has not been admitted, the party who neglected or refused to make the admission may be ordered to pay the costs occasioned by his neglect or refusal. R.R.O. 1960, Reg. 396, r. 678.

679.—(1) An affidavit of disbursements shall be made by the solicitor in the cause or matter or by a clerk having the management thereof, or by the client, setting forth the sums paid to counsel, the names of witnesses, their places of abode, the places at which they were subpoenaed, and the distance which each such witness was necessarily obliged to travel in order to attend the trial, and the sums paid to them, and shall state that all such witnesses were necessary and material for the client in the cause or matter, that they did attend, and that they did not attend as witnesses in any other cause (or otherwise, as the case may be), and the number of days that each witness was necessarily absent from home in order to attend the trial.

(2) If a solicitor attends as a witness, it shall be stated whether or not he attended at the place of trial as solicitor or witness in any other cause and whether or not he had any other business there, and the day on which the trial took place shall be stated.

(3) The necessity for maps and plans used at the trial, the sum paid for them, and that they were prepared or procured with a view to the trial of the cause, shall be shown by the affidavit of disbursements. R.R.O. 1960, Reg. 396, r. 679.

680. In cases not otherwise provided for, the Taxing Officer may allow a reasonable sum for the expense of a shorthand writer, on the certificate of

the judge before whom the examination of any witness or witnesses in any such cause, matter or other proceeding takes place, and also on the certificate of a local master in references before him where the parties agree to the employment of a shorthand writer. R.R.O. 1960, Reg. 396, r. 680.

681. Costs may be taxed on an award although the time for appealing from or moving against the award has not elapsed. R.R.O. 1960, Reg. 396, r. 681.

682. The costs of removing a bond or other security from the files of the court for the purpose of bringing an action thereon may be taxed as costs in the cause in the action brought thereon. R.R.O. 1960, Reg. 396, r. 682.

683—(1) Fees according to Tariff A, disbursements according to Tariff B, and fees and allowances according to Tariff C to these rules, shall be allowed and taxed, and no other fees, disbursements, allowances or charges than are therein set forth shall be allowed in respect of the matters thereby provided for. O. Reg. 155/65, s. 16.

(2) The fees and disbursements payable upon proceedings in the Supreme Court and in the county courts shall be those enumerated in Tariff B to these rules.

(3) The fees and allowances to be taken and received by sheriffs, other than those provided for by statute, shall be the fees and allowances set forth in Tariff C to these rules.

(4) Costs payable out of the proceeds of land sold, mortgaged or leased under *The Devolution of Estates Act* shall be allowed and taxed according to Tariff D to these rules.

(5) On the passing of accounts by a trustee or personal representative of a deceased person or by a committee, the Master shall fix the costs of such passing of accounts according to the tariff provided for the passing of accounts in the surrogate court, subject to increase in his discretion where the tariff in his opinion is inadequate, but such discretion may be reviewed by a judge on the application of any person affected thereby. R.R.O. 1960, Reg. 396, r. 683 (2-5).

684. Costs payable out of the proceeds of lands sold under *The Devolution of Estates Act*, with the approval of the Official Guardian, shall be taxed by the Taxing Officer at Toronto. R.R.O. 1960, Reg. 396, r. 684.

685.—(1) All bills of costs or disbursements,

(*a*) in proceedings for administration or partition;

(*b*) in actions in which an infant or mentally incompetent person is interested; or

(*c*) where costs are payable out of an estate or out of a fund in court,

shall be revised by the Taxing Officer at Toronto before the amount thereof is inserted in any certificate, report, order or judgment.

(2) In case of urgency, leave may be granted to issue a writ of execution, subject to future revision by the Taxing Officer, and, if the amount taxed is reduced on revision, the party entitled to the costs shall forthwith give credit upon the execution for the amount struck off. R.R.O. 1960, Reg. 396, r. 685.

686. The local officer shall forthwith, after taxing any such bill of costs, transmit the bill by mail to the Taxing Officer, and shall allow in the bill the postage for the transmission and return of the bill and shall prepay the same, and shall allow in the bill the sum of $1 as a fee for the revision of the bill; and that sum, with postage stamps for return postage, shall be paid at the time of taxation by the party procuring the bill to be taxed, and be transmitted therewith. R.R.O. 1960, Reg. 396, r. 686.

687.—(1) The Taxing Officer at Toronto, upon receiving the bill of costs, shall revise the taxation either *ex parte* or upon notice to the solicitor whose bill is in question, as he sees fit, giving notice in all cases where the taxation is not clearly erroneous or where the amount in question is large. R.R.O. 1960, Reg. 396, r. 687 (1); O. Reg. 242/67, s. 19.

(2) Notice may be by appointment mailed to the address of the solicitor. R.R.O. 1960, Reg. 396, r. 687 (2); O. Reg. 242/67, s. 19.

(3) The Taxing Officer shall re-transmit the bill when revised to the local officer. R.R.O. 1960, Reg. 396, r. 687 (3).

688.—(1) Upon request, the Taxing Officer shall withhold his certificate for seven days, or such other time as he may direct, in order to allow a party who is dissatisfied with the allowance or disallowance by the Taxing Officer of the whole or any part of any item to deliver to every other party interested therein and to the Taxing Officer objections in writing to such allowance or disallowance, specifying concisely the item objected to.

(2) A party upon whom objections have been served may within seven days of such service, or within such other time as the Taxing Officer may direct, deliver to every other party interested therein and to the Taxing Officer a reply thereto. O. Reg. 301/70, s. 16.

689. The Taxing Officer shall then reconsider and review his taxation upon such objections and reply, if any, and he may receive further evidence in respect thereof, and he may, and if requested he shall, state either in his certificate of taxation or by reference to such objections or reply, the grounds and reasons for his decision thereon and any special facts or circumstances relating thereto. O. Reg. 301/70, s. 17.

690.—(1) A sheriff claiming any fees, poundage, expenses or remuneration that have not been taxed shall, upon being required by either party and on payment of 25 cents for a copy of his bill in detail (which he is bound to render), have his fees, poundage, expenses or remuneration, as the case may be, taxed by the proper taxing officer of his county.

(2) A sheriff shall not, without taxation, collect any fees, costs, poundage or expenses after he has been required to have the same taxed. R.R.O. 1960, Reg. 396, r. 690.

691. The sheriff or the party requiring taxation may obtain an appointment for taxation, and the Taxing Officer, upon proof of service of such appointment or upon the parties attending before him, shall examine the bill and satisfy himself that the items charged in the bill are correct and legal, and strike out items charged for unnecessary services, and give, when requested, a certificate of the taxation. R.R.O. 1960, Reg. 396, r. 691.

692. A party dissatisfied with the taxation may appeal therefrom as in ordinary cases of taxation between party and party. R.R.O. 1960, Reg. 396, r. 692.

693.—(1) Where part only is made by the sheriff on or by force of an execution against goods and chattels, he is entitled, besides his fees and expenses of execution, to poundage only upon the amount so made by him, whatever be the sum endorsed upon the writ, and, where the personal estate, except chattels real, of the judgment debtor is seized or advertised on or under an execution, but not sold by reason of satisfaction having been otherwise obtained, or from some other cause, and no money is actually made by the sheriff on or by force of such execution, the sheriff is entitled to the fees and expenses of execution and poundage only on the value of the property seized, not exceeding the amount endorsed on the writ, or such less sum as the court deems reasonable.

(2) Where land or chattels real of the judgment debtor have been advertised under an execution but have not been sold by reason of payment or satisfaction having been otherwise obtained on, or within one month before, the day on which the property has been advertised to be sold, or any day to which the sale may be adjourned, the sheriff is entitled to the fees and expenses of the execution, and the poundage only on the value of the debtor's interest in the property, not exceeding the amount endorsed on the writ, or such less sum as the court deems reasonable. R.R.O. 1960, Reg. 396, r. 693.

694. Where there are writs of execution upon the same judgment to several counties or districts and the personal estate of the judgment debtor has been seized or advertised in one or more of such counties or districts but not sold by reason of satisfaction having been obtained under and by virtue of a writ in any of the counties and no money has been actually made on the execution, the sheriff is not entitled to poundage but to mileage and fees only for the services actually rendered and performed by him, and the Taxing Officer may allow him a reasonable charge for such services in case no special fee therefor is assigned in any tariff of costs. R.R.O. 1960, Reg. 396, r. 694.

695. Where a person liable on an execution is dissatisfied with the amount of poundage, fees or expenses of execution claimed by a sheriff, the court may, before or after payment thereof, upon the application of such person, upon notice to the sheriff, if the amount appears to be unreasonable, notwithstanding that it is according to the tariff, reduce the amount or order the amount to be refunded upon such terms as seem just. R.R.O. 1960, Reg. 396, r. 695.

696.—(1) Where a solicitor has been employed to prosecute or defend any cause or matter, the court may, upon a summary application, declare such solicitor, or his personal representatives, to be entitled to a charge upon the property recovered or preserved through the instrumentality of such solicitor, for his costs, charges and expenses of or in reference to such cause, matter or proceeding, and all conveyances and acts done to defeat, or which may operate to defeat, such charge or right are, unless made to a *bona fide* purchaser for value without notice, absolutely void and of no effect as against such charge.

(2) The court may make an order for taxation of such costs, charges and expenses and for the raising and payment of the same out of the property. R.R.O. 1960, Reg. 396, r. 696.

DEVOLUTION OF ESTATES

697. Before an executor or administrator takes proceedings under *The Devolution of Estates Act* for the sale of real estate in which an infant is concerned, he shall give to the Official Guardian or local guardian appointed under that Act notice of the intention to sell, and is not entitled to any expenses incurred before giving such notice. R.R.O. 1960, Reg. 396, r. 697.

698. The Official Guardian or other officer aforesaid or any person interested in the land or in the proceeds of the sale thereof may apply to a judge, upon notice to all parties concerned or to such parties as the judge directs, for such direction or order

touching the real estate and the proceeds thereof or the costs of the proceedings as to the judge seems meet. R.R.O. 1960, Reg. 396, r. 698.

QUIETING TITLES

699. A petition for an investigation of titles under *The Quieting Titles Act*, referred to in rules 700 to 721 as "the Act", shall not include two or more properties dependent on separate and distinct titles, but may include any number of lots or parcels belonging to the same person and dependent on one and the same chain of title. R.R.O. 1960, Reg. 396, r. 699.

700. Where an application is made under section 2 of the Act, the proper officer in the Registrar's office at Toronto shall attend one of the judges with the petition, for directions, before it is referred for investigation. R.R.O. 1960, Reg. 396, r. 700.

701. All petitions under the Act shall be filed in the Registrar's office at Toronto, and may, at the option of the petitioner, be referred to the referee in Toronto or to any local master. R.R.O. 1960, Reg. 396, r. 701.

702. The Master is the sole inspector of titles in respect of petitions filed under the Act, and the sole referee in Toronto, but he may assign to any assistant master such duties as inspector or referee as he from time to time deems advisable. R.R.O. 1960, Reg. 396, r. 702.

703. Petitions to be referred to a local referee shall be endorsed thus: "To be referred to the Referee at.....and to Mr....., Inspector of Titles". R.R.O. 1960, Reg. 396, r. 703.

704. Petitions filed unendorsed shall, without order, stand referred to the referee in Toronto, but a petition endorsed with the name of a local referee shall stand referred to him. R.R.O. 1960, Reg. 396, r. 704.

705. Petitions to be referred to a local referee shall be entered with the inspector of titles before being filed. R.R.O. 1960, Reg. 396, r. 705.

706. A local referee is entitled to confer or correspond from time to time with the inspector of titles for advice and assistance on questions of practice or evidence or other questions arising under the Act or under these rules. R.R.O. 1960, Reg. 396, r. 706.

707. Upon the filing of the petition, it shall be delivered or mailed by the proper officer to the referee. R.R.O. 1960, Reg. 396, r. 707.

708. The particulars necessary under the Act to support the petition shall be delivered or sent by the petitioner or his solicitor to the referee and shall be forthwith examined and considered by him. R.R.O. 1960, Reg. 396, r. 708.

709.—(1) In every case of an investigation of title to property under the Act, the petitioner shall deliver to the referee a plan and description of the property, verified by the affidavit of a qualified land surveyor who has personally inspected the property, and the affidavit shall state the manner in which the land described is indicated upon the plan, the names of the person or persons in actual occupation of the whole or any part thereof, the nature of the buildings upon the property and any evidence of continued possession that might be of assistance in the consideration of the petition.

(2) The petitioner shall also show, by affidavit or otherwise, whether possession has always accompanied the title under which he claims the property, or how otherwise, or shall show some sufficient reason for dispensing with such proof either wholly or in part. R.R.O. 1960, Reg. 396, r. 709.

710. Where there is no contest, the attendance of the petitioner, or of a solicitor on his behalf, shall not be required on the examination of the title, except where, for any special reason, the referee directs such attendance. R.R.O. 1960, Reg. 396, r. 710.

711. If, on such examination, the referee finds the proof of title defective, he shall deliver or mail to the petitioner, or his solicitor, a memorandum of such finding, stating shortly therein what the defects are, and he shall therein state as far as possible all the objections to the title. R.R.O. 1960, Reg. 396, r. 711.

712. Where the referee finds that a good title is shown, he shall prepare the necessary advertisement, and, unless the publication thereof is dispensed with under the Act, the advertisement shall be published in *The Ontario Gazette* and in any newspaper or newspapers in which the referee thinks it proper to have it inserted; and, unless otherwise directed by the referee, a copy of the advertisement shall also be put up on the door of the court house of the county in which the land lies, and, unless the nearest post office is in a city, in some conspicious place in the post office that is situate nearest to the property the title of which is under investigation; and the referee shall endorse on the advertisement so prepared by him the name of the newspaper or newspapers in which it is to be published, and the number of insertions to be given therein respectively, and the period (not less than four weeks) for which the notice is to be continued at the court house and post office respectively. R.R.O. 1960, Reg. 396, r. 712.

713. Any notice of the application to be served or mailed under section 13 of the Act shall be prepared by the referee, and directions shall in like manner be given by him as to the persons to be served with the notice and as to the mode of serving it. R.R.O. 1960, Reg. 396, r. 713.

714. The inspector or Toronto referee shall from time to time confer with one of the judges in respect of matters before such inspector or Toronto referee, as there may be occasion. R.R.O. 1960, Reg. 396, r. 714.

715. Where a person has shown himself, in the opinion of a local referee, to be entitled to a certificate or conveyance under the Act and has published and given all the notices required, the referee shall write at the foot of the petition, and sign, a memorandum to the following effect: "I am of opinion that the petitioner is entitled to a certificate of title (or conveyance) as prayed (*or* subject to the following encumbrances, etc., *as the case may be*)"; and shall transmit the petition (charges prepaid) with the deeds, evidence and other papers before him in reference thereto to the inspector of titles, who shall examine the papers carefully, and, if he finds any defect in the evidence of title or in the proceedings, he shall, by correspondence or otherwsie, point out the defect to the petitioner or his solicitor or to the referee, as the case may be, in order that the defect may be remedied before a judge is attended with the petition and papers for approval. R.R.O. 1960, Reg. 396, r. 715.

716.—(1) Where the inspector or referee at Toronto finds that the petitioner has shown himself entitled to a certificate of title or a conveyance under the Act and has published and given all the notices required, he shall write at the foot of the petition, and sign, a memorandum to the same effect as is required from a local referee, and shall prepare the certificate of title or conveyance, and shall engross the same in triplicate on heavy paper of good quality, and shall sign the same at the foot or in the margin thereof, and shall attend one of the judges therewith and with the deeds, evidence and other papers before him in reference thereto; and, on the certificate or conveyance being signed by the judge, the inspector or other referee aforesaid, as the case may be, shall deliver or transmit it to the registrar to be sealed and registered, and the registrar shall retain one of the signed certificates or conveyances and shall deliver or transmit the other two, when so sealed and registered, to the petitioner, his solicitor or agent.

(2) Unless the judge otherwise directs, the certificate shall be dated as of the date of the filing of the petition. R.R.O. 1960, Reg. 396, r. 716.

717. When a certificate of title has been granted, the inspector or referee may, without further order, deliver, on demand, to the party entitled thereto, or his solicitor, all deeds and other evidence of title, not including affidavits made and evidence given in the matter of the title, and shall take his receipt therefor. R.R.O. 1960, Reg. 396, r. 717.

718. The inspector and referee shall keep a book and preserve therein a copy of all his letters under these rules. R.R.O. 1960, Reg. 396, r. 718.

719. The applicant shall pay or prepay, as the case may be, all postage and other expenses of transmitting letters or papers. R.R.O. 1960, Reg. 396, r. 719.

720. Petitions under section 30 of the Act shall be filed and proceeded with in the same manner, as nearly as may be, as petitions for an indefeasible title. R.R.O. 1960, Reg. 396, r. 720.

721. The certificate of the inspector or of a referee upon any contest before him shall be filed, and an appeal lies from such certificates in the same way as from a master's report. R.R.O. 1960, Reg. 396, r. 721.

ACCOUNTANT'S OFFICE

722. All such books and records shall be kept as are directed by the Finance Committee, and the forms used for directions and cheques are subject to the approval of that Committee. R.R.O. 1960, Reg. 396, r. 722.

723. An auditor shall be appointed whose duty it is to see that books and records are kept as required by the Finance Committee and to examine and verify the accounts, books and securities in the Accountant's office, and to compare the balances with the bank account, and to make such further and other examination of the books and securities as he thinks necessary for the proper audit thereof, and to report forthwith, after making such examination, the result thereof to that Committee, and from time to time to make such suggestions as appear to be desirable for the efficient keeping of the accounts. R.R.O. 1960, Reg. 396, r. 723.

724. It is the duty of the Official Guardian to see that moneys payable on mortgages held by the Accountant, in which persons for whom the Guardian has acted are interested, are promptly paid, and that the mortgaged premises are kept properly insured, and that the taxes thereon are duly paid. R.R.O. 1960, Reg. 396, r. 724.

725.—(1) All mortgages and other securities taken under an order or judgment of the court and all bonds and other instruments required by the practice of the court for the purpose of security, except security for costs, shall, unless otherwise ordered, be taken in the name of the Accountant, and shall be deposited in his office.

(2) Mortgages and other securities made to or vested in the Accountant in any action or matter shall be held by him subject to the order of the court, but no duty or liability, except as custodian of the instrument, shall, by reason of such mortgage or other security being made, given to or vested in him, be imposed on the Accountant in respect of such mortgage or security or any property thereby vested in him. R.R.O. 1960, Reg. 396, r. 725.

726.—(1) Any person entitled to the discharge of a mortgage made to or vested in the Accountant may leave with the Accountant the required discharge with a request that it be executed.

(2) The Accountant shall thereupon certify as to the payment of the money secured by the mortgage, and the matter shall in such case be considered by the officers whose duty it is to sign and countersign cheques for payment of money out of court, and, if they find that the mortgage has been satisfied in full and that the proposed discharge is in due form, they shall endorse upon such certificate and discharge a direction for the execution of the discharge by the Accountant.

(3) Thereupon the Accountant may execute the discharge and may, on a receipt being given therefor, deliver up all deeds and documents relating to the mortgage in his hands and may assign any policy of insurance held by him as collateral security for the mortgage to the person entitled to the discharge or as he by writing directs. R.R.O. 1960, Reg. 396, r. 726.

727.—(1) All sums less than $10 standing to the credit of an adult and unclaimed for two years shall be transferred to the Suspense Account.

(2) All sums that are not claimed within ten years from the time when they became payable out of court shall be transferred to the Suspense Account.

(3) Money transferred to the Suspense Account shall cease to bear interest, but shall at any time be paid to the person entitled. *But see* R.S.O. 1970, c. 228, s. 109 (2).

(4) The Accountant shall cause to be published annually in *The Ontario Gazette* the names as they appear in the records of the Accountant's office and the last known address of every person to whose credit there is a sum that has been transferred to the Suspense Account during the preceding calendar year. R.R.O. 1960, Reg. 396, r. 727.

728. Where money or securities in court are to be paid out of court or transferred to the personal representatives of a person, the same may, upon proof to the satisfaction of the Accountant of the death of any of them whether before, on, or after the date of the order, be paid to the survivors or survivor of them. R.R.O. 1960, Reg. 396, r. 728.

729. Where money or securities in court are to be paid out or transferred to a person named in the order or judgment or named or to be named in any report, the same, or any portion thereof for the time being remaining unpaid or untransferred, may, on proof to the satisfaction of the Accountant of the death of such person whether before, on, or after the date of the order or judgment and that his personal representatives are entitled thereto, be paid or transferred to such personal representatives or the survivors or survivor of them. R.R.O. 1960, Reg. 396, r. 729.

730. Any person claiming to be interested in, or to have a lien or charge upon, or an assignment of, any money or securities in court, or invested in the name of the Accountant, or any portion thereof, or claiming to have the same applied towards the satisfaction of any judgment or execution against the person to whose credit such moneys or securities stand, or for whose benefit the same are held by the Accountant may, upon an affidavit verifying his claim, apply *ex parte* for an order directing that such money or securities shall not be paid out or dealt with except upon notice to him (Form 73). R.R.O. 1960, Reg. 396, r. 730.

731. Money to be paid into court shall be paid into the Canadian Imperial Bank of Commerce at Toronto or in some branch of it or into a chartered bank being its agent in Ontario, and in no other way. R.R.O. 1960, Reg. 396, r. 731; O. Reg. 162/62, s. 14.

732.—(1) The person paying money into court shall obtain a direction to the bank to receive the money. R.R.O. 1960, Reg. 396, r. 732 (1).

(2) The person applying for a direction or cheque shall leave a *praecipe* therefor, and the judgment or order under which the money is payable, together with a copy thereof and of the report where necessary, and is to be verified by an officer in the Accountant's office, and to be retained by the Accountant. R.R.O. 1960, Reg. 396, r. 732 (2); O. Reg. 189/69, s. 16.

(3) If the direction is obtained elsewhere than in Toronto, these papers, with the necessary postage for their retransmission, shall be sent to the Accountant forthwith.

(4) The copy so verified shall be marked with a number corresponding to that of the account, and shall be bound and kept for reference in a book to be called the "Order Book". R.R.O. 1960, Reg. 396, r. 732 (3, 4).

732*a*.—(1) Money received by the Accountant of the Supreme Court under subsection 4 of section 61 of *The Land Titles Act* shall be credited by him to the Land Titles Assurance Fund account and a direction to receive the payment is not required.

(2) When money is required to be paid into court to the credit of the Certification of Titles Assurance Fund, the direction to receive the money shall be obtained from the Director of Titles, and the moneys shall be paid into the Toronto Branch of the Canadian Imperial Bank of Commerce. O. Reg. 301/70, s. 18.

733. The person paying money into court is entitled to credit therefor as of the date on which it was deposited in the bank. R.R.O. 1960, Reg. 396, r. 733.

734. The bank, on receiving the money, shall give a receipt therefor in duplicate, and one copy shall be delivered to the party making the deposit and the other shall be posted or delivered the same day to the Accountant. R.R.O. 1960, Reg. 396, r. 734.

735.—(1) Money shall be paid out of court upon the cheque of the Accountant, countersigned by an officer of the court or other person designated by the Finance Committee, and every cheque shall first be initialed by the assistant accountant or chief clerk.

(2) The person entitled to a cheque shall produce and leave with the Accountant a *praecipe* therefor, together with the orders and reports entitling him to the money. R.R.O. 1960, Reg. 396, r. 735.

736.—(1) Where an order for payment of money out of court is made otherwise than by a judge of the Supreme Court, the Accountant, before acting thereon, shall apply to a judge for his approval.

(2) An order dispensing with the payment of money into court, unless it is made by a judge of the Supreme Court, shall not be acted on unless or until a judge approves thereof.

(3) An order dispensing with payment of money into court, or a certified copy thereof, shall be left with the Accountant forthwith after entry thereof. R.R.O. 1960, Reg. 396, r. 736.

737.—(1) The Official Guardian shall deposit in the Accountant's office a statement showing the distribution of the proceeds of lands sold or mortgaged with his approval under *The Devolution of Estates Act*, and the dates of births of the infants interested.

(2) All money received by the Official Guardian on behalf of infants, mentally incompetent persons, absentees or other persons for whom he acts shall, without order, be paid into court to the credit of the person entitled.

(3) Money paid in to court under this rule to the credit of infants shall be paid out to them when they attain their majority.

(4) Money paid into court to the credit of non-concurring heirs and devisees shall be paid out to them upon application to the Accountant, without order.

(5) Money paid into court to the credit of an absentee may be paid out to the person entitled thereto upon order of a judge to be obtained upon notice to the Official Guardian.

(6) Where the amount of money payable into court under this rule is ascertained by the deduction of untaxed costs from a fund, the Official Guardian may require such costs to be taxed, and the solicitor who has received such costs shall forthwith pay into court for the infant or mentally incompetent person or absentee any balance that is found to be due as a result of such taxation. R.R.O. 1960, Reg. 396, r. 737.

738. Where costs are directed to be paid out of money in court, the solicitor of the party entitled to receive the costs is entitled to have the cheque drawn in his favour upon filing with the Accountant an affidavit stating,

(*a*) that he is entitled to receive such costs; and

(*b*) that he has not been paid his costs or any part thereof, and that the costs, payment of which is sought, are justly due to him,

and, if the solicitor has been changed in the course of the litigation, that fact shall be shown in the affidavit, and the consent of both solicitors shall be filed. R.R.O. 1960, Reg. 396, r. 738.

739.—(1) Where money to which an infant or mentally incompetent person is entitled is paid into a surrogate or county court, the registrar or clerk of that court shall forthwith cause the money to be transmitted to the Accountant with a statement showing when the money was so paid in, and a copy, certified by the registrar or clerk, of all judgments or orders affecting the money, and the money shall thereupon be placed to the credit of the infant or mentally incompetent person.

(2) All money paid into a surrogate or county court and unclaimed for two years shall be transmitted by the registrar or clerk to the Accountant, together with a statement showing when the money was paid in and a certified copy of all judgments or orders affecting the money.

(3) Such money shall be paid out to any person found entitled thereto upon the production of a judgment or order of the surrogate or county court judge, and shall in the meantime be dealt with as other money in the Supreme Court. R.R.O. 1960, Reg. 396, r. 739.

740. Where money is in court to the credit of an infant, it shall be paid out of court to him with accrued interest without further order upon his attaining his majority, unless otherwise ordered. R.R.O. 1960, Reg. 396, r. 740.

741.—(1) Where money is in court to the credit of an infant or mentally incompetent person, it may be paid out upon the fiat of a judge in chambers without formal order.

(2) Such fiat shall be prepared by the Official Guardian and may be signed either by the judge or the clerk in chambers, and shall be entered at length in the order book of the clerk in chambers, and the fiat or copy to be verified by the Accountant shall be deposited with the Accountant.

(3) The judge may in his discretion fix and direct payment of the costs of the application to the solicitor and dispense with the affidavit required by rule 738.

(4) When an order has been made for payment of maintenance out of money in court to which an infant is entitled, the cheque shall, upon application to the Official Guardian, be obtained and forwarded by him without expense to the applicant.

(5) An application for such maintenance shall be lodged with the Accountant before the beneficiary attains his majority, otherwise it may be disregarded. R.R.O. 1960, Reg. 396, r. 741.

PETITIONS OF RIGHT

742. A petition of right shall be according to Form 132 and shall be signed by the suppliant, his counsel or solicitor. R.R.O. 1960, Reg. 396, r. 742.

743. The petition shall be left with the Provincial Secretary in order that it may be submitted to the Lieutenant Governor for his consideration and in order that the Lieutenant Governor, if he thinks fit, may grant his fiat that right be done, and no fee or sum of money is payable by the suppliant therefor. R.R.O. 1960, Reg. 396, r. 743.

744. Where a fiat is granted, a copy of the petition and fiat shall be left at the office of the Attorney General with an endorsement thereon praying for an answer on behalf of Her Majesty within twenty-eight days. R.R.O. 1960, Reg. 396, r. 744.

745. Where the petition is presented for the recovery of real or personal property or any right in or to real or personal property that has been granted or disposed of by or on behalf of Her Majesty or her predecessors, a copy of the petition and fiat shall be served upon or left at the last or usual or last-known place of abode of the person in the possession, occupation or enjoyment of the property or right, endorsed with a notice according to Form 133. R.R.O. 1960, Reg. 396, r. 745.

746. The person so served shall appear and file his defence to the petition, as required by such notice. R.R.O. 1960, Reg. 396, r. 746.

747. The petition may be answered by statement of defence by or in the name of Her Majesty's Attorney General, on behalf of Her Majesty, and by any other person who may be called upon as aforesaid, in the same manner as in an action. R.R.O. 1960, Reg. 396, r. 747.

748. Where no other provision is made and so far as they are applicable, these rules apply to petitions of right. R.R.O. 1960, Reg. 396, r. 748.

749. In case of a failure on the behalf of Her Majesty, or of any other person duly called upon, to defend in due time, at any stage of the proceedings, the suppliant may apply to the court for an order that the petition be taken as confessed, and the court may order that the petition may be taken as confessed as against Her Majesty or other party so making default, and judgment may be given by the court in favour of the suppliant. R.R.O. 1960, Reg. 396, r. 749.

750. A petition of right shall be tried by a judge without a jury. R.R.O. 1960, Reg. 396, r. 750.

751. The judgment of the court shall be that the suppliant is or is not entitled either to the whole or to some portion of the relief sought by his petition, or that such other relief may be given, and upon such terms and conditions, if any, as to the court seems just. R.R.O. 1960, Reg. 396, r. 751.

752. The costs of a petition of right are in the discretion of the court or of a judge, and shall be recovered in the same way as in ordinary actions, except when costs are ordered to be paid by Her Majesty. R.R.O. 1960, Reg. 396, r. 752.

753. Upon a judgment or order for the payment of costs or damages by Her Majesty, the judge may, upon application in behalf of the party entitled after the lapse of fourteen days from the making, giving or affirming of the judgment or order, certify to the Provincial Treasurer according to Form 134. R.R.O. 1960, Reg. 396, r. 753.

754. Nothing in these rules prevents a subject from proceeding by petition of right in any manner in which he might have proceeded before the 23rd day of April, 1887, nor shall anything in these rules be construed as entitling a subject to proceed by petition of right in any case in which he would not be entitled so to proceed under the Acts passed by the Parliament of the United Kingdom before the said date. R.R.O. 1960, Reg. 396, r. 754.

OFFICERS AND OFFICES

755. The Registrar or such other officer as he directs shall attend the weekly sittings at Toronto, and the officer so attending shall settle and sign all orders and settle all judgments pronounced thereat. R.R.O. 1960, Reg. 396, r. 755.

756. Local registrars shall, with respect to all matters in their offices, perform the same duties in the same manner as the like duties are performed in the Registrar's office at Toronto. R.R.O. 1960, Reg. 396, r. 756.

757. Every local master, local registrar and local deputy registrar is a local taxing officer. O. Reg. 80/63, s. 8.

758.—(1) Every local taxing officer is, subject to rules 684 to 686 in actions begun or pending in his office, entitled to tax all bills of costs, including counsel fees, subject only to appeal to a judge.

(2) This rule does not apply to cases in which infants are concerned, unless the Official Guardian is the guardian *ad litem* for the infants. R.R.O. 1960, Reg. 396, r. 758.

759. All taxing officers, for the purpose of any taxation, have power to administer oaths and take evidence, direct production of books and documents, make certificates and give general directions for the conduct of taxations before them. R.R.O. 1960, Reg. 396, r. 759.

BUSINESS IN OFFICES

760. Except as provided with respect to quieting titles matters, no business shall be transacted in any of the offices of the courts, either in procuring or issuing process, or in entering judgments or taking any proceeding whatever in a cause, unless upon the personal attendance of the party on whose behalf such business is required to be transacted, or of the counsel or solicitor of such party, or the clerk or agent of the solicitor, or the clerk of the agent. R.R.O. 1960, Reg. 396, r. 760.

761. All officers are auxiliary to one another for promoting the correct, convenient and speedy administration of business. R.R.O. 1960, Reg. 396, r. 761.

762.—(1) In case an officer to whom a special duty is assigned is for any reason unable to act or if the office is vacant, the duty may be performed by such other officer as is designated for that purpose by the Chief Justice of Ontario.

(2) In the absence of the Taxing Officer at Toronto, his duties may be performed by the Master or by such officer as the Master designates. R.R.O. 1960, Reg. 396, r. 762.

763. Where the first document in a cause or matter is required to be filed in Toronto, the Registrar's office shall be deemed to be the office in which the cause or matter was commenced and in other cases the office of the local registrar of the county or district in which such first document is required to be filed shall be deemed to be the office in which the cause or matter was commenced. R.R.O. 1960, Reg. 396, r. 763.

764. All proceedings in a cause or matter shall be carried on in the office in which the cause or matter was commenced. R.R.O. 1960, Reg. 396, r. 764.

765. All persons called to the bar of Ontario or admitted as solicitors of the Supreme Court shall sign the rolls provided and take the prescribed oaths. R.R.O. 1960, Reg. 396, r. 765; O. Reg. 189/69, s. 17.

COUNTY AND LOCAL COURTS

766. All writs in the county court shall be sealed with the seal of the court and shall conclude with the words "IN WITNESS WHEREOF this writ is signed for the County Court of the County

of ..... by .....

Clerk of the said Court at....." and shall state the date and place of issue, and shall be signed by the officer issuing the same or in his name by a member of his staff to whom the officer has delegated such authority. O. Reg. 155/65, s. 17; O. Reg. 249/68, s. 14.

767. The judges of the county courts have power to sit and act at any time for the transaction of any part of the business of such courts, or for the discharge of any duty, including the trial of non-jury actions. R.R.O. 1960, Reg. 396, r. 767.

768. Where the plaintiff fails to recover judgment in an action or other proceeding brought in a county or small claims court by reason of such court having no jurisdiction over the subject-matter thereof, the county court, or the judge presiding in the small claims court, as the case may be, has jurisdiction over the costs of such action or proceeding and may order by and to whom such costs shall be paid. R.R.O. 1960, Reg. 396, r. 768.

769. In all actions brought in a county court, the judge of the county court where the proceedings were commenced, or the Master (subject to appeal in either case as if the case were in the High Court of Justice) may change the place of trial, and in the event of an order being obtained for that purpose, the clerk of the county court in which the action was commenced shall forthwith transmit all papers in the action to the clerk of the county court to which the place of trial is changed, and all subsequent proceedings shall be entitled in such last-mentioned court and carried on

in such last-mentioned court as if the proceedings had originally been commenced in such last-mentioned court. R.R.O. 1960, Reg. 396, r. 769.

770. These rules and the practice and procedure in actions in the Supreme Court shall, so far as the same can be applied, apply and extend to actions in the county court. R.R.O. 1960, Reg. 396, r. 770.

771.—(1) In actions in the county court, the clerk shall, subject to the directions of the judge, discharge all the duties and have all the powers of the Registrar of the Supreme Court and shall act as referee in any mortgage reference directed by a *praecipe* or default judgment and in the taking of any accounts that may be referred to him by the judge. R.R.O. 1960, Reg. 396, r. 771 (1); O. Reg. 155/65, s. 18 (*a*) (*b*).

(2) If it appears to the clerk that a mortgage reference directed by a *praecipe* or default judgment is one which in his opinion ought to be dealt with by the judge, the clerk may apply to the judge for directions. O. Reg. 155/65, s. 18 (*c*).

772.—(1) Money to be paid into a county court or surrogate court shall be paid into a chartered bank designated for that purpose from time to time by the Lieutenant Governor in Council.

(2) The money shall be paid in to the credit of the cause or matter in which the payment is made with the privity of the clerk or registrar, as the case may be, of the court and in no other manner, and such money shall be withdrawn only on the order of the court or judge thereof with the privity of the clerk or registrar of the court.

(3) Where money is paid in under a plea of payment into court, the clerk, on the production of the receipt of the bank for the money or other satisfactory proof of such payment, shall sign a receipt for the amount in the margin of the pleading. R.R.O. 1960, Reg. 396, r. 772.

773. The clerk of a county court and the registrar of a surrogate court shall each keep a book containing an account of all money so paid into their respective courts and of all withdrawals thereof. O. Reg. 162/62, s. 15.

774. The book so to be kept shall be open for inspection during office hours, and the clerk or registrar shall give a certificate of the state of an account or an extract therefrom at the request of any party interested or his solicitor on his paying to the clerk or registrar the sum of 20 cents for such inspection or certificate and the sum of 10 cents per folio for such extract. R.R.O. 1960, Reg. 396, r. 774.

775. The Official Guardian is entitled to make any search and take any extracts without payment of any fee. R.R.O. 1960, Reg. 396, r. 775.

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776. The rules and the Appendix of Forms to the rules and Tariffs A, B and C which were in force immediately prior to the coming into force of the *Divorce Act* (Canada) shall continue to apply to matrimonial causes commenced prior to the coming into force of the said Act. O. Reg. 156/68, s. 17.

777.—(1) Rules 778 to 815 and Forms 140 to 152 in the Appendix of Forms to the rules apply only to matrimonial causes commenced on or after the day upon which the *Divorce Act* (Canada) comes into force.

(2) Subject to rules 778 to 815 and any Act, all other rules, the forms in the Appendix of Forms to the rules and Tariffs A, B and C shall be applied *mutatis mutandis* to matrimonial causes except as otherwise provided.

(3) Where rules 778 to 815 do not provide for a form, the forms in the Appendix of Forms to the rules shall be employed *mutatis mutandis*. O. Reg. 156/68, s. 17.

JOINDER OF CLAIMS

778. No claim except for corollary relief under the *Divorce Act* (Canada) or for alimony or for the maintenance or custody of children shall be joined with a matrimonial cause. O. Reg. 156/68, s. 17.

PARTIES TO PROCEEDINGS

779. Subject to rule 783 the name of each person alleged to be involved in a matrimonial offence set out in section 3 of the *Divorce Act* (Canada) shall be contained in the petition. O. Reg. 156/68, s. 17.

780. Unless otherwise ordered or provided, the petitioner's spouse and each person alleged to be involved in a matrimonial offence shall be a respondent. O. Reg. 156/68, s. 17.

781. A person named pursuant to rule 779 but not made a respondent may nevertheless apply to the court to be added as a respondent. O. Reg. 156/68, s. 17.

782. Where the proceedings are based on a matrimonial offence that constitutes a criminal offence for which the respondent spouse has been convicted in a court of competent jurisdiction in Canada, the other person who was involved in such offence shall not be made a respondent unless a judge otherwise orders. O. Reg. 156/68, s. 17.

783.—(1) Where the name of a person alleged to be involved in a matrimonial offence is unkown to the petitioner, a judge, on being satisfied that all reasonable efforts have been made to ascertain the name, may grant leave to the petitioner to file the petition without adding such person as a respondent.

(2) After a petition has been filed the court may grant leave to amend it by adding a further allegation of involvement in a matrimonial offence of a person whose name is unkown to the petitioner.

(3) Where the order is made after the notice of petition has been served, unless otherwise ordered by a judge, the order shall require the amended petition to be served and shall also prescribe the times within which the answer to the amended petition shall be delivered.

(4) The order granting leave shall be served with the petition or the amended petition. O. Reg. 156/68, s. 17.

784. Where a person alleged to be involved in a matrimonial offence has died before the filing of the petition, it is not necessary to make the legal representative of such person a respondent. O. Reg. 156/68, s. 17.

785.—(1) Where a respondent alleged to be involved in a matrimonial offence dies while the proceeding is pending, it may be continued without adding the legal representative of such respondent as a party unless the petitioner intends to ask in the proceeding for any relief against the estate.

(2) Where no such claim is made against the estate, the petitioner shall file an affidavit verifying the death of such respondent, and in all proceedings thereafter the words "now deceased" shall be added immediately after the name of the deceased respondent in the style of cause, and the proceedings may be continued without notice to the legal representative of such respondent. O. Reg. 156/68, s. 17.

786. Where the legal representative of a deceased person alleged to be involved in a matrionial offence has not been made a respondent, such representative or any other person desiring to represent such deceased person may apply to the court for leave to be added as a respondent. O. Reg. 156/68, s. 17.

GENERAL PROCEDURE

787.—(1) A matrimonial cause shall be commenced by,

(*a*) the filing with the Registrar or local registrar, as the case may be, of a petition for divorce prepared by the petitioner according to Form 140, and

(*b*) the issue of a notice of the petition prepared by the petitioner according to Form 141, and

(*c*) the filing with the Registrar or local registrar, as the case may be, of a certificate of the marriage or of the registration thereof unless one cannot be produced.

(2) The notice and the petition shall be sealed with the seal of the Supreme Court and the notice shall be signed by the officer issuing the same and shall state the date and place of issue. O. Reg. 156/68, s. 17.

(3) True copies of the notice and the petition certified to be such by the petitioner or his solicitor shall be filed with the officer at the time of issue. O. Reg. 156/68, s. 17.

(4) Rules 12, 15, 25, 26, 27, 28 and 29 do not apply to matrimonial causes. O. Reg. 156/68, s. 17.

788.—(1) Save where a respondent is being added, the petition and notice of petition may be amended once without leave before the close of pleadings.

(2) Where amended, the petition and notice of petition shall be served upon the respondent. O. Reg. 156/68, s. 17.

789. The petition shall be served with the notice of petition. O. Reg. 156/68, s. 17.

790. The notice of petition and the petition or the amended notice of petition and the amended petition, as the case may be, shall be served upon the respondent spouse within ninety days of the filing of the petition or the making of the amendment. O. Reg. 156/68, s. 17; O. Reg. 301/70, s. 21.

791.—(1) Unless otherwise ordered, the notice of petition, the petition and all papers required to be served therewith shall be served on each respondent personally. O. Reg. 156/68, s. 17; O. Reg. 417/70, s. 2.

(2) Such service shall be made by a person other than the petitioner. O. Reg. 156/68, s. 17.

(3) The person who serves the notice shall, at the time of the service request each respondent to complete and sign in his presence the acknowledgement of service endorsed on the notice and shall sign his name as witness to any signature thereto. O. Reg. 156/68, s. 17.

(4) The affidavit of service (Form 142) shall state fully the means of knowledge of the deponent as to the identity of the person served and that the respondent served has been requested to complete and sign the acknowledgement of service, giving the result of such request. O. Reg. 156/68, s. 17.

792. The court may dispense with service of the notice of petition and other documents on a respondent, other than the respondent spouse, who cannot be found if no claim is made against him, or if made, is abandoned. O. Reg. 156/68, s. 17; O. Reg. 417/70, s. 3.

793. Where service of a petition and notice of petition by publication in a newspaper is ordered, the publication shall be according to Form 142A. O. Reg. 301/70, s. 22.

794. Service may be made out of Ontario of a notice of petition and a petition. O. Reg. 156/68, s. 17; O. Reg. 301/70, s. 23.

795.—(1) A respondent who wishes to oppose a petition shall, within the time prescribed in subrule (2), serve and file with proof of service an answer according to Form 143, and when he seeks relief he shall serve and file, within the same time, an answer and counter-petition according to Form 144. O. Reg. 156/68, s. 17.

(2) An answer shall be served and filed,

(*a*) where the notice of petition and the petition are served within Ontario, within twenty days after service thereof, inclusive of the day of such service;

(*b*) where the notice of petition and the petition are served elsewhere within Canada or within one of the United States of America, within forty days after service thereof, inclusive of the day of such service; and

(*c*) in all other cases within sixty days after service thereof inclusive of the day of such service. O. Reg. 156/68, s. 17; O. Reg. 301/67, s. 24.

(3) Where a respondent alleges in a counter-petition that another person was involved in a matrimonial offence with the petitioner, he shall add a second style of cause in which he is described as "petitioner by counter-petition" and the petitioner and the added party are described as "respondents by counter-petition" and shall deliver his answer and counter-petition to the petitioner within the time limited for the answer and shall serve the same upon the added party together with a notice to respondent added by counter-petition according to Form 145 issued by the registrar and with a copy of the petition within thirty days of the issue of the said notice. O. Reg. 156/68, s. 17.

(4) (*a*) A respondent who wishes to appear but does not necessarily oppose the petition may cause an appearance to be entered, according to Form 143A, but such entry of appearance does not enlarge the time for serving and filing an answer.

(*b*) Thereafter such respondent shall be served with all subsequent pleadings and with notice of hearing and all other matters in the proceeding. O. Reg. 301/70, s. 24.

(5) The rules relating to a matrimonial cause apply to a counter-petition, *mutatis mutandis*. O. Reg. 156/68, s. 17; O. Reg. 301/70, s. 24.

CHILDREN

796. Where a petition or counter-petition contains particulars of children of the marriage as defined by section 2 of the *Divorce Act* (Canada),

(*a*) the petition or counter-petition and any other papers required to be served therewith shall be served upon the Official Guardian at Toronto after service thereof on the respondent spouse;

(*b*) all other pleadings shall be served upon the Official Guardian within the times limited by the rules for service upon the parties to the proceedings;

(*c*) three copies of the report of the Official Guardian and the supporting affidavit shall be served on the petitioner within thirty days of the service of the petition upon the Official Guardian;

(*d*) the report of the Official Guardian and the supporting affidavit together with proof of service thereof on the petitioner shall be filed forthwith in the office where the notice of petition was issued;

(*e*) the petitioner shall serve forthwith one of such copies and the supporting affidavit upon the other spouse personally or by ordinary mail to his last known address unless such service is dispensed with by the court, and shall forthwith file proof thereof in the said office;

(*f*) either spouse may dispute any statement in the report or the supporting affidavit by serving a concise statement of the nature of such dispute upon the other spouse, unless such service is dispensed with by the court, and upon the Official Guardian at Toronto, and by filing the same, together with proof of such service, within fifteen days of the service of the report on him;

(*g*) the court may in its discretion order that the report and the supporting affidavit and any dispute filed be served upon the co-respondent or upon any person not a party to the proceedings and may give such directions as it deems necessary;

(*h*) unless the Official Guardian is the applicant, he shall be served with four days notice of any application under clause (*g*);

(*i*) the services mentioned in clauses (*f*) and (*g*) shall be personal unless the person to be served is represented in the proceedings by a solictor or unless the court otherwise orders;

(*j*) except with leave or where the spouses have delivered notices that the report is not being disputed, no petition shall be heard and a registrar shall not put a petition on a daily list for hearing until the disputes have been filed or the time for filing disputes has expired;

(*k*) Revoked. O. Reg. 301/70, s. 25.

(*l*) prior to the hearing a copy of the report and any dispute filed shall be placed with the record required by rule 248;

(*m*) rule 229 does not apply to a person who has made an affidavit verifying the report of the Official Guardian; and

(*n*) the Official Guardian has the right to particulars, discovery and production under the rules in all matters touching upon the custody, maintenance and education of a child to which this rule applies, whether or not any such matter is in issue in the proceedings. O. Reg. 156/68, s. 17; O. Reg. 301/70, s. 25.

INTERVENTION

797.—(1) At any time prior to the granting of the decree nisi Her Majesty's Proctor may, upon the direction of the Attorney General, apply to a judge or the judge presiding at the proceeding for leave to intervene for the purpose of showing why the decree nisi should not be granted.

(2) Where Her Majesty's Proctor so applies prior to the hearing, he shall file notice of application in the office in which the proceedings were commenced and shall serve copies thereof upon all parties and thereafter shall be served with copies of all the proceedings.

(3) Where the judge grants leave to intervene he shall give directions as to appearance and procedure with respect to Her Majesty's Proctor and such directions shall include leave to Her Majesty's Proctor to subpoena witnesses to attend at the hearing. O. Reg. 156/68, s. 17.

798. Upon the hearing or on the trial of an issue in the proceedings, Her Majesty's Proctor may cross-examine any witness other than a witness,

(*a*) who is called by Her Majesty's Proctor; and

(*b*) who is not proven adverse; and

(*c*) who has not previously been a witness in the hearing. O. Reg. 156/68, s. 17.

HEARING

799.—(1) A petitioner shall include in the notice of petition a notice that in default of an appearance or answer the proceeding may be set down for hearing at the place proposed by the petitioner in his petition, without further notice. O. Reg. 301/70, s. 26.

(2) In all other cases notice of hearing shall be served, and where the respondent is not represented by a solicitor, the service shall be personal unless otherwise ordered by a judge. (Forms 146 and 147).

(3) Except at Toronto, a proceeding shall be set down for hearing at least ten days before the commencement of the sittings at which the petitioner proposes to have it heard. O. Reg. 156/68, s. 17.

800. No petition shall be heard and a registrar shall not put a petition on a daily list for hearing until a certificate or report issued subsequent to the filing of the petition pursuant to regulations under the *Divorce Act* (Canada) as to prior pending petitions presented by either spouse has been received by him. O. Reg. 156/68, s. 17.

801.—(1) Where, after proceeding to the hearing of evidence, a judge grants an adjournment of the proceedings under subsection (1) of section 8 of the *Divorce Act* (Canada), the application for resumption of the proceedings under subsection (2) of the said section shall be to the same judge.

(2) Where, before proceeding to the hearing of the evidence, a judge grants an adjournment of the proceedings under subsection (1) of the said section, the application for resumption of the proceedings under subsection (2) of the said section shall be,

(*a*) to the same judge; or

(*b*) to a judge presiding at the place where such adjournment was granted; or

(*c*) to a judge in chambers under rule 237 or, where applicable, under rule 239. O. Reg. 156/68, s. 17.

802. Where there has been default of answer, no decree shall be pronounced unless it is clearly shown at the hearing that the respondents in the proceedings were duly served. O. Reg. 156/68, s. 17.

803.—(1) In any matrimonial cause, in addition to the power of adjournment under subsection (1) of section 8 of the *Divorce Act* (Canada), the court may direct that the hearing be adjourned to such time and place as the court deems best and in proper cases may direct that the registrar forthwith give notice of the proceedings and the state thereof and the court's reasons for such direction to Her Majesty's Proctor, and may, in its discretion, direct any party to deliver to Her Majesty's Proctor a copy of the pleadings, of examinations for discovery, if any, and of any evidence adduced, or of such parts of any of them as the court deems proper.

(2) Where such notice is given Her Majesty's Proctor shall appear before the court and, subject to any direction of the Attorney General, make his submissions and otherwise participate in the proceedings as the court may allow. O. Reg. 156/68, s. 17.

DECREES

804. A decree nisi shall be according to Form 148 and a decree absolute granted at the hearing shall be according to Form 149 and a decree absolute other than one granted at the hearing shall be according to Form 152. O. Reg. 156/68, s. 17.

805.—(1) Unless service is dispensed with by the judge who presides at the hearing, copies of the decree granted at the hearing shall be served personally, or by ordinary mail addressed to the respondent spouse at such address as the said judge shall direct in the decree, and where rule 796 applies, to the Official Guardian.

(2) Unless otherwise ordered by a judge, the decree nisi shall not be made absolute until after the expiration of one month from the date of service upon the respondent and, where required, upon the Official Guardian. O. Reg. 301/70, s. 27.

806.—(1) An application by a petitioner for decree absolute shall be made to the court by filing in the office in which the proceedings were commenced on any day after the expiration of the period that must intervene before the decree nisi may be made absolute,

(*a*) a notice of application according to Form 150;

(*b*) the original decree nisi or certified copy thereof together with proof of service unless such service has been dispensed with; and

(*c*) an affidavit of the applicant sworn within fifteen days of the filing of the notice of application setting out whether,

(i) any appeal to the Court of Appeal for Ontario or to the Supreme Court of Canada is pending,

(ii) any petition for divorce has been served on him by the respondent spouse; and

(iii) the spouses are reconciled.

(2) The registrar shall thereupon search or cause a search to be made of the court records to ascertain whether,

(*a*) an appeal from the decree nisi is pending or any appeal taken has been abandoned or dismissed;

(*b*) an order has been made extending the time for appealing from the decree nisi and, if so, whether such time has expired without an appeal having been taken; and

(*c*) a notice of desire to show cause why the decree nisi should not be made absolute has been filed.

(3) The registrar shall issue a certificate according to Form 151 as to such search and within ten days thereafter, upon requisition of the petitioner, shall present or cause to be presented the notice of application, the petitioner's affidavit and

such certificate to a judge sitting in court or in chambers anywhere in Ontario, whereupon such judge may pronounce a decree absolute without the appearance of counsel in the first instance and so endorse the notice of application.

(4) Where a judge decides that a decree absolute should not be granted in the first instance he shall adjourn the application and direct that notification of such adjournment be given by the registrar to the petitioner and may direct that the petitioner serve notice of the application on any person.

(5) Where the application is adjourned,

(*a*) the judge shall endorse on the notice of application his reasons therefor;

(*b*) the papers shall be returned to the office where the proceedings were commenced, unless the judge otherwise directs. O. Reg. 156/68, s. 17.

807.—(1) An application by a respondent spouse for decree absolute under section 13 (4) of the *Divorce Act* (Canada) shall be by motion to the court sitting at the place where the proceedings were commenced or under rule 237 or, where applicable, under rule 239 on at least seven days notice to the other spouse and shall be supported by,

(*a*) a certified copy of the decree nisi, if issued;

(*b*) his affidavit setting out whether,

(i) any appeal to the Court of Appeal for Ontario or to the Supreme Court of Canada is pending,

(ii) he has filed a petition for divorce; and

(iii) the spouses are reconciled; and

(*c*) the certificate required by rule 806 (3).

(2) Where the decree nisi has not been issued the court may upon such motion direct that the same be issued. O. Reg. 156/68, s. 17.

808.—(1) Where a decree absolute has been granted, the registrar shall prepare the decree, and where it was granted at a place other than the place where the proceedings were commenced, shall certify and forward the same together with the papers forthwith to the registrar at the office where the proceedings were commenced.

(2) All decrees absolute shall be issued forthwith by the registrar in the office in which the proceedings were commenced. O. Reg. 156/68, s. 17.

Showing Cause After Decree Nisi

809.—(1) During the period between the granting of the decree nisi and the granting of the decree absolute, any person, including Her Majesty's Proctor, may give notice of desire to show cause why the decree nisi should not be made absolute by reason of the same having been obtained by collusion or by reason of the reconciliation of the parties or by reason of any other material facts.

(2) Such notice shall set forth the grounds upon which it is alleged that the decree nisi should not be made absolute and shall be filed in the office in which the proceedings were commenced and be served upon the petitioner and upon Her Majesty's Proctor.

(3) The person giving such notice and any party to the proceedings and Her Majesty's Proctor may apply on notice to a judge for directions.

(4) The judge may dismiss the application to show cause or may rescind the decree nisi or may require further inquiry to be made or may direct the trial of an issue and may direct the delivery of pleadings and particulars and the production of documents for the purpose of such trial and may permit examinations for discovery and may permit parties and the person who gives the notice and Her Majesty's Proctor to subpoena witnesses for such trial, or may make such further order as the judge thinks fit. O. Reg. 156/68, s. 17.

General

810. The costs in a matrimonial cause are in the discretion of the court, and shall be recovered in the same way as in ordinary actions. O. Reg. 156/68, s. 17.

811. The affidavits required of a party by these rules are not necessary if such party is a mentally incompetent person or is a person who has been declared incapable, but the committee, next friend or guardian of such party shall, in lieu thereof, file an affidavit showing that he has made careful inquiry into the facts and that to the best of his knowledge, information and belief the facts required to be deposed to, if the party were mentally competent or capable, are true. O. Reg. 156/68, s. 17.

812. An application to vary or rescind an order for corollary relief granted at the hearing shall be by motion to the court sitting at the place where the proceedings were commenced or under rule 237 or, where applicable, under rule 239 on at least seven days notice. O. Reg. 156/68, s. 17.

813. (1) Where an order has been made by any other superior court in Canada under section 10 or 11 of the *Divorce Act* (Canada), the registration of such order pursuant to section 15 of the said Act shall be effected by filing an exemplification or

certified copy of the order in the office of the Registrar of the Supreme Court, whereupon it shall be entered as an order of the court.

(2) The exemplification or certified copy of the order shall be filed with the Registrar by delivering the same by hand or by forwarding the same by ordinary mail accompanied by,

(*a*) a written request that it be registered pursuant to the said Act; and

(*b*) a certified cheque or money order in the amount of $5. O. Reg. 156/68, s. 17.

Registrar

814. Upon the filing of a notice of appeal from a decree nisi or upon the making of an order extending the time for such an appeal, the Registrar at Toronto shall forthwith notify the registrar in the office in which the proceedings were commenced of such appeal or order and such registrar shall thereupon record the same. O. Reg. 156/68, s. 17.

815. The registrar in the office in which the proceedings were commenced shall complete the forms required by the regulations under the *Divorce Act* (Canada) and forward the same to the Central Divorce Registry at Ottawa as required by such regulations. O. Reg. 156/68, s. 17.

MEETING OF JUDGES

816. Meetings of the judges of the Supreme Court or of the High Court may be called by instruction of the Chief Justice of Ontario or of the Chief Justice of the High Court or of any two judges. R.R.O. 1960, Reg. 396, r. 811; O. Reg. 156/68, s. 16.

FORMS

817.—(1) The forms contained in the Appendix hereto shall be used with such variations or modifications as circumstances may require, and any variance therefrom, not being in matter of substance, does not affect their regularity.

(2) The provisions contained in the form prescribed shall be deemed to be authorized by these rules. R.R.O. 1960, Reg. 396, r. 812; O. Reg. 156/68, s. 16.

APPENDIX OF FORMS

GENERAL PROVISIONS APPLICABLE TO ALL WRITS AND SIMILAR DOCUMENTS ISSUED BY THE COURT

All writs shall be in the court and cause, see rule 192.

All writs shall conclude with the words prescribed by rule 5 in the case of writs of summons.

There shall be endorsed upon every writ a statement of the plaintiff's residence and the name of the solicitor issuing the writ and his address in the form following:

This writ was issued by *E.F.*, of....., solicitor for the said plaintiff who resides at ..... [*or*, This writ was issued by the plaintiff in person who resides at.....] [*In either case mention the city, town or township, and also the name of the street and number of the house of the plaintiff's residence, if any, or, in the case of a township, the number of the lot and concession*]. (See rules 11 and 12.)

WRITS OF SUMMONS AND NOTICES IN LIEU THEREOF

Form 1

GENERAL FORM OF WRIT OF SUMMONS (NOT SPECIALLY ENDORSED)

(RULES 5 AND 6)

In the Supreme Court of Ontario

Between

A.B.

Plaintiff

and

C.D. and *E.F.*

Defendants

Name and Title of Sovereign, eg., ELIZABETH THE SECOND, by the Grace of God, of the United Kingdom, Canada and Her other Realms and Territories Queen, Head of Commonwealth, Defender of the Faith.

To *C.D.*, of the.....of.....

in the.....of.....

and *E.F.*, of the .....of.....

in the.....of.....

WE COMMAND YOU, that within ten days after the service of this writ on you, inclusive of the day of such service, you do cause an appearance to be entered for you in this action; AND TAKE NOTICE that, in default of your so doing, the plaintiff may proceed therein and judgment may be given in your absence on the plaintiff's own showing, and you may be deemed to have admitted the plaintiff's claim and (subject to Rules of Court) will not be entitled to notice of any further proceedings herein.

IN WITNESS WHEREOF this writ is signed for the Supreme Court of Ontario by.....

Registrar of the said Court at Toronto [*or* by.....,

Local Registrar of the said Court at.....] this

.....day of....., 19....

.....
(Seal) (signature of officer)

Memorandum to be subscribed on the Writ

N.B. This writ is to be served within twelve calendar months from the date thereof, or, if renewed, within twelve calendar months from the date of such renewal, including the day of such date, and not afterwards.

Appearance may be entered at the.....office at .....

Endorsements to be made on the Writ

The plaintiff's claim is for, *etc.*, (*as in Form 7 or as may be*).

This memorandum is made this.....day of

....., 19....

.....*X.Y.*
(signature)

.....
(address)

R.R.O. 1960, Reg. 396, Form 1; O. Reg. 156/68, s. 18.

Form 2

Revoked. O. Reg. 156/68, s. 19.

Form 3

WRIT FOR SERVICE OUT OF ONTARIO

(RULES 6 AND 25)

In the Supreme Court of Ontario

Between

A.B.

Plaintiff

and

C.D. and *E.F.*

Defendants

Name and title of Sovereign

To *C.D.*, of the.....of.....

in the.....of.....

and *E.F.*, of the .....of.....

in the.....of.....

WE COMMAND YOU, that within (*here insert the number of days directed by the order allowing service*) after the service, on you, of this writ [*or* notice of this writ *as the case may be*], and of the plaintiff's statement of claim delivered herewith, inclusive of the day of such service, you cause an appearance to be entered for you in this action, and your defence, thereto, if any, to be delivered within ten days thereafter; AND TAKE NOTICE that in default of your so doing the plaintiff may proceed therein, and judgment may be given in your absence on the plaintiff's own showing and you may be deemed to have admitted the plaintiff's claim and (subject to Rules of Court) will not be entitled to notice of any further proceedings herein.

IN WITNESS WHEREOF this writ is signed for the Supreme Court of Ontario by....., Registrar of the said Court at Toronto [*or* by.....,

Local Registrar of the said Court at.....

this.....day of....., 19....

(Seal)

.....
(signature of officer)

Memorandum to be subscribed on the Writ

N.B. This writ is to be used where the defendant or all the defendants or one or more defendant or defendants is or are out of Ontario. When the defendant to be served is not a British subject, and is not in a British dominion, notice of the writ, and not the writ itself, is to be served upon him.

Appearance may be entered at the.....

office at.....

R.R.O. 1960, Reg. 396, Form 3.

Where the writ is specially endorsed, substitute the following command and notice for that appearing above

WE COMMAND YOU that within (*here insert the number of days directed by the order allowing service*) after the service of this writ [*or* notice of this writ *as the case may be*] on you, inclusive of the day of such service, if you desire to defend this action,

(1) you serve upon the plaintiff or his solicitor a copy of an affidavit that you have a good defence upon the merits and showing the nature of your defence, if any, to the plaintiff's claim, with the facts and circumstances which you deem entitle you to defend the action; and

(2) you file such affidavit with proof of service thereof, together with an appearance, in the court office from which this writ was issued.

AND TAKE NOTICE that in default of your so doing, the plaintiff may sign judgment for the relief claimed as endorsed on this writ, and execution will at once issue thereon.
R.R.O. 1960, Reg. 396, Form 3; O. Reg. 189/69, s. 18.

Form 4

REVOKED. O. Reg. 156/68, s. 19.

Form 5

NOTICE OF WRIT TO BE SERVED OUT OF ONTARIO WHERE THE DEFENDANT IS NOT A BRITISH SUBJECT

(RULE 6)

In the Supreme Court of Ontario

Between

A.B.

Plaintiff

and

C.D. and *E.F.*

Defendants

To *C.D.*, of the.....of.....

in the.....of.....,

and *E.F.*, of the.....of.....

in the.....of.....

TAKE NOTICE THAT *A.B.*, of....., has commenced an action against you, in Her Majesty's Supreme Court of Ontario, by writ of that Court, dated the.....day of....., 19....; which writ is endorsed as follows (*copy in full endorsements of Claim*), *[and you are required within ..... days after the receipt of this notice and of the plaintiff's statement of claim, to be served herewith, inclusive of the day of such receipt, to defend the said action, by causing an appearance to be entered for you in the said Court to the said action, and your defence thereto, if any, to be delivered within ten days thereafter]; and in default of your so doing, the said *A.B.* may proceed therein, and judgment may be given in your absence on the plaintiff's own showing and you may be deemed to have admitted the plaintiff's claim and, subject to Rules of Court, will not be entitiled to notice of any further proceedings therein.

Appearance may be entered at the.....

office at.....

Dated, etc.

X.Y., of.....etc.

.....
Solicitor for *A.B.*

NOTE: *This notice is to be used when the person to be served is not a British subject, and is not in a Bristish dominion.*

When the writ is specially endorsed the following is to be endorsed on the Notice of the Writ:

WARNING TO DEFENDANT

The writ being specially endorsed, the defendant is warned that his failure to comply with the requirements of this notice may result in a default judgment being entered and an execution being issued against him.

If the amount of the plaintiff's claim is paid within the time limited for appearance, further proceedings will be stayed. If the amount claimed for costs is deemed to be excessive, the defendant may have them taxed, and you are required within..... days after the service of this notice on you, inclusive of the day of such service, if you desire to defend the said action,

(1) to serve upon the plaintiff or his solicitor a copy of an affidavit that you have a good defence upon the merits and showing the nature of your defence, if any, to the plaintiff's claim, with the facts and circumstances which you deem entitle you to defend the action; and

(2) to file such affidavit with proof of service thereof, together with an appearance, in the court office from which the writ was issued.
R.R.O. 1960, Reg. 396, Form 5; O. Reg. 242/67, s. 20; O. Reg. 156/68, s. 20.

Form 6

REVOKED: O. Reg. 156/68, s. 19.

Form 7

ENDORSEMENTS ON WRITS OF SUMMONS

(RULES 5 AND 32)

Money Claims (where Writ is not Specially Endorsed)

The plaintiff's claim is $..... for the price of goods sold.

The plaintiff's claim is $..... for money lent [and interest].

The plaintiff's claim is $..... whereof $..... is the price of goods sold, and $..... for money lent, and $..... for interest.

The plaintiff's claim is $..... for arrears of rent.

The plaintiff's claim is $..... for arrears of salary as a clerk [*or as the case may be*].

The plaintiff's claim is $..... for interest upon money lent.

The plaintiff's claim is $..... for penalties under the Statute R.S.O. Ch.

The plaintiff's claim is $..... for fees for work done [and $..... money expended] as a solicitor.

The plaintiff's claim is $..... for commission as (*state character as auctioneer, broker, etc.*).

The plaintiff's claim is $..... for medical attendance.

The plaintiff's claim is $..... for the warehousing of goods.

The plaintiff's claim is $..... for the use and occupation of a house.

The plaintiff's claim is $..... for work done.

The plaintiff's claim is $..... for board and lodging.

The plaintiff's claim is $..... for money received by the defendant as agent of the plaintiff.

The plaintiff's claim is $..... for a return of money obtained from the plaintiff by fraud.

The plaintiff's claim is $..... for a contribution in respect of money paid by the plaintiff as surety.

The plaintiff's claim is $..... upon a policy of insurance upon the life of *X.Y.*, deceased.

The plaintiff's claim is $..... upon a bond to secure payment of $1,000 and interest.

The plaintiff's claim is $..... upon a bill of exchange accepted [*or* drawn *or* endorsed] by the defendant.

The plaintiff's claim is $..... upon a promissory note made [*or* endorsed] by the defendant.

The plaintiff's claim is $..... against the defendant *A.B.*, as acceptor, and against the defendant *C.D.* as drawer [or endorser] of a bill of exchange.

The plaintiff's claim is $..... for calls upon shares.

Claims for Damages and other Relief

The plaintiff's claim is for damages for breach of a contract to employ the plaintiff as traveller.

The plaintiff's claim is for damages for wrongful dismissal from the defendant's employment as traveller [and $..... for arrears of wages].

The plaintiff's claim is for damages for the defendant's wrongfully quitting the plaintiff's employment as manager.

The plaintiff's claim is for damages for breach of duty as factor [*or, etc.*] of the plaintiff [and $.... for money received as factor, etc.].

The plaintiff's claim is for damages for breach of the terms of a deed of apprenticeship of *X.Y.* to the defendant [*or* plaintiff].

The plaintiff's claim is for damages for non-compliance with the award of *X.Y.*

The plaintiff's claim is for damages for assault [and false imprisonment, and for malicious prosecution].

The plaintiff's claim is for damages by reason of the defendant's negligence while acting as solicitor of the plaintiff.

The plaintiff's claim is for damages for negligence in the custody of goods [and for wrongfully detaining the same].

The plaintiff's claim is for damages for negligence in the keeping of goods pawned [and for wrongfully detaining the same].

The plaintiff's claim is for damages for negligence in the custody of furniture lent on hire [*or* a carriage lent], [and for wrongfully, etc.].

The plaintiff's claim is upon a bond conditioned not to carry on the trade of a.....

The plaintiff's claim is for damages for breach of duty in and about the carriage and delivery of machinery by sea.

The plaintiff's claim is for wrongfully depriving plaintiff of goods, household furniture, etc., being, etc.

The plaintiff's claim is for damages for libel. The libel complained of was published (*give date and manner of publication*).

The plaintiff's claim is for damages for slander. The slander complained of was the speaking of the words (*quote them*) on the day of.....

The plaintiff's claim is to recover possession of goods wrongfully distrained, being, etc.

The plaintiff's claim is for damages for improperly distraining.

The plaintiff's claim is for damages for fraudulent misrepresentation on the sale of a horse [*or* a business, *or* shares, *or* etc.].

The plaintiff's claim is for damages for fraudulent misrepresentation of the credit of *A.B.*

The plaintiff's claim is for a loss under a policy of fire insurance upon house and furniture.

The plaintiff's claim is for damages for breaches of covenants contained in the lease of a farm.

The plaintiff's claim is for damages for injury to the plaintiff from the defendant's negligence as a medical man.

The plaintiff's claim is for damages for injury to the plaintiff by the negligent driving of the defendant or his servants.

The plaintiff's claim is for damages for injury to the plaintiff while a passenger on the defendant's railway by the negligence of the defendant's servants.

The plaintiff's claim is as executor of *A.B.* deceased, for damages for the death of the said *A.B.*, from injuries received while a passenger on the defendant's railway, by the negligence of the defendant's servants.

The plaintiff's claim is for damages for breach of promise of marriage.

The plaintiff's claim is for damages for the seduction of the plaintiff's daughter.

The plaintiff's claim is for damages for breach of contract to accept and pay for goods.

The plaintiff's claim is for damages for breach of warranty of a horse.

The plaintiff's claim is for damages for the infringement of the plaintiff's patent.

The plaintiff's claim is for dower out of Lot No..... [*or, describing the property otherwise with reasonable certainty*]. And take notice that the plaintiff claims damages for the detention of her dower from the.... day of....., 19...

The plaintiff's claim is to recover possession of a house No.....in.....street, in the City of .....; [*or* of the N.E. ¼ of Lot 2, in the 3rd Concession of the Township of.....in the County of.....]. And for mesne profits. And for an account of rents or arrears of rent.

If an injunction is claimed.

The plaintiff's claim is for an injunction to restrain the defendant from.....

Claims for Equitable Relief

The plaintiff's claim is as creditor of *X.Y.*, of ....., deceased, to have the [real and] personal estate of the said *X.Y.* administered. The defendant *C.D.*, is sued as the administrator [*or* executor] of the said *X.Y.* [and the defendants *E.F.* and *G.H.* as his co-heirs-at-law].

The plaintiff's claim is as a legatee under the will, dated the.....day of....., 19.... of *X.Y.*, deceased, to have the [real and] personal estate of the said *X.Y.* administered. The defendant *C.D.* is sued as the executor of the said *X.Y.* [and the defendants *E.F.* and *G.H.* as his devisees].

The plaintiff's claim is to have an account taken of the partnership dealings between the plaintiff and defendant [under articles of partnership, dated the .....day of....., 19....], and to have the affairs of the partnership wound up.

The plaintiff's claim is to have the trusts of an indenture, dated the....day of....., 19.., and made between....., carried into execution.

The plaintiff's claim is to have a deed dated the .....day of....., 19...., and made between (*parties*), set aside or rectified.

The plaintiff's claim is for specific performance of an agreement dated the....day of....., 19.., for the sale by the plaintiff to the defendant of certain [*freehold*] hereditaments at.....

The plaintiff's claim is for alimony; and the plaintiff demands as interim alimony until the trial of the action the monthly [*or* weekly] sum of $.... to be paid to her on the....day of each month [*or* week] at.....and the interim costs to which she is entitled by the practice in that behalf.

Statement of Character of Parties
(To be introduced into the Endorsement of the Claim)

The plaintiff's claim is as executor [*or* administrator] of *C.D.*, deceased, for.....

The plaintiff's claim is against the defendant *A.B.*, as executor [*or, etc.*] of *C.D.*, deceased, for.....

The plaintiff's claim is against the defendant *A.B.*, as executor of *X.Y.*, deceased, and against the defendant *C.D.*, in his personal capacity, for.....

The claim of the plaintiff is against the defendant as executrix of *C.D.*, deceased, for.....

The plaintiff's claim is as assignee in insolvency of *A.B.*, for .....

The plaintiff's claim is against the defendant as assignee in insolvency of *A.B.*, for .....

The plaintiff's claim is as [*or* the plaintiff's claim against the defendant as] trustee under the will of *A.B.*, [*or* under the settlement upon the marriage of *A.B.* and *X.Y.*, his wife], for.....

The plaintiff's claim is against the defendant as heir-at-law of *A.B.*, deceased, for.....

The plaintiff's claim is against the defendant *C.D.*, as heir-at-law, and against the defendant *E.F.*, as devisee of lands under the will of *A.B.*, deceased, for.....

The plaintiff's claim is as well for Her Majesty the Queen as for himself, for.....

R.R.O. 1960, Reg. 396, Form 7; O. Reg. 80/63, s. 11; O. Reg. 180/64, s. 23; O. Reg. 155/65, s. 19.

Form 8

SPECIALLY ENDORSED WRIT

(RULE 33)

In the Supreme Court of Ontario

Between

A.B.

Plaintiff

(Seal) and

C.D. and *E.F.*

Defendants

Name and title of Sovereign

To *C.D.*, of the.....of.....in the .....of.....and to *E.F.*, of the..... of.....in the.....of.....

WE COMMAND YOU that within 15 days after the service of this writ on you, inclusive of the day of such service, if you desire to defend this action,

(1) you serve upon the plaintiff or his solicitor a copy of an affidavit that you have a good defence upon the merits and showing the nature of your defence, if any, to the plaintiff's claim, with the facts and circumstances which you deem entitle you to defend the action; and

(2) You file such affidavit with proof of service thereof, together with an appearance, in the court office from which this writ was issued.

AND TAKE NOTICE that in default of your so doing, the plaintiff may sign judgment for the relief claimed as endorsed on this writ, and execution will at once issue thereon.

Where a claim not falling within the provisions of rule 33 is to be added to the specially endorsed claim add:

The above command being applicable only to that part of the plaintiff's claim that is specially endorsed.

WE FURTHER COMMAND YOU that, insofar as this writ is generally endorsed, within fifteen days after the service of this writ on you, inclusive of the day of such service, you do cause an appearance to be entered for you in this action: AND TAKE NOTICE that in default of your so doing, the plaintiff may proceed therein and judgment may be given in your absence on the plaintiff's own showing and you may be deemed to have admitted the plaintiff's claim and (subject to Rules of Court) will not be entitled to notice of any further proceedings herein.

IN WITNESS WHEREOF this writ is signed for the Supreme Court of Ontario by.....

Registrar of the said Court at Toronto (*or* by..... .....Local Registrar of the said Court at..... .....) this.....day of....., 19....

.....
(signature of officer)

Memeorandum to be subscribed on the Writ

N.B. This writ is to be served within twelve calendar months from the date thereof, or if renewed, within twelve calendar months from the date of such renewal, including the day of such date, and not afterwards.

Appearance may be entered at the..... office at.....

Endorsements to be made on the Writ

The plaintiff's claim is (*as in Form 8A or as may be*).

NOTE: *In all cases of special endorsement, the specific claim shall be followed by this clause:* "and the plaintiff further claims $.....for costs".

WARNING TO DEFENDANT

This writ being specially endorsed, the defendant is warned that his failure to comply with the requirements of this writ may result in a default judgment being entered and an execution being issued against him.

If the amount of the plaintiff's claim is paid within the time limited for appearance, further proceedings will be stayed. If the amount claimed for costs is deemed to be excessive, the defendant may have them taxed.

.....
(signature)

.....
(address)

O. Reg. 180/64, s. 24;
O. Reg. 242/67, s. 21.

Form 8A

SPECIAL ENDORSEMENTS ON WRITS OF SUMMONS

(RULE 33)

1. *Claim for repayment of money* [*Rule 33 (1) (a)*].

The plaintiff's claim is for money lent by the plaintiff to the defendant at his request and which is due and unpaid.

The following are the particulars:

Date To money lent by the plaintiff to the defendant and in respect of which the defendant gave to the plaintiff a written promise to pay (*or* I.O.U.) dated the....day of....., 19.. $

(*If time fixed for repayment so state*)

Interest thereon to the date hereof at the rate of....per cent per annum agreed to by the defendant in the said written promise.... $

Amount due..... $

The plaintiff also claims interest on the sum of $.....at the rate aforesaid (*or as the case may be*) from the date hereof to the date of payment or judgment.

CERTIFICATE OF SOLICITOR

I believe the above claim is one which comes within the provisions of rule 33.

.....
(signature of solicitor issuing writ, or plaintiff when he sues in person)

2. *Claim for repayment of money lent for benefit of defendant* [*Rule 33 (1) (a)*].

The plaintiff's claim is against the defendant for money due and owing on a loan made by the plaintiff for the benefit of the defendant.

The following are the particulars:

The plaintiff made a loan to the defendant of $.....on the.....day of....., 19...., in accordance with an acknowledgment, signed by the defendant in favour of the plaintiff, and reading as follows: (*for example*)

"To: *A.B.*

150.....Ave.,

Toronto, Ontario.

This is to acknowledge accounts paid by you amounting to $.....on behalf of development of international communications program.

Such amount is accepted as a loan from you to me repayable on or before the....day of....., 19...., with interst at ....per cent per annum from the....day of....., 19...

Date (Signed)....."*C.D.*"....."

Date Amount due..... $

Interest at the rate of....per cent per annum from.....19..... to.....19..... $

Amount due..... $

(*If interest is claimed to date of payment or judgment, so state*)

Add: CERTIFICATE OF SOLICITOR *as in Claim 1*

3. *Claim for arrears of rent* [*Rule 33 (1) (a)*].

The plaintiff's claim is against the defendant for arrears of rent under a written lease dated the....day of....., 19..., made between..... and....., under which the plaintiff leased to the defendant the premises known as..... for a term of.....at a rental of $..... per month (*or as the case may be*).

The following are the particulars (*for example*):

Rent for the months of.....at the rate of $.....per..... $

(*If the plaintiff has made other payments, e.g., water rates, taxes, which the defendant was obligated to pay under the lease, give particulars*)..... $

Amount due..... $

Add: CERTIFICATE OF SOLICITOR *as on Claim 1*

4. *Claim for price of goods sold and delivered* [*Rule 33 (1) (b)*].

The plaintiff's claim is against the defendant for the price of goods sold and delivered to the defendant.

The following are the particulars: (*for example*)

Date 25 Automobile radios No. 5..... $

50 Automobile radios No. 6..... $

(*If interest is claimed so state and give particulars*)..... $

Amount due..... $

(*If interest is claimed to date of payment or judgment, so state*)

Add: CERTIFICATE OF SOLICITOR *as in Claim 1*

5. *Claim for balance due where there is a running account and invoices have been rendered* [*Rule 33 (1) (b)*].

The plaintiff's claim (*for example*) is for the balance of the price of building materials sold and delivered to the defendant.

The following are the particulars:

Date		Debits	Credits	Balance
Jan. 1, 19...	Invoice No. 1050	$ 270.00		$ 270.00
Feb. 12, 19..	Invoice No. 1222	750.00		1020.00
Feb. 20, 19..	By cheque		$500.00	520.00
Mar. 15, 19..	Invoice No. 2654	2888.00		3408.00
Apr. 12, 19..	Invoice No. 2960	1192.00		4600.00
Apr. 15, 19..	By cheque		500.00	4100.00

(*If interest is claimed so state and give particulars*)

Balance due..... $4100.00

Full particulars of the said merchandise are contained in the above invoices which have been delivered or sent to the defendant.

(*If interest is claimed to date of payment or judgment, so state*)

Add: CERTIFICATE OF SOLICITOR *as in Claim 1.*

6. *Claim for price of work done* [*Rule 33 (1) (c)*].

The plaintiff's claim is against the defendant for the price of work done.

The following are the particulars: (*for example*)

The plaintiff entered into a written (*or* oral) agreement with the defendant on (or about) the.... day of....., 19...., to supply the services of a bulldozer and operator to grade the property located at ..... in the City of ..... at the rate of $....per hour. The following work was done pursuant to the said agreement:

(*Set out particulars of amount of work done*)

(*If interest is claimed so state and give particulars*)..... $

Amount due..... $

An account for the said sum was rendered to the defendant on the....day of....., 19...

(*If interest is claimed to date of payment or judgment, so state*)

Add: CERTIFICATE OF SOLICITOR *as in Claim 1.*

7. *Claim by payee against maker of a promissory note* [*Rule 33 (1) (d)*].

The plaintiff's claim is against the defendant as maker of a promissory note of which the plaintiff is the holder.

The following are the particulars: (*for example*)

Promissory note for $....dated the.....day of....., 19...., made by the defendant payable to the plaintiff six months after date.

Date Principal..... $
Interest (*Set out particulars of interest to date of maturity, if any, and to date of writ*)..... $
Amount due..... $

(*If interest is claimed to date of payment or judgment, so state*)

Add: CERTIFICATE OF SOLICITOR *as in Claim 1.*

8. *Claim by payee against maker of a promissory note payable by instalments with default clause* [*Rule 33 (1) (d)*].

The plaintiff's claim is against the defendant as maker of a promissory note of which the plaintiff is the holder.

The following are the particulars: (*for example*)

Promissory note for $.....dated the..... day of....., 19...., made by the defendant payable to the plaintiff by instalments of $.... on the....day of each succeeding month, subject to the condition that if default should be made in payment of any of the said instalments, the whole of the said sum of $.....remaining unpaid at the time of the default should become immediately due and payable. The defendant paid the first three instalments but failed to pay the instalment due on the....day of....., 19...., or any part thereof on the due date or at all.

Date Principal..... $
Interest (*Set out particulars of interest to date of maturity, if any, and to date of writ*)..... $
Amount due..... $

(*If interest is claimed to date of payment or judgment, so state*)

Add: CERTIFICATE OF SOLICITOR *as in Claim 1.*

9. *Claim by endorsee against maker of a promissory note* [*Rule 33 (1) (d)*].

The plaintiff's claim is against the defendant as maker of a promissory note of which the plaintiff is the holder.

The following are the particulars: (*for example*)

Promissory note for $.....dated the..... day of....., 19...., made by the defendant payable to *G.H.* or order six months after date, endorsed and delivered by the payee *G.H.* to the plaintiff.

Date Principal..... $
Interest (*Set out particulars of interest to date of maturity, if any, and to date of writ*)..... $
Amount due..... $

(*If interest is claimed to date of payment or judgment, so state*)

Add: CERTIFICATE OF SOLICITOR *as in Claim 1.*

10. *Claim by endorsee against endorser of promissory note* [*Rule 33 (1) (d)*].

The plaintiff's claim is against the defendant as endorser of a promissory note of which the plaintiff is the holder.

The following are the particulars: (*for example*)

Promissory note for $.....dated the..... day of....., 19...., made by *G.H.* payable to the defendant or order six months after date, which note was endorsed by the defendant to the plaintiff. The said note was duly presented for payment and was dishonoured of which the defendant had due notice in writing.

Date Principal..... $
Interest (*Set out particulars of interest to date of maturity, if any, and to date of writ*)..... $
Amount due..... $

(*If interest is claimed to date of payment or judgment, so state*)

Add: CERTIFICATE OF SOLICITOR *as in Claim 1.*

11. *Claim by endorsee against acceptor and drawer of a bill of exchange severally* [*Rule 33 (1) (d)*].

The plaintiff's claim as holder is against the defendant *C.D.* as acceptor and against the defendant *E.F.* as drawer of a bill of exchange.

The following are the particulars: (*for example*)

Bill of exchange for $.....dated the.....

day of....., 19...., drawn by the defendant *E.F.* and accepted by the defendant *C.D.* and payable three months after date and endorsed by the defendant *E.F.* to the plaintiff, of the dishonour of which on presentation the defendant *E.F.* had notice.

Date	Principal.....	$
	Interest (*Set out particulars of interest to date of maturity, if any, and to date of writ*).....	$
	Amount due.....	$

(*If interest is claimed to date of payment or judgment, so state*)

Add: CERTIFICATE OF SOLICITOR *as in Claim 1.*

12. *Claim by payee against drawer of cheque* [*Rule 33 (1) (d)*].

The plaintiff's claim is against the defendant as drawer of a cheque.

The following are the particulars:

Cheque for $.....dated the.....day of

....., 19...., drawn by the defendant upon the *X.Y.* Bank payable to the plaintiff, which cheque was duly presented for payment on the

....day of ....., 19.., but dishonoured.

Date	Principal.....	$
	Interest (*if such is claimed*).....	$
	Amount due.....	$

(*If interest is claimed to date of payment or judgment so state*)

Add: CERTIFICATE OF SOLICITOR *as in Claim 1.*

13. *Claim on settled account* [*Rule 33 (1) (e)*].

The plaintiff's claim is against the defendant on an account settled, in writing, between them.

The following are the particulars:

Date	Balance found to be due from the defendant to the plaintiff on an account settled, in writing, between them and dated the.... day of....., 19....	$
	Interest (*set out particulars*).....	$
	Amount due.....	$

(*If interest is claimed to date of payment or judgment, so state*)

Add: CERTIFICATE OF SOLICITOR *as in Claim 1.*

14. *Claim for amount due under a covenant in a mortgage* [*Rule 33 (1) (f)*].

The plaintiff's claim is against the defendant for the amount due under a covenant for payment contained in a mortgage.

The following are the particulars:

Mortgage dated the....day of.....,

19...., made between.....and....., (*if a mortgage has been assigned give particulars*) under which the defendant (*or as the case may be*) mortgaged the lands hereinafter described for a term of....years securing the sum of $.....and

interest thereon at the rate of....per cent per annum, and which mortgage provided for payment of principal and interest as follows: (*set out terms of payment*)

Default in payment of an instalment of principal and interest (*or as the case may be*) occurred on the

....day of....., 19...., and still continues, and the plaintiff claims payment of the amount due under the said mortgage.

	Principal.....	$
	(*If so,* Taxes paid.....	$
	Insurance premiums paid.....	$
	or other matters)	
	Interest (*set out particulars*).....	$
	Amount due.....	$

And the plaintiff also claims interest at the rate

aforesaid upon the said sum of $.....from the date hereof to date of payment or judgment.

The following is a description of the mortgaged premises:

(*Set out description sufficient to identify the said lands*)

Add: CERTIFICATE OF SOLICITOR *as in Claim 1.*

15. *Claim for debt due under bond or other covenant* [*Rule 33 (1) (f)*].

The plaintiff's claim is against the defendant for principal and interest due under a..... (*describe instrument*).

The following are the particulars: (*for example*)

Deed, (*or* Bond) dated the....day of....., 19...., under which the defendant covenanted to pay to the plaintiff (*or if a bond*, conditioned for payment of) the sum of $..... and interest (*set out particulars*).

Date	Principal.....	$
	Interest (*Set out particulars*).....	$
	Amount due.....	$

(*If interest is claimed to date of payment or judgment, so state*)

Add: CERTIFICATE OF SOLICITOR *as in Claim 1.*

16. *Claim on a foreign judgment* [*Rule 33 (1) (g)*].

The plaintiff's claim is against the defendant for money due on a judgment.

The following are the particulars:

The plaintiff recovered judgment dated the.... day of....., 19...., against the defendant in an action in the.....Court of .....in the.....of.....

Date	Judgment debt.....	$
	Interest thereon at the rate of...per cent per annum from date of judgment to the date hereof.....	$
	Amount due.....	$

The plaintiff also claims interest at the rate of .....per cent per annum on the sum of $..... to the date of payment or judgment.

Add: CERTIFICATE OF SOLICITOR *as in Claim 1.*

17. *Claim under s. 18 of The Mortgages Act* [*Rule 33 (1) (h)*].

The plaintiff's claim is to recover against the defendant being the present owner of the equity of redemption payment of the amount due under the covenant of.....(*the mortgagor*) contained in a mortgage dated the....day of....., 19...., which the said defendant by virtue of s. 18 of *The Mortgages Act* became personally liable to pay to the plaintiff by reason of the conveyance and transfer of the mortgaged premises from the said..... (mortgagor) under a deed dated the....day of ....., 19...., wherein it was expressly provided (*or* under which it was implied) that the said defendant would indemnify the said..... (mortgagor) against any claims made against the said mortgagor under the said covenant.

The following are the particulars:

Mortgage dated the....day of....., 19...., made between.....and..... (*if the mortgage has been assigned give particulars*) under which.....mortgaged the lands hereinafter described for a term of....years securing the sum of $.....and interest thereon at the rate of....per cent per annum, and which mortgage provided for payment of principal and interest as follows: (*set out terms of payment*)

Default in payment of an instalment of principal and interest (*or as the case may be*) occurred on the ....day of....., 19...., and still continues, and the plaintiff claims payment of the amount due under the said mortgage.

Principal.....	$
(*If so,* Taxes paid.....	$
Insurance premiums paid.....	$
or other matters)	
Interest (*Set out particulars*).....	$
Amount due.....	$

The plaintiff also claims interest at the rate aforesaid upon the said sum of $.....from the date hereof to the date of payment or judgment.

The following is a description of the mortgaged premises:

(*Set out description sufficient to identify the said lands*)

Add: CERTIFICATE OF SOLICITOR *as in Claim 1.*

18. *Claim against a guarantor of a promissory note* [*Rule 33 (1) (i)*].

The plaintiff's claim is against the defendant on a guarantee for payment of a promissory note.

The following are the particulars: (*for example*)

Guarantee in writing dated the.....day of ....., 19...., and under seal (*or if not under seal set out consideration*) whereby the defendant guaranteed the due payment of a promissory note for $.....dated the....day of....., 19...., made by *G.H.*, payable to the plaintiff six months after date, together with interest on such amount at....per cent per annum from the date of default of the said *G.H.* until payment. *G.H.* failed to pay the said note on the due date, and the plaintiff claims payment thereof by the defendant under his guarantee.

Amount of promissory note..... $
Interest (*Set out particulars*)..... $

Amount due..... $

The plaintiff claims interest at the rate aforesaid on the sum of $.....from the date hereof to the date of payment or judgment.

Add: CERTIFICATE OF SOLICITOR *as in Claim 1.*

19. *Claim against a gurantor on a guarantee for future advances* [*Rule 33 (1) (i)*].

The plaintiff's claim is against the defendant on a guarantee.

The following are the particulars: (*for example*)

Guarantee in writing dated the.....day of ....., 19...., under seal (*or if not under seal set out consideration*) whereby the defendant guaranteed the due payment of all advances made by the plaintiff to *G.H.*, together with interest, provided that the total amount recoverable from the defendant should not exceed $....., together with interest on such amount at....per cent per annum from date of default of *G.H.* until payment.

Amount of advances and interest, full particulars of which were delivered in writing to the defendant dated the ....day of....., 19...., $
(*or if particulars have not been supplied set out particulars of advances and interest*)..... $

(*If interest is claimed to date of payment or judgment, so state*)

Add: CERTIFICATE OF SOLICITOR *as in Claim 1.*

20. *Claim against a guarantor for the price of goods sold* [*Rule 33 (1) (i)*].

The plaintiff's claim is against the defendant on a guarantee for the price of goods sold and delivered.

The following are the particulars:

Guarantee in writing dated the.....day of ....., 19...., under seal (*or if not under seal set out consideration*) whereby the defendant guaranteed the due payment of the price of goods sold and delivered by the plaintiff to *G.H.*

(*Set out particulars of goods sold and amount claimed*)..... $

(*If interest is claimed to date of payment or judgment, so state*)

Add: CERTIFICATE OF SOLICITOR *as in Claim 1.*

21. *Claim for possession of mortgaged land* [*Rule 33 (1) (j)*].

The plaintiff's claim is on a mortgage dated the ....day of....., 19...., made between .....and.....(*if the mortgage has been assigned give particulars*) under which the defendant (*or as the case may be*) mortgaged the lands hereinafter described for a term of....years securing the sum of $.....and interest thereon at the rate of....per cent per annum, and which mortgage provided for payment of principal and interest as follows: (*set out terms of payment*)

Default in payment of an instalment of principal and interest (*or as the case may be*) occurred on the ....day of..... 19...., and still continues, and the plaintiff claims possession of the said lands.

The following is a description of the mortgaged premises:

(*Set out a description sufficient to identify the lands*)

Add: CERTIFICATE OF SOLICITOR *as in Claim 1.*

22. *Claim for possession of land or premises* [*Rule 33 (1) (j)*].

The plaintiff's claim is to recover possession of certain premises (*or* land and premises *and set out description sufficient to identify the lands or premises*) which was leased to the defendant by the plaintiff under a written lease dated the....day of....., 19...., for a term of....years, from the....day of....., 19...., which term has expired (*or as the case may be*).

The plaintiff also claims $.....for mesne profits.

Add: CERTIFICATE OF SOLICITOR *as in Claim 1.*

23. *Claim for recovery of possession of goods or chattels* [*Rule 33 (1) (k)*].

The plaintiff's claim is to recover possession of the following goods unlawfully detained by the defendant, of which the plaintiff is the owner and lawfully entitled to possession.

The following are the particulars:

(*State basis of claim that plaintiff is the owner and set out description of goods. Where the plaintiff's claim is to recover possession of chattels forming a security for money, particulars are to be given including the default under which the plaintiff's right to possession arises.*)

Add: CERTIFICATE OF SOLICITOR *as in Claim 1.*

24. *Claim by mortgagee for sale, immediate payment and possession of* [*Rules 33 (1) (l) and 464*].

The plaintiff's claim is on a mortgage dated the ....day of....., 19...., made between .....and..... and registered (*Give particulars of registration. If the mortgage has been assigned give particulars*) under which the defendant (*or as the case may be*) mortgaged the lands hereinafter described for a term of....years, securing the sum of $.....and interest thereon at the rate of....per cent per annum, and which mortgage provides for payment of principal and interest as follows: (*set out terms of payment*)

Default in payment of an instalment of principal and interest (*or as the case may be*) occurred on the ....day of....., 19...., and still continues, and the plaintiff claims that the mortgage may be enforced by sale, (*where desired add* and payment to the plaintiff by the defendant personally of any balance).

If immediate payment is desired add, And to recover from you the defendant (*naming the defendant against whom the relief is claimed*) payment of the amount due under a covenant by you in that behalf contained in said mortgage.

(*Or where the plaintiff claims payment from the transferee of the equity of redemption vary form by incorporating appropriate parts of Claim 17.*)

If immediate possession is desired add, And to recover immediate possession of the mortgaged premises,

And take notice that the plaintiff claims that there is now due for principal money the sum of $.....(*if so add,* and for taxes paid [*or* premiums of insurance paid *or other matters*] the sum of $..... and for interest the sum of $.....and that you are liable to be charged with these sums, with subsequent interest to be computed at the rate of....per cent per annum, and the costs in and by the judgment to be drawn up, and that judgment for an immediate sale of your interest in the mortgaged premises may be entered unless you desire an opportunity to redeem the mortgaged premises and before the expiration of the time allowed you for appearance you do file in the office within named a notice to that effect in writing and signed by yourself or your solicitor, and give an address for service, in which case you will be entitled to four clear days' notice of the taking of the account of the amount due to the plaintiff and if you fail to redeem the mortgaged premises by paying within six calendar months from the taking of the account the amount found due thereunder your interest in the mortgaged premises may be sold.

The following is a description of the mortgaged premises: (*Set out description sufficient for registration*).

Add: CERTIFICATE OF SOLICITOR *as in Claim 1.*

25. *Claim by a mortgagee for foreclosure, immediate payment and possession* [*Rules 33 (1) (l) and 464*].

The plaintiff's claim is on a mortgage dated the ....day of....., 19..., made between .....and..... and registered (*Give particulars of registration. If the mortgage has been assigned, give particulars*) under which the defendant (*or as the case may be*) mortgaged the lands hereinafter described for a term of....years, securing the sum of $.....and interest thereon at the rate of....per cent per annum, and which mortgage provided for payment of principal and interest as follows: (*set out terms of payment*)

Default in payment of an instalment of principal and interest (*or as the case may be*) occurred on the ....day of....., 19...., and still continues, and the plaintiff claims that the mortgage may be enforced by foreclosure.

If immediate payment is desired add, And to recover from you the defendant (*naming the defendant against whom the relief is claimed*) payment of the amount due under a covenant by you in that behalf contained in said mortgage.

(*Or where the plaintiff claims payment from the transferee of the equity of redemption vary form by incorporating appropriate parts of Claim 17.*)

If the order for immediate possession is desired add, And take notice further that the plaintiff claims to be entitled to recover immediate possession of the mortgaged premises.

If one or more subsequent encumbrancers are defendants in the action add, And take notice that the defendant(s)..... has (*or* have) been made a party (*or* made parties) to this action because it would appear that he has (*or* they have) some lien, charge or encumbrance upon the mortgaged premises.

And take notice that the plaintiff claims that there is now due for principal money the sum of $.....(*if so, add,* and for taxes paid [or. premiums of insurance paid *or other matters*] the sum of $.....) and for interest the sum of $.....and that you are liable to be charged with these sums, with subsequent interest to be computed at the rate of.....per cent per annum, and the costs of this action, and that judgment for immediate foreclosure of your interest in the mortgaged premises may be entered unless you desire an opportunity to redeem the mortgaged premises.

If you desire an opportunity to redeem the mortgaged premises you must before the expiration of the time allowed you for appearance file in the office within named a notice to that effect in writing and signed by yourself or your solicitor and give an address for service, and, if you are a subsequent encumbrancer, that notice shall contain particulars of your claim verified by affidavit, in which case you will be entitled to four clear days' notice of the taking of the account of the amount due to the plaintiff.

And take notice that your interest in the mortgage premises may be foreclosed if you fail to redeem the mortgaged premises by paying, within six calendar months from the taking of the account, the amount found due thereunder.

If you desire a sale of the mortgaged premises instead of foreclosure and do not intend to defend the action, you must, within the time allowed for appearance, serve and file with proof of service in the office within named a notice to that effect in writing entitled in this action and signed by yourself, or your solicitor, and you must deposit in the court to the credit of this action the sum of $150 to meet the expenses of such sale and file with the said notice a certificate of the Accountant of the Supreme Court of Ontario to the effect that such deposit has been made, in which case the judgment shall be a judgment for sale.

The following is a description of the mortgaged premises. (*Set out description sufficient for registration.*)

Add: CERTIFICATE OF SOLICITOR *as in Claim 1.*

26. *Claim for redemption of mortgaged premises* [*Rule 33 (1) (l)*].

The plaintiff's claim is to have an account taken of what, if anything, is due on a mortgage dated the....day of....., 19...., made between .....and..... (*Give particulars of registration*) and to redeem the mortgaged premises comprised therein.

(*Set out grounds of action*)

The following is a description of the mortgaged premises (*Set out description sufficient for registration*).

Add: CERTIFICATE OF SOLICITOR *as in Claim 1.*

O. Reg. 180/64, s. 25; O. Reg. 189/69, ss. 19, 20.

Form 9

APPEARANCE

(RULE 46)

Enter an appearance for (*giving the names of all persons for whom appearance is to be entered*) in this action.

Dated the....day of....., 19....

(Signed).....

.....
(address)

If conditional appearance allowed, add: The defendant by order of.....dated the..... day of....., 19.., is permitted to appear without prejudice to his right to dispute the jurisdiction of the Court in this action, *or as the case may be.*

In case the defendant wishes to dispute the amount claimed, and to make no other defence, add, The defendant disputes the amount claimed by the plaintiff [*or* the defendant contends that the amount due to the plaintiff is $.....only, *or* the defendant contends that the amount due to the plaintiff is $.....for principal and $.....for interest, since the....day of....., 19..., and no more], *as the case may be.*

In action for the possession of land if the defendant limits his defence, add The said defendant limits his defence to part only of the property mentioned in the writ of summons, namely, to *etc.*

R.R.O. 1960, Reg. 396, Form 9.

Form 10

NOTICE LIMITING DEFENCE

(RULE 55)

The defendant, *C.D.*, limits his defence to part only of the property mentioned in the writ in this action, that is to say, to the northwest quarter of the lot.

Dated the....day of....., 19....

.....
Solicitor for Defendant

R.R.O. 1960, Reg. 396, Form 10.

PLEADINGS

NOTE: *The nature of each pleading should be stated at the head thereof, e.g., "Statement of Claim" or "Statement of Defence and Counter-claim of C.D.".*

Form 11

STATEMENT OF CLAIM

1. (*Set out concisely in convenient paragraphs a statement of the material facts relied upon*).

2. The plaintiff claims (*state the relief claimed*).

3. The plaintiff proposes that this action should be tried at.....

Delivered the....day of....., 19...,

.....by *X.Y.*, of....., Plaintiff's Solicitor.

NOTE: The date of the writ should be given at the head of the Statement of Claim, thus (Writ issued the....day of....., 19...)

R.R.O. 1960, Reg. 396, Form 11.

Form 12

STATEMENT OF DEFENCE

1. The defendant admits the allegations in the .....and.....paragraphs of the plaintiff's statement of claim.

2. (*Set out concisely in convenient paragraphs a statement of the material facts relied upon*).

Delivered, etc.

R.R.O. 1960, Reg. 396, Form 12.

Form 13

REPLY AND JOINDER OF ISSUE

1. (*If desired*) The plaintiff joins issue upon the defendant's statement of defence.

2. (*Where plaintiff does not introduce into his statement of claim, originally or by way of amendment, the allegations necessary by way of reply to the defence, set out concisely in convenient paragraphs the material facts relied upon in reply*).

Delivered,etc.

R.R.O. 1960, Reg. 396, Form 13.

Form 14

STATEMENT OF DEFENCE AND COUNTER-CLAIM

1. (*Set out the material facts relied on by way of defence*).

2. By way of counterclaim the defendant says: (*Set out by reference to paragraphs of defence, or, as in the case of a statement of claim, the material relied on by way of counterclaim*).

3. The defendant claims (*as in a statement of claim*).

Delivered, etc.

NOTE: *Where a third person as well as the plaintiff is made a party to a counter-claim, add a second style of cause, thus:*

And between *C.D.*, plaintiff,
(By counter-claim)

and

A.B. and *E.F.*, Defendants.
(By counter-claim)

R.R.O. 1960, Reg. 396, Form 14.

Form 15

REPLY AND DEFENCE TO COUNTER-CLAIM

Where plaintiff does not introduce into his statement of claim, originally or by amendment, the allegations necessary by way of reply to the defence, set out the material facts relied on by way of reply. A joinder of issue on the defence or paragraphs thereof may be added.

Delivered, etc.

R.R.O. 1960, Reg. 396, Form 15.

Form 16

STATED CASE

(RULE 128)

The following case is stated for the opinion of the Court under an order of the Honourable Mr. Justice.....dated the....day of..... 19...., made pursuant to Rule....[*or as the case may be.*] (*Here state the material facts of the case bearing upon the question of law to be decided.*)

The question [*or* questions] for the opinion of the Court is [*or* are]:

First—Whether, etc.

Second—Whether, etc.

.....
(signatures)

R.R.O. 1960, Reg. 396, Form 16.

Form 17

CERTIFICATE OF SERVICE OF FOREIGN PROCESS

(RULE 31)

I,....., Registrar of the Supreme Court of Ontario, hereby certify that the documents annexed hereto are as follows:

(1) The original letter of request for service of process received from the Court of..... at.....in the.....of.....in the matter of.....versus....., and .....

(2) The process received with such letter of request, and

(3) The evidence of service upon the person named in such letter of request duly sworn to before and verified by a notary public appointed for Ontario under his hand and official seal.

And I certify that such service, so proved, and the proof thereof are such as are required by the law and practice of the Supreme Court of Ontario regulating the service of legal process in Ontario, and the proof thereof.

And I certify that the cost of effecting such service amounts to the sum of $.....

Dated this....day of..... 19....

R.R.O. 1960, Reg. 396, Form 17.

Form 18

GENERAL FORM OF AFFIDAVIT

1. *E.F.*, of (*place of residence and description or addition*), make oath and say as follows:

[*or* We, *E.F.* and *G.H.*, of etc., severally make oath and say as follows:]

1. .....

2. .....

3. *If necessary*, And I, the said *E.F.*, for myself say.....etc.

Sworn (*if there be more than one deponent*) by the said (*naming each deponent*) before me at the..... of.....in the County of..... this.....day of....., 19....

Sworn (*if there be more than one deponent*) by the said (*naming each deponent*) before me at the..... of.....in the County .....this ....day of....., 19....

A Commissioner, etc.

NOTE: *An Affidavit for use on a motion should by endorsement show on whose behalf it is filed; e.g., "Affidavit of John Smith filed on behalf of the plaintiff."*

R.R.O. 1960, Reg. 396, Form 18.

Form 19

FORM OF JURAT IN THE CASE OF AN ILLITERATE PERSON

Sworn before me at the .....of..... in the County of.....this....day of ....., 19...., the said affidavit having been first read over in my presence to the deponent [*or* the deponent *E.F.*] who seemed perfectly to understand the same and signed the same [*or* made his mark thereto] in my presence.

A Commissioner, etc.

R.R.O. 1960, Reg. 396, Form 19.

Form 20

AFFIDAVIT OF SERVICE OF WRIT OF SUMMONS

I,.....,

of the.....of....., in the .....of.....
(occupation)

make oath and say as follows:

1. I did on....., the.....day of....., 19...., personally serve *C.D.*, the above-named defendant in this action, with the attached writ of summons [*or* notice of the writ of summons] by delivering a true copy of the same to and leaving the same with the said defendant on the day aforesaid at.....

2. Upon the said copy so served as aforesaid were endorsed at the time of such service true copies of all the endorsements appearing upon the original writ of summons [*or* notice].

3. To effect such service, I necessarily travelled .....miles.

Sworn, etc.

O. Reg. 156/68, s. 22.

Form 21

NOTICE TO PRODUCE DOCUMENTS

(RULE 347)

Take notice that you are required within ten days from this date to make discovery on oath of the documents which are or have been in your possession or power relating to any matters in question in this action and to produce and deposit the same with the proper officer of this Court for the usual purposes, and that you are also required to serve a copy of the affidavit upon the undersigned forthwith after it has been filed.

Dated this.....day of....., 19....

..... *M.N.*
Plaintiff's Solicitor

To *L.K., Esq.*,

To *L.K., Esq.*,

Defendant's Solicitor

R.R.O. 1960, Reg. 396, Form 21.

Form 22

AFFIDAVIT AS TO PRODUCTION OF DOCUMENTS

I, the above-named defendant, *C.D.*, make oath and say as follows:

1. I have in my possession or power the documents relating to the matters in question in this action set forth in the first and second parts of the first schedule hereto.

2. I object to produce the said documents set forth in the second part of the said first schedule hereto.

3. (*Here state upon what grounds the objection is made, and verify the facts as far as may be.*)

4. I have had, but have not now, in my possession or power the documents relating to the matters in question in this suit set forth in the second schedule hereto.

5. The last-mentioned documents were last in my possession or power on (*state when*).

6. (*Here state what has become of the last-mentioned documents, and in whose possession they now are.*)

7. According to the best of my knowledge, information and belief, I have not now, and never had in my possession, custody or power, or in the possession, custody or power of my solicitors or agents, or in the possession, custody, or power of any other persons or person on my behalf, any deed, account, book of account, voucher, receipt, letter, memorandum, paper, or writing, or any copy of or extract from any such document, or any other document whatsoever relating to the matters in question in this action or any of them, or wherein any entry has been made relative to such matters, or any of them, other than and except the documents set forth in the said first and second schedules hereto, and the pleadings and other proceedings in the action.

Sworn, etc.

R.R.O. 1960, Reg. 396, Form 22.

Form 23

AFFIDAVIT ON PRODUCTION WHEN MADE BY AN OFFICER OF A CORPORATION

I,.....of....., make oath and say as follows:

1. I am the (*here state the name of the office held by the deponent in the service of the company on whose behalf he makes the affidavit*), and as such have knowledge of all documents which are, or have been, in the custody or possession of the said (*company*), relating to the matters in question in this action.

2. I am cognizant of the matters in question in this action.

3. The said defendants have in their possession or power the documents relating to the matters in question in this action set forth in the first and second parts of the first schedule hereto.

4. The said defendants object to produce the said documents set forth in the second part of the said first schedule hereto.

5. (*Here state on what grounds the objection is made, and verify the facts as far as may be.*)

6. The said defendants have had, but have not now, in their possession or power, the documents relating to the matters in question in this action set forth in the second schedule hereto.

7. The last-mentioned documents were last in the possession or power of the said defendants on (*state when*).

8. (*Here state what has become of the last-mentioned documents, and in whose possession they now are.*)

9. According to the best of my knowledge, information and belief, the said defendants have not now, and never had, in their possession, custody, or power, or in the possession, custody, or power of myself, or of any of their solicitors or agents, or of any person or persons whomsoever, on their behalf any (*proceed as in Form 22*).

R.R.O. 1960, Reg. 396, Form 23.

Form 24

PRAECIPES

NOTE: *A praecipe for the action of any officer should contain a concise statement of what is desired and, where what is sought is authorized by an order, it should be referred to in the praecipe and should be produced. All particulars, save those appearing in the order, necessary for the officer's action should be given.*

The following are given as examples:

Required in pursuance of order dated..... to renew the writ of summons in this action.

Dated the.....day of....., 19....

(Signed).....

Solicitor for the.....

Required in pursuance of order dated..... a writ of habeas corpus *ad testificandum* directed to the.....to bring.....before.....

Required in pursuance of order [*or* Master's certificate] dated.....a commission to examine witnesses directed to.....

Required a writ of *fieri facias* directed to the sheriff of.....to levy against..... the sum of $.....and interest thereon at the rate of.....per centum per annum from the .....day of.....(and $..... costs) to.....

Judgment [*or* order] dated the.....day of ....., 19....

Taxing master's certificate dated the..... day of....., 19....

Required a writ of *venditioni exponas* directed to the sheriff of.....to sell the goods and chattels [*or* lands and tenements] of.....taken under a writ of *fieri facias* in this action tested the .....day of....., 19....

Set down this appeal from the order [*or* judgment] of.....in this action dated the.... day of....., 19....

Enter [*or* set down] this action for trial at the sittings at.....commencing the.....day of....., 19....

NOTE: *A praecipe to set down for argument may be endorsed on the notice of motion.*

R.R.O. 1960, Reg. 396, Form 24.

Form 25

THIRD PARTY NOTICE

(RULE 167)

COURT

BETWEEN:

A.B.

Plaintiff

(seal) and

C.D.

Defendant

and

E.F.

Third Party

Name and title of Sovereign

To: *E.F.* of the.....of.....

in the.....of.....

TAKE NOTICE that the plaintiff has commenced an action against the defendant for the relief set out in the statement of claim (*or* in the special endorsement of the writ of summons *as the case may be*);

AND FURTHER TAKE NOTICE that the defendant disputes the plaintiff's claim on the grounds appearing in his statement of defence (*or* affidavit of merits *as the case may be*) and in the event that the defendant is held liable to the plaintiff, the defendant claims to be entitled to relief over against you on the grounds set out in the following statement of claim:

STATEMENT OF CLAIM OF DEFENDANT AGAINST THIRD PARTY

Set out concisely in numbered paragraphs a statement of the material facts and the relief claimed.

AND FURTHER TAKE NOTICE THAT WE COMMAND YOU that if you desire to dispute your liability to the defendant, or the plaintiff's claim in the action as against the defendant, within fifteen days after service on you of this notice you shall,

(1) cause an appearance to be entered for you to this notice; and

(2) deliver your statement of defence to the above statement of claim of the defendant to be entitled STATEMENT OF DEFENCE OF THIRD PARTY OF CLAIM OF THE DEFENDANT; and

(3) if so advised, also deliver a statement of defence to the plaintiff's statement of claim to be entitled STATEMENT OF DEFENCE OF THIRD PARTY TO THE STATEMENT OF CLAIM OF THE PLAINTIFF.

(*Where the action was commenced by a specially endorsed writ the above command shall be so worded as to require the entry of an appearance only.*)

AND FURTHER TAKE NOTICE that in default of your so appearing (*and where the action was commenced by a writ of summons not specially endorsed, add* and delivering a statement of defence to the statement of claim of the defendant) you will be deemed to admit the validity of any judgment obtained against the defendant and your own liability to contribute or indemnify to the extent herein claimed, which may be summarily enforced against you.

IN WITNESS WHEREOF this notice is signed for the Supreme Court of Ontario by.....

Registrar of the said Court at Toronto [*or* by.....

Local Registrar of the said Court at.....]

this....day of....., 19....

.....
(signature of officer)

Appearance may be entered at the.....

office.....

Endorsement to be made on the Notice within three days after service thereof

This Notice was served by me.....

on *E.F.* (the third party) on....., the....day

of....., 19...

This memorandum is made this.....day of

.....19....

.....
(signature)

.....
(address)

O. Reg. 180/64, s. 26; O. Reg. 155/65, s. 20.

Form 26

SUMMONS TO DEFENDANT ADDED BY COUNTERCLAIM

(RULE 114)

(Court and Cause)

Name and title of the Sovereign

To *X.Y.*, of, etc.

Whereas in this action the defendant has filed a counterclaim against the plaintiff and you, the said *X.Y.*

We command you that within ten days after service upon you of this summons and of the statement of claim and statement of defence and counterclaim to be served herewith you do cause an appearance to be entered for you and your defence, if any, to the said counterclaim to be delivered, and take notice that in default of you so doing the plaintiff by counterclaim may proceed thereon without further notice to you and you will be deemed to admit the statements of the said counterclaim and judgment will be given accordingly.

Your appearance may be entered and defence filed at.....

Witness, etc.

Issued, etc.

R.R.O. 1960, Reg. 396, Form 26.

NOTICES

Form 27

NOTICE OF PAYMENT INTO COURT

Take notice that the defendant.....has paid into Court $.....in satisfaction of the plaintiff's claim [*or* the plaintiff's claim for, etc.].

(Note: *Where a defendant offers to surrender his counterclaim, add*:)

Take notice that the defendant is offering to surrender his counterclaim (and in addition, the sum of $...., which has been paid into court) in satisfaction of the plaintiff's claim and in settlement of the action and counterclaim.

R.R.O. 1960, Reg. 396, Form 27; O. Reg. 162/62, s. 21.

Form 27A

CONFESSION OF JUDGMENT

Take notice that Her Majesty the Queen in right

of Ontario confesses judgment in the sum of $.... in satisfaction of the plaintiff's claim [*or* confesses judgment on the plaintiff's claim for etc.].

O. Reg. 155/65, s. 21.

Form 28

ACCEPTANCE OF SUM PAID INTO COURT

Take notice that the plaintiff accepts the sum of

$.....paid by the defendant.....into Court in satisfaction of the claim in respect of which it was paid in.

Dated the.....day of....., 19....

(Signed).....

Solicitor for the.....

To.....

Solicitor for.....

(Note: *Where a defendant offers to surrender his counterclaim, add:*)

Take notice that the plaintiff accepts the offer

of the defendant.....to surrender

his counterclaim (and the sum of $.... paid by the said defendant into court) in settlement of the action and counterclaim, in respect of which surrender of the counterclaim was offered (and money paid in).

R.R.O. 1960, Reg. 396, Form 28; O. Reg. 162/62, s. 22.

Form 28A

ACCEPTANCE OF CONFESSION OF JUDGMENT

Take notice that the plaintiff accepts the sum of

$.....in respect of which Her Majesty the Queen in right of Ontario has delivered a confession of judgment.

Dated the.....day of....., 19....

(Signed).....

Solicitor for the.....

To the Minister of Justice and Attorney General for Ontario
And to.....

Solicitor for.....

O. Reg. 155/65, s. 22.

Form 29

CONFESSION OF DEFENCE ARISING PENDING ACTION

(RULE 166)

The plaintiff confesses the defence stated in the

.....paragraph of the defendant's statement of defence [*or*, of the defendant's further statement of defence].

R.R.O. 1960, Reg. 396, Form 29.

Form 30

CONFESSION OF ACTION FOR RECOVERY OF LAND

(RULE 55)

I, the defendant *C.D.*, hereby confess this action [*or*, confess this action as to part of the land claimed, namely: *describe the part*].

R.R.O. 1960, Reg. 396, Form 30.

Form 31

NOTICE OF DISCONTINUANCE

(RULE 320)

Take notice that the plaintiff hereby wholly discontinues this action [*or*, withdraws so much of his claim in this action as relates to, etc.].

[*If not against the defendants, add:* as against the defendant *C.D.*]

R.R.O. 1960, Reg. 396, Form 31.

Form 32

NOTICE TO PRODUCE DOCUMENTS REFERRED TO IN PLEADINGS

(RULE 350 (1))

Take notice that the plaintiff [*or* defendant] requires you to produce for his inspection the following documents referred to in your [statement of claim or defence or affidavit sworn on the.....day

of....., 19....].

R.R.O. 1960, Reg. 396, Form 32.

Form 33

NOTICE TO INSPECT DOCUMENTS

(RULE 350 (2))

Take notice that you may inspect the documents mentioned in your notice of the.....day of ....., 19...., [*except the deed numbered .....in that notice*] at my office, on.....day next the.....instant, between the hours of 12 noon and 4 p.m.

Or, that the plaintiff [*or* defendant] objects to giving you inspection of the documents mentioned in your notice of the.....day of....., 19...., on the ground (*state the ground*):

R.R.O. 1960, Reg. 396, Form 33.

Form 33A

NOTICE TO PRODUCE MEDICAL REPORTS

(RULE 352*a*)

Take notice that the plaintiff [*or* defendant] requires you within five days of receipt of this notice to produce all medical reports, including x-ray reports, electroencephalogram reports and other like reports, obtained by or prepared for you that are relevant to the matters in issue in this action.

Dated, etc.

(Signed).....

Solicitor for the.....

To.....

Solicitor for.....

O. Reg. 207/66, s. 9.

Form 34

JURY NOTICE

(*The Judicature Act*, s. 62)

"The plaintiff [*or* the defendant] requires that the issues in this cause be tried [*or* the damages in this cause be assessed] by a jury."

R.R.O. 1960, Reg. 396, Form 34.

Form 35

NOTICE OF TRIAL (GENERAL)

(RULE 249)

Take notice that this action (*or* the issues in this action ordered to be tried) was (*or* were set down on the.....day of....., 19.... for trial (*or* for assessment of damages) in the County of.....

And take notice that you may ascertain the date of the sittings for which this action was set down from the.....Registrar of this Court at .....

And further take notice that if this action is not tried at such sittings the same may be tried at a subsequent sittings without further notice to you.

O. Reg. 301/70, s. 28.

Form 36

Revoked O. Reg. 156/68, s. 19.

Form 37

NOTICE OF TRIAL—TORONTO NON-JURY SITTINGS

(RULE 249)

Take notice that this action (*or* the issues in this action ordered to be tried) was (*or* were) set down on the....day of....., 19.... for trial (*or* for assessment of damages) at the Toronto non-jury sittings.

O. Reg. 301/70, s. 29.

Form 38

(Revoked)

O. Reg. 156/68, s. 19.

Form 39

NOTICE OF MOTION TO COURT

(RULE 215)

Take notice that the Court will be moved on behalf of the.....at..... on.....day the.....day of ....., 19.....at.....o'clock

in the forenoon, or so soon thereafter as counsel can be heard, for an order that (*state the objects of the intended application*) or for such other order as seems just. (*In cases where it is necessary to set out the grounds of the motion, add, upon* the following grounds, *stating them concisely*).

And take notice that in support of such motion will be read (*state the affidavits or other evidence to be used*).

Dated the.....day of....., 19..

(Signed).....

Solicitor for the.....

To.....

Solicitor for.....

R.R.O. 1960, Reg. 396, Form 39: O. Reg. 162/62, s. 23; O. Reg. 301/70, s. 30.

Form 40

NOTICE OF MOTION IN CHAMBERS

(RULE 215)

Take notice that an application will be made on behalf of ..... before the presiding Judge in Chambers [*or* the Master, *or as the case may be*] at ..... on ..... day, the ..... day of ....., 19...., at ..... o'clock in the .....noon, or so soon thereafter as the motion can be heard, for an order for ..... (*state object of applications*).

And take notice, etc. (as in Form 39).

R.R.O. 1960, Reg. 396, Form 40;
O. Reg. 301/70, s. 31.

Form 41

NOTICE TO PRODUCE AT THE TRIAL

Take notice that you are hereby required to produce and show to the court on the trial of this action all books, papers, letters, copies of letters, and other writings and documents in your custody, possession or power, containing any entry, memorandum or minute relating to the matters in question in this action, and particularly the following: (*set out a list of documents with dates and descriptions thereof*).

Dated, etc.

.....
(signature)

To .....

R.R.O. 1960, Reg. 396, Form 41.

Form 42

NOTICE TO ADMIT DOCUMENTS

(*The Evidence Act, s. 55*)

Take notice that the plaintiff [*or* defendant] in this cause proposes to adduce in evidence the several documents hereunder specified, and that the same may be inspected by the defendant [*or* plaintiff], his solicitor or agent at ....., on ....., between the hours of ..... and the defendant [*or* plaintiff] is hereby required, within four days from the said day, to admit that such of the said documents as are specified to be originals were respectively written, signed, or executed, as they purport respectively to have been; that such as are specified as copies are true copies, and such documents as are stated to have been served, sent, or delivered, were so served, sent, or delivered respectively; saving all just exceptions to the admissibility of all such documents as evidence in this cause.

Dated, etc.

.....
(signature)

(*Specify documents*)

R.R.O. 1960, Reg. 396, Form 42.

Form 43

ENDORSEMENT ON OFFICE COPY OF JUDGMENT OR ORDER OF REFERENCE WHEN PARTIES ADDED

(RULES 87, 407 AND 496 (2))

To (*the person upon whom service is to be made*)

Take notice, FIRST, that from the time of service of this notice you will be bound by the proceedings in this cause in the same manner as if you had originally been made a party, unless you, within ten days after the service hereof, apply to the Court to add to, vary or set aside the within judgment. And SECOND, that you may, upon service of notice upon the plaintiff, attend the proceedings under the within judgment.

R.R.O. 1960, Reg. 396, Form 43;
O. Reg. 189/69, s. 21.

Form 44

ENDORSEMENT ON THE COPY SERVED OF AN ORDER ADDING A PARTY

(RULE 407)

To (*the person upon whom service has been directed*)

If you wish to apply to discharge the within order or to add to, vary, or set aside, the judgment in this cause, you must do so within ten days from the service hereof. (*When the order fixes a time for the further proceedings, add*: And if you fail to move to discharge the said order or to add to, vary, or set aside the judgment, and fail to attend at the time and place appointed by said order, either in person or by your solicitor, such order will be made and proceedings taken, in your absence, as seem just and expedient; and without any further notice you will be bound by the judgment, and the further proceedings in the cause, in the same manner as if you had been originally made a party.)

R.R.O. 1960, Reg. 396, Form 44.

Form 45

ENDORSEMENT ON COPY SERVED OF AN ORDER ADDING A PARTY

(RULE 496 (2))

To (*the person upon whom service has been directed*)

If you wish to apply to discharge the within order or to add to, vary, or set aside the judgment in this action you must do so within ten days from the service hereof. If you desire an opportunity to redeem the mortgaged premises, you are required to appear at the time and place mentioned in the Notice to Original Defendants, either in person or by your solicitor, and to file a memorandum in writing entitled in this action and signed by yourself or your solicitor to the following effect: "I desire an opportunity to redeem the property in question herein", and give an address for service.

If you fail to move to discharge the said order or to add to, vary or set aside the judgment or to appear and file a notice desiring an opportunity to redeem, you will be bound by the judgment and the further proceedings in this action, in the same manner as if you had been originally made a party and will be deemed to submit to an immediate foreclosure [*or* immediate sale, *as the case may be*] and will receive no further notice.

R.R.O. 1960, Reg. 396, Form 45.

Form 46

NOTICE TO ENCUMBRANCERS

(RULE 477)

(*The style of cause shall include the parties added*)

Whereas an action has been instituted by the above-mentioned plaintiff for the foreclosure [*or* sale] of [*or* enforcement of a lien on] certain lands (*insert description of lands*) and I have been directed by the judgment made in this cause, and dated the ..... day of ....., 19...., to inquire whether any person, other than the plaintiff, has any charge or lien or encumbrance upon the said estate. And whereas it has been made to appear before me that you have each some lien, charge or encumbrance upon the said estate, and I have therefore caused you to be made party ..... to this action, and have appointed ..... the .... day of ....., 19...., at ..... o'clock in the .....noon, for you to appear before me, at my chambers at ....., either in person or by your solicitor, to prove your claims.

Now you are hereby required to take notice: First, that if you wish to apply to discharge my order making you a party, or to add to, vary or set aside the judgment, you must do so within ten days after the service hereof; and, if you fail to do so, you will be bound by the judgment and the further proceedings in this action as if you were originally made a party to the action. Second, that if you fail to attend at the time and place appointed, you will be treated as disclaiming all interest in the land in question, and it will be dealt with as if you had no claim thereon, and your claim will be in fact foreclosed.

Dated, etc.

.....
Master

To .....

R.R.O. 1960, Reg. 396, Form 46;
O. Reg. 189/69, s. 22.

Form 47

NOTICES TO PARTIES BY WRIT HAVING ENCUMBRANCES

(RULE 477)

(*The style of cause shall include the parties added*)

Having been directed by the judgment in this action to inquire whether any person, other than the plaintiff, has any lien, charge or encumbrance upon the lands in question in this action subsequent to the plaintiff's claim, and to take an account of the amount due to the plaintiff and any such person, and it having been made to appear that you may have some lien, charge or encumbrance thereon, you are hereby notified that I have appointed ..... day, the ..... day of ....., 19...., at my chambers in the court house at ..... at ..... o'clock in the .....noon to proceed with the said inquiry and to determine the amount of the claim of the plaintiff, and of such encumbrancers as may come in and prove their claims before me.

If you fail to attend upon such appointment and to prove your claim, the reference may proceed in your absence, and you will receive no further notice of the proceedings in this action, and you will be treated as disclaiming any lien, charge or encumbrance upon the said lands, and will stand foreclosed from any such claim.

Dated, etc.

.....
Master

To .....

R.R.O.1960, Reg.396, Form47;
O.Reg.189/69,s.23.

Form 48

NOTICE TO ALL ORIGINAL DEFENDANTS

(Rule 478)

(*The style of cause shall include the parties added*)

Having been directed by the judgment in this action to inquire whether any person other than the plaintiff has any lien, charge or encumbrance upon the lands in question in this action subject to the plaintiff's claim thereon, you are hereby notified that it has been made to appear to me that the persons named in the schedule hereto may have some lien, charge or encumbrance thereon, and I have, therefore, caused such of them as are not already parties thereto to be added as parties in my office, and have appointed ..... day, the ..... day of ....., 19...., at my chambers in the court house at ..... at ..... o'clock in the .....noon to inquire and determine whether the said parties have any such lien, charge or encumbrance, and to fix and ascertain the amount thereof, and the amount of the plaintiff's claim upon his security.

If you do not then and there attend, the reference will be proceeded with in your absence, and you will receive no further notice of the proceedings in this action.

If you are a subsequent encumbrancer and fail to attend upon such appointment and to prove your claim, you will be treated as disclaiming any lien, charge or encumbrance upon the said lands, and will stand foreclosed from any such claim.

Dated, etc.

.....
Master

To .....

SCHEDULE OF ENCUMBRANCERS

E.g.

	Nature of Claim
A.B.	Mortgage dated.
C.D.	Execution.
E.F.	Mechanic's Lien.

R.R.O.1960, Reg.396, Form48;
O.Reg.189/69,s.24.

Form 49

ADVERTISMENT FOR CREDITORS

(Rule 415)

(*Court and cause not necessary*)

TO THE CREDITORS OF A.B.

Pursuant to a judgment [*or* an order] in an action in the Supreme Court of Ontario of *A.* against *B.*, the creditors of....., late of.....in the.... of....., who died in or about the month of.....19..., are, on or before the..... day of.....19..., to send by post, prepaid, to....., of....., the solicitor for the defendant....., the executor [*or* administrator] of the deceased [*or as may be directed*] their given names and surnames, addresses and descriptions, the full particulars of their claims, a statement of their securities, and the nature of the securities, if any, held by

them; or in default thereof, they will be peremptorily excluded from the benefit of the said judgment [*or* order] (*And where necessary add:* Every creditor holding any security is to produce the same before me, at my chambers, at.....on the..... day of....., 19..., at.....o'clock in the.....noon, being the time appointed for adjudication on the claims).

Dated, etc.

.....
Master

R.R.O. 1960, Reg. 396, Form 49.

Form 50

NOTICE TO CREDITORS TO PRODUCE VOUCHERS AND DOCUMENTS

(RULE 416)

You are hereby required to produce, in support of the claim sent in by you, against the estate of....., deceased (*describe any document required*) before me at my chambers, at, etc., on the.....day of ....., 19...., at.....o'clock in the .....noon.

R.R.O. 1960, Reg. 396, Form 50.

Form 51

NOTICE TO CREDITOR TO PROVE HIS CLAIM

(RULE 416)

You are hereby required to prove the claim sent in by you against the estate of....., deceased. You are to file such affidavit as you may be advised in support of your claim and give notice thereof to the Master [*or as the case may be*] on or before the..... day of....., 19..., and attend personally, or by your solicitor, at his chambers, on the..... day of....., 19..., at.....o'clock in the.....noon, being the time appointed for adjudicating on the claim.

R.R.O. 1960, Reg. 396, Form 51.

Form 52

NOTICE TO CREDITOR THAT CLAIM ALLOWED

The claim sent in by you against the estate of ....., deceased, has been admitted at the sum of $..... [with interest thereon at.....per cent per annum, from the.....day of ....., 19..., and $..... for costs, *or as the case may be*].

If part only admitted, add: If you claim to have a larger sum allowed, you are hereby required to prove such further claim, and you are to file (*etc., as in Form 54*).

R.R.O. 1960, Reg. 396, Form 52.

Form 53

NOTICE THAT CHEQUES MAY BE RECEIVED

(RULE 439)

The cheques for the amounts directed to be paid to the creditors of....., deceased, by an order made in this action [*or* matter] dated the.....day of ....., 19..., may be obtained at the Accountant's Office, Toronto, on and after the .....day of....., 19...

R.R.O. 1960, Reg. 396, Form 53; O. Reg. 301/70, s. 32.

Form 54

REPORTS, ETC., BY MASTERS, ETC.

FORM OF REPORT IN ADMINISTRATION SUIT

Date.....

Pursuant to the judgment herein made, dated the .....day of....., 19.... having caused an office copy thereof to be served upon (*state the names of persons served, and also the names of those upon whom the service has been dispensed with, and the reason for dispensing with service*), I proceeded to dispose of the matters referred to me, and thereupon was attended by the solicitors for all parties interested [*or as the case may be*], and I find as follows:

1. The personal estate not specifically bequeathed of the testator come to the hands of the executors, and wherewith they are chargeable, amounts to the sum

of $....., and they have paid, or are entitled to be allowed thereout, the sum of $....., leaving a balance due from [*or* to] them of $..... on that account.

[*If no personal estate, say:* No personal estate has come to the hands of the executors, nor are they chargeable with any].

2. The creditors' claims sent in pursuant to my advertisement in that behalf and which have been allowed are set forth in the first schedule hereto and amount altogether to $.....

[*If no creditors, say:* No creditor has sent in a claim pursuant to my advertisement in that behalf nor has any such claim been proved before me].

3. The funeral expenses of the testator amounting to $.....have been paid by the executors and are allowed to them in the account of personal estate.

4. The legacies given by the testator are set forth in the second schedule hereto, and with the interest therein mentioned, remain due to the persons named [*or as the case may be*].

5. The personal estate of the said testator outstanding, or undisposed of, is set forth in the third schedule hereto.

In this third schedule, personal estate not specifically bequeathed should be set forth separately from the other personalty outstanding or undisposed of. If there is no specific bequest, it should be so stated in the body of the report.

6. The real estate which the said testator was seized of or entitled to, and the encumbrances, if any, affecting the same, are set forth in the fourth schedule hereto.

7. The rents and profits of the testator's real estate received by the said executors, or with which they are chargeable, amount to $.....and they have paid, or are entitled to be allowed thereout, the sum of $....., leaving a balance due from [*or* to] them of $.....on that account.

[*If no rents, etc., received, say:* No rents and profits have come to the hands of the said executors, nor are they chargeable with any].

8. I have allowed the said executors the sum of $..... as a compensation for their personal services in the management of the said estate.

9. I have caused the real estate, other than parcels .....which were specifically devised, to be sold, and the purchasers have paid their purchase money into Court.

10. In the schedule, I have shown how the money in Court is to be dealt with.

THE FIRST SCHEDULE REFERRED TO IN THE FOREGOING REPORT

No.	Names of Creditors	Principal	Interest Allowed		Costs of this Suit	Total
			Rate per Cent	Amount to date of Report		
		$ c.		$ c.	$ c.	$ c.
	[*Distinguish any which are secured by mortgage, lien, or otherwise entitled to any priority.*]					

(No general form can well be framed for the other schedules, but in all cases brevity is to be studied. Where particulars are given they should show merely the general character of the things described; as, for instance, the schedule of outstanding personalty may say: A number of book debts outstanding amounting in the aggregate to $.....; a quantity of household furniture and effects valued at $.....; and the like short particulars should be given in other cases. Lands should be described without setting forth metes and bounds.)

R.R.O. 1960, Reg. 396, Form 54.

Form 55

STANDING CONDITIONS OF SALE

(RULE 444)

1. No person shall advance less than $10 at any bidding under $500, nor less than $20 at any bidding over $500, and no person shall retract his bidding.

2. The highest bidder shall be the purchaser; and if any dispute arises as to the last or highest bidder, the property shall be put up again.

3. The parties to the action, with the exception of the vendor (and, *naming any parties, trustees, agents, or others, in a fiduciary situation*), shall be at liberty to bid.

4. The purchaser shall, at the time of sale, pay down a deposit, in proportion of $10 for every $100 of the purchase money, to the vendor, or his solicitor; and shall pay the remainder of the purchase money on the.....day of....., 19...; and, upon such payment, the purchaser shall be entitled to the conveyance, and to be let into possession; the purchaser at the time of sale shall sign an agreement for the completion of the purchase.

5. The purchaser shall have the conveyance prepared at his own expense and tender it for execution.

6. If the purchaser fails to comply with the conditions aforesaid, or any of them, the deposit and all other payments made thereon shall be forfeited, and the premises may be re-sold; and the deficiency, if any, by such re-sale, together with all charges attending the same, or occasioned by the defaulter, are to be made good by the defaulter.

R.R.O. 1960, Reg. 396, Form 55.

Form 56

REPORT ON SALE

(RULE 449)

Pursuant to the judgment, bearing date the..... day of....., 19..., and made in this cause, I have, in the presence of [*or*, after notice to], all parties concerned, settled an advertisement and particulars and conditions of sale, for the sale of the lands mentioned or referred to in the said judgment [*or* order], and such advertisement having been published, according to my directions, the said lands were offered for sale by public auction, according to my appointment, on the.....day of....., 19..., by me [*or* by.....of....., appointed by me for that purpose, auctioneer], and such sale was conducted in a fair, open and proper manner, when.....of.....was declared the highest bidder for and became the purchaser of the said lands at the price or sum of $....., payable as follows (*set out shortly the conditions of sale as to payment of the purchase money*).

All which having been proved to my satisfaction by proper and sufficient evidence, I certify.

R.R.O. 1960, Reg. 396, Form 56.

SUBPOENAS, ETC., FOR EXAMINATION OF WITNESSES, ETC.

(See general note at head of forms)

Form 57

SUBPOENA DUCES TECUM
(GENERAL FORM)

(RULE 272)

Name and title of Sovereign

To....., greeting:

We command you to attend before.....at .....on.....day the.....day of ....., 19..., at the hour of.....in the .....noon, and so from day to day [until the above cause is tried, *or as may be*] to give evidence [*or* for examination for discovery *or as may be*] on behalf of the.....and also to bring with you and produce at the time and place aforesaid (*specifying documents to be produced*).

In witness whereof this subpoena is signed for the Supreme Court of Ontario by....., Registrar of the said Court at Toronto [*or* by....., Local Registrar of the said Court at..... this.....day of..... 19....

(Seal)

.....
(signature of officer)

R.R.O. 1960, Reg. 396, Form 57.

Form 58

SUBPOENA (AT TRIAL)

(RULE 272)

Name and title of Sovereign

To....., greeting:

We command you to attend at the sittings of the Supreme Court of Ontario in and for the county of ....., to be holden at.....on .....day the.....day of..... 19..., at the hour of.....in the.....noon and so from day to day during the said sittings until the above cause is tried, to give evidence on behalf of the....., and also bring with you and produce at the time and place aforesaid (*here specify documents to be produced*)

In witness whereof this subpoena is signed for the Supreme Court of Ontario by....., Registrar of the said Court at Toronto [*or* by....., Local Registrar of the said Court at.....] this..... day of....., 19... (Seal)

.....
(signature of officer)

R.R.O. 1960, Reg. 396, Form 58.

Form 59

HABEAS CORPUS AD TESTIFICANDUM

(RULE 232)

Name and title of Sovereign

To the keeper of our prison at.....

We command you that you bring....., who it is said is detained in our prison under your custody, before.....at.....on..... day the.....day of....., 19... at the hour of.....in the.....noon, and so from day to day until the above action is tried, to give evidence on behalf of the..... And that immediately after the said.....has so given his evidence you safely conduct him to the prison from which he has been brought.

In witness whereof this writ is signed for the Supreme Court of Ontario by....., Registrar of the said Court at Toronto [*or* by....., Local Registrar of the said Court at.....] this.....day of....., 19... (Seal)

.....
(signature of officer)

R.R.O. 1960, Reg. 396, Form 59.

Form 60

WARRANT FOR ARREST OF A DEFAULTING WITNESS

(RULE 275)

Province of Ontario

County of.....

To *E.F.*, Sheriff, etc.

Whereas proof has been made before me that *H.N.* was duly subpoenaed to give evidence on behalf of the plaintiff (*or as the case may be*), in this cause at the sittings of (*as the case may be*) at Toronto (*or as the case may be*) which commenced on the..... day of....., 19...; that the presence of the said *H.N.* is material to the ends of justice; and that the said *H.N.* has failed to attend in accordance with the requirements of the subpoena.

These are therefor to command you to take the said *H.N.* and to bring and have him before me at the said sittings, or before such other Judge as may be presiding thereat, there to testify what he may know concerning the matters in question in the said cause, and that you detain him in your custody until he has given his evidence, or until the said sittings have ended, or until other order is made by the Court concerning him.

Given under my hand, this.....day of ....., 19..., at.....

R.R.O. 1960, Reg. 396, Form 60.

Form 61

COMMISSION TO EXAMINE WITNESSES

(RULE 276)

(*Court and Cause*)

Name and title of Sovereign

To....., greeting:

Know ye that We, in confidence of your prudence and fidelity, have appointed you a Commissioner for the purpose of taking evidence in the above cause now pending in Our said Court; and We do hereby give you full power and authority to administer all necessary oaths and to do all things necessary for the taking of the evidence more particularly mentioned in the order for the issue of this Commission, a copy whereof is hereunto attached. Forthwith after taking such evidence you will return the same, together with these presents. In the execution of this Commission, you will have due regard to the general rules of practice relating to Commissions, hereunto appended, and the terms of the order hereto attached and the instructions hereunder written.

Witness the Honourable....., Chief Justice of Our said Court at Toronto, this..... day of....., 19...

.....
(signature of officer)

Issued from the.....office of the Supreme Court of Ontario, at..... in the County of.....under and pursuant to the order of.....bearing date the .....day of....., 19...

.....
(signature of officer)

INSTRUCTIONS TO COMMISSIONER

(1) See that proper notice is given to the parties concerned.

(2) Follow strictly all the requirements of the general rules and special order attached hereto.

(3) Before acting on this commission, take the commissioner's oath hereon endorsed.

(4) After the commission has been executed, attach the depositions, exhibits and all other papers to the commission, and complete and sign the "Commissioner's Return" endorsed hereon.

(5) Securely enclose the commission and attached papers, and mail them in a sealed envelope to..... .....by registered mail. Endorse the envelope as follows: "Commission in .....*vs*.....

.....
(signature of commissioner)"

(6) USE THE FOLLOWING FORMS OF OATH:

Clerk's Oath

You will truly, faithfully, and without partiality to any or either of the parties in this cause, take, write down, transcribe, and engross all and every the questions that will be exhibited or put to all and every witness and witnesses, and also the depositions of all and every such witness and witnesses produced before and examined by the said commissioners named in the commission within written, as far forth as you are directed and employed by the commission to take, write down, transcribe or engross the said questions and depositions. So help you God.

Witness's Oath

You are true answer to make to all such questions as will be asked you, without favour or affection to either party, and therein you will speak the truth, the whole truth, and nothing but the truth. So help you God.

Interpreter's Oath

You will truly and faithfully, and without partiality to any or either of the parties in this cause, and to the best of your ability, interpret and translate the oath or oaths, affirmation or affirmations that will be administered to, and all and every the questions that will be exhibited or put to all and every witness and witnesses produced before and examined by the commissioners named in the commission within written, as far forth as you are directed and employed by the said commissioners, to interpret and translate the same out of the English into the language of such witness or witnesses, and also in like manner to interpret and translate the respective depositions taken and made to such questions out of the language of such witness or witnesses into the English language. So help you God.

(7) Notice of the execution of this commission is to be given to..... representing the plaintiff and to..... ....., representing the defendant.

.....
(signature of officer issuing commission)

GENERAL RULES

(Copy rules 279 to 289, inclusive)

NOTE: The commissioner's oath may be taken:

1. Before a person who holds a commission as an officer in the Canadian Forces and is on full-time service, who shall show his rank and unit below his signature.

2.—(1) Before,

(*a*) a judge;

(*b*) a provincial judge;

(*c*) an officer of a court of justice;

(*d*) a commissioner for taking affidavits or other competent authority of the like nature;

(*e*) a notary public;

(*f*) the head of a city, town, village, township or other municipality;

(*g*) an officer of any of Her Majesty's diplomatic or consular services, including an ambassador, envoy, minister, charge d'affaires, counsellor, secretary, attache, consul-general, consul, vice-consul, pro-consul, consular agent, acting consul-general, acting consul, acting vice-consul and acting consular agent;

(*h*) an officer of the Canadian diplomatic, consular or representative services, including, in addition to the diplomatic and consular officers mentioned in clause *g*, a high commissioner, permanent delegate, acting high commissioner, acting permanent delegate, counsellor and secretary; or

(*i*) a Canadian Government Trade Commissioner or an Assistant Canadian Government Trade Commissioner,

exercising his functions or having jurisdiction or authority as such in the place in which the oath is taken.

(2) Before a notary public for Ontario or before a commissioner for taking affidavits in Ontario.

If the oath is taken by a person mentioned in subsection 1 or 2, he shall show his office below his signature, and,

(*a*) in the case of a notary public, shall impress thereon or attach thereto his official seal;

(*b*) in the case of a person mentioned in clause *f*, shall impress thereon or attach thereto the seal of the municipality;

(*c*) in the case of a person mentioned in clause *g*, *h* or *i*, shall impress thereon or attach thereto his seal or the seal or stamp of his office or of the office to which he is attached.

THE COMMISSIONER'S OATH

I,....., the commissioner within named, do hereby swear that I will, according to the best of my skill and knowledge, truly and faithfully and without partiality to any or either of the parties in this case, take the evidence of each and every witness produced and examined by virtue of this commission, and will cause the said depositions so taken to be truly and faithfully transcribed and returned. So help me God.

.....
(signature of the commissioner)

Sworn before me at....., this..... day of

....., 19...

.....
(signature and office of person before whom oath taken)

RETURN TO THE WITHIN COMMISSION

The return to the within commission appears by the depositions and papers thereunto annexed; and I, the undersigned commissioner, do hereby certify that the proper oaths were administered by me to the clerk taking down and transcribing the said evidence, and to the witnesses whose depositions are hereunto attached (and to any interpreter called upon by me to interpret the evidence of any of the said witnesses), and that the said depositions were duly and properly taken by me, and that the evidence was duly and correctly transcribed.

.....
(signature of commissioner)

R.R.O. 1960, Reg. 396, Form 61.

ORDERS

NOTE: In all orders, except decretal orders and vesting orders, the shortened style of cause is sufficient, *e.g.* Between John Jones and others, Plaintiffs, Aaron Smith and others, Defendants (Rule 192).

Form 62

PRAECIPE ORDER FOR SECURITY FOR COSTS

(RULE 374)

Upon the application of the defendant, *C.D.*, and it appearing by the writ of summons that the plaintiff resides at.....out of the jurisdiction of this court:

1. It Is Ordered that the plaintiff do within four weeks from the service of this order upon him, pay into court the sum of..... as security for the costs of the defendant, *C.D.*, and that all further proceedings be stayed in the meantime.

2. And It Is Further Ordered that in default of such security being given by the plaintiff, this action may, on the *ex parte* application of the defendant obtaining this order, be dismissed as against such defendant with costs.

.....
(signature of officer)

O. Reg. 189/69, s. 25.

Form 63

PRAECIPE ORDER TO CONTINUE PROCEEDINGS

(Rule 300)

Upon the application of....., alleging that since the..... in this action, and about the ..... day of....., 19..., the above-named.....departed this life, having (*recite facts showing who are the legal representatives*), who..... now the legal representative..... of the said ....., and further alleging that it is desirable or necessary that this action should be continued at the suit of..... as part..... plaintiff thereto against..... as part..... defendant thereto:

It is therefore ordered that this cause may be continued at the suit of.....as part..... plaintiff thereto against.....as part..... defendant thereto (by order to proceed) and that the same and all proceedings therein do stand in the same plight and condition as they were in at the time of the .....as aforesaid.

R.R.O. 1960, Reg. 396, Form 63.

Form 64

NOTICE TO BE ENDORSED UPON SUCH ORDER

(Rule 301)

Take notice that if you desire to discharge this order you must apply to the court for that purpose within ten days after the service of this order upon you. *When this order is served upon a new party added by the order, add:* The proceedings in this action are being carried on in the Registrar's Office at Toronto [*or as the case may be*] and (*here shortly state the present position of the action.*

R.R.O. 1960, Reg. 396, Form 64; O. Reg. 301/70, s. 33.

Form 65

PRAECIPE ORDER TO TAX A SOLICITOR'S BILL DELIVERED (ON CLIENT'S APPLICATION)

(*The Solicitors Act, s. 3*)

In the Supreme Court of Ontario

(*Date*)

In the matter of....., gentleman, one of the solicitors of the Supreme Court of Ontario.

Upon the application of....., and the applicant submitting to pay what, if anything, shall be found due to the said solicitor upon taxation of the bill hereinafter mentioned:

It is ordered that the bill of fees, charges and disbursements delivered to the applicant by the said solicitor be referred to.....to be taxed.

R.R.O. 1960, Reg. 396, Form 65.

Form 66

THE SAME (ON SOLICITOR'S APPLICATION)

(*Title, date, etc., as in Form 65*)

Upon the application of the above-named solicitor:

It is ordered that the bill of fees, charges and disbursements delivered by the said solicitor to .....be referred to..... to be taxed.

There shall be below the signature of the officer the following notice:

"*Warning to the Client*—The taxing officer will certify what, if anything, is due by you to the solicitor and, upon confirmation of his report, payment may be enforced by execution."

R.R.O. 1960, Reg. 396, Form 66.

Form 67

PRAECIPE ORDER FOR DELIVERY AND TAXATION OF A SOLICITOR'S BILL OF COSTS

(*Title, date, etc., as in Form 65*)

Upon the application of....., and the applicant hereby submitting to pay what, if anything, shall be found due to the said solicitor upon the taxation of the bill hereinafter mentioned:

It is ordered that the said solicitor do, within fourteen days from the service of this order, deliver to the applicant a bill of fees, charges and disbursements and that the same, when delivered, be referred to.....to be taxed.

R.R.O. 1960, Reg. 396, Form 67.

Form 68

COURT ORDER, GENERAL FORM

(RULE 517, *et seq.*)

In the Supreme Court of Ontario

The Honourable The Chief Justice of the High Court [*or as the case may be*]	.....day, the.....day of ....., 19...

Between *A.B., etc.*, Plaintiffs
and
C.D., etc., Defendants

Upon motion made this day unto this Court on behalf of the..... and upon hearing read .... and upon hearing counsel for..... (*where necessary, add:* no one appearing for..... though duly served with notice as by affidavit of ..... appears).

1. This Court doth order.....

2. And this Court doth further order.....

.....
(signature of officer)

R.R.O. 1960, Reg. 396, Form 68.

Form 69

ORDER IN CHAMBERS, GENERAL FORM

(RULE 517 *et seq.*)

(*Name of the Judge or officer thus*) The Honourable Mr. Justice.... In Chambers *or* The Master [*as the case may be*]	.....day, the.....day of ....., 19... Between *A.B.*, Plaintiff and *C.D.*, Defendant

Upon the application of.....

and upon reading the affidavit of....., filed, and upon hearing the solicitor (*or* counsel) for ..... (*where any recital is necessary, add:* and it appearing that, etc.):

1. It is ordered that.....

2. And it is further ordered that the costs of this application be.....

R.R.O. 1960, Reg. 396, Form 69.

Form 70

ORDER FOR SERVICE OUT OF THE JURISDICTION

(RULE 25 *et seq.*)

Upon the application of....., and upon reading the affidavit of....., filed and, upon hearing the solicitor (*or* counsel) for the plaintiff .....,.....

1. It is ordered that the plaintiff..... be at liberty to issue a writ for service out of the jurisdiction on the defendant..... who is at (*give definite address*), [or may probably be found within.....(*indicating as precisely as possible the area, district or country*)].

2. And it is further ordered that service of the said writ of summons (*and where necessary, add:* and of the Statement of Claim to be served therewith) and of this order upon the defendant.....

at [*or*, within..... (*as the known circumstances may best demand*) shall be good and sufficient service of the said writ (*and when necessary*) and Statement of Claim] upon the said defendant.

3. And it is further ordered that the time for appearance to the said writ be within.....days after the service thereof (*and when necessary, add:* and that the Statement of Defence be delivered within ten days after the time limited for appearance).

R.R.O. 1960, Reg. 396, Form 70.

Form 71

ORDER FOR PARTICULARS

(RULE 140)

Upon the application of....., and upon reading the affidavit of....., and upon hearing the solicitor [*or* counsel] for.....:

1. It is ordered that the plaintiff [*or* defendant] deliver to the defendant [*or* plaintiff] an account in writing of the particulars of the plaintiff's claim in this action [*or* particulars of the..... paragraph of the statement of claim *or* defence, stating in what *as may be ordered*], and that unless such particulars be delivered within..... days from the date of this order, all further proceedings be stayed until the delivery thereof [*or* as may be ordered].

2. And it is further ordered that the costs of this application be.....

R.R.O. 1960, Reg. 396, Form 71.

Form 72

ORDER TO DISMISS FOR WANT OF PROSECUTION

(RULE 322 *et seq.*)

Upon the application of....., and upon reading the affidavit of....., filed, and upon hearing the solicitor [*or* counsel] for.....:

It is ordered that this action be and the same is hereby dismissed for want of prosecution with costs, including the costs of this application, to be paid to the defendant by the plaintiff forthwith after taxation.

R.R.O. 1960, Reg. 396, Form 72.

Form 73

STOP ORDER

(RULE 730)

Upon the application of..... and upon reading the affidavit of....., filed, and upon hearing the solicitor for (*the applicant*) and the applicant by his solicitor submitting to be bound by any order the Court may make as to costs or damages occasioned by this order:

It is ordered that any costs or moneys now standing or hereafter to be paid into Court to the credit of this cause [*or* matter] to which the (*naming the party*) is entitled or which may be directed to be paid to him and any interest to accrue due thereon be not paid out or otherwise dealt with or disposed of without notice to the said (*applicant*).

R.R.O. 1960, Reg. 396, Form 73.

Form 74

ORDER FOR COMMISSION TO EXAMINE WITNESSES

Upon the application of....., and upon reading the affidavit of....., filed, and upon hearing the solicitor [*or* counsel] for.....:

1. It is ordered that a commission may issue out of this Court directed to..... for the examination *viva voce* of..... ..... witnesses on behalf of the said ..... at.....

2. And it is further ordered that within..... days after service of this order the..... do serve a notice giving.....the name and place of business of..... agent in..... aforesaid, upon whom notice of the said examination may be served.

3. And it is further ordered that..... days prior to the sending out of the said commission, the

solicitor of the said..... shall give to the solicitor of the said..... notice in writing of the mail or other conveyance by which the commission is to be sent out.

4. And it is further ordered that, upon the execution of the said commission, the said commission and the depositions of the witnesses be, without delay after the said commission has been executed, transmitted to the office of the..... of the..... Court at.....

In undefended Matrimonial Causes, in place of paragraphs 2 and 3 above, insert the following:

And it is further ordered that each of the defendants be served with a notice of the time and place of the said examination not less than.....days before the time fixed therefor.

R.R.O. 1960, Reg. 396, Form 74.

Form 75

ORDER OF REFERENCE

(*The Judicature Act, s. 71 et seq.*)

Upon the application of....., and upon reading the affidavit of....., filed, and upon hearing the solicitor [*or* counsel] for .....:

1. It is ordered that the following questions arising in this action, namely,..... be referred for inquiry and report to.....

2. And it is further ordered that the costs of this application be.....

R.R.O. 1960, Reg. 396, Form 75.

Form 76

ORDER OF REFERENCE
(Another Form)

(*The Judicature Act, s. 71 et seq.*)

Upon motion this day made unto this Court by counsel for the plaintiff in presence of counsel for the defendant, upon hearing read the pleadings and the affidavit of....., filed, and upon hearing counsel aforesaid:

1. This Court doth order that the (*state whether all or some and, if so, which of the questions are to be tried*) in this action be referred to..... for trial.

2. (*To be used in a case where it is not necessary to reserve any questions as to costs or otherwise.*) And this Court doth further order that the defendant [*or* the party by whom any amount shall be found by the referee to be due] do pay to the plaintiff [*or* the party to whom such amount shall be found due] the amount which the..... shall find to be payable, forthwith after the confirmation of the.....report.

3. And this Court doth further order that the said..... do determine the question of the costs of this action and of the said reference, and that the said costs shall be taxed and shall be paid as the said .....shall direct.

R.R.O. 1960, Reg. 396, Form 76.

Form 77

ORDER FOR EXAMINATION OF WITNESSES BEFORE TRIAL

(Rule 270)

Upon the application of....., and upon reading the affidavit of....., filed, and upon hearing the solicitor [*or* counsel] for..... .....:

1. It is ordered that....., a witness on behalf of the....., who is said to be unable to attend the trial by reason of absence from the jurisdiction (*or as the case may be*) be examined *viva voce* on oath before..... on..... days' notice in writing of the time and place where the examination is to take place being given to the..... solicitor. (*In undefended Matrimonial Causes, the word "defendant" should be inserted in place of the word "solicitor".*)

2. And it is further ordered that the examination so taken or an office copy thereof may be read and given in evidence at the trial, saving all just exceptions, without any further proof of the absence (*or as the case may be*) of the said witness than the affidavit of the..... or his solicitor as to his belief.

R.R.O. 1960, Reg. 396, Form 77.

Form 78

GARNISHMENT ORDER
ATTACHING DEBTS

In the Supreme Court of Ontario

The Master (*or as the case may be*) (*Date*)

Between

A. B., Judgment Creditor

—and—

C. D., Judgment Debtor

—and—

E. F., Garnishee

Upon the application of....., and upon reading the affidavit of....., filed, and upon hearing the solicitor [*or* counsel] for.....:

1. It is ordered that all debts owing or accruing due from the above-named garnishee to the above-named judgment debtor be attached to answer a judgment recovered against the said judgment debtor by the above-named judgment creditor on the..... day of....., 19..., for the sum of $....., on which judgment the said sum of $..... remains due and unpaid, and any other judgments against the said judgment debtor entitled by law to share therein.

2. And it is further ordered that the said garnishee attend before the.....in chambers (*or as the case may be*) on..... day, the..... day of....., 19..., at..... o'clock in the..... noon, on an application by the said judgment creditor that the said garnishee pay to the said judgment creditor the debt due from him to the said judgment debtor, or so much thereof as may be sufficient to satisfy the judgment.

R.R.O. 1960, Reg. 396, Form 78.

Form 79

NOTICE OF GARNISHMENT ORDER,
IN LIEU OF ORDER,
TO BE SERVED OUT OF ONTARIO

(Rule 597 (2))

To *E. F.*, of.....

TAKE NOTICE that an order has been obtained attaching all debts owing or accruing due from you to the above-named judgment debtor, to answer a judgment recovered against the said judgment debtor by the above-named judgment creditor on the..... day of....., 19..., for the sum of $....., on which judgment the sum of $..... remains due and unpaid, and any other judgments against the said judgment debtor entitled by law to share therein.

And take further notice that an order has also been obtained appointing the..... day of....., 19..., at..... o'clock in the .....noon, for the making of an application before ..... at..... by the said judgment creditor for a further order that you pay to the said judgment creditor the debt due to the said judgment debtor from you, or so much thereof as may be sufficient to satisfy the said judgment; and an application will be made accordingly, and, if you do not attend on the return of the said motion, an order may be made in your absence.

R.R.O. 1960, Reg. 396, Form 79.

Form 80

GARNISHMENT ORDER—FINAL

(Rule 601)

Upon the application of....., and upon reading the affidavit of....., filed, and the order herein dated the..... day of....., 19..., whereby it was ordered that all debts owing or accruing due from the above-named garnishee to the above-named judgment debtor should be attached to answer a judgment recovered against the said judgment debtor by the above-named judgment creditor on the..... day of....., 19..., for the sum of $....., on which judgment the sum of $..... remained due and unpaid, and upon hearing the solicitor [*or* counsel] for.....:

1. It is ordered that the said garnishee do forthwith pay the debt due from him to the said judgment debtor into Court to the credit of this matter.

2. And it is further ordered that the costs of the judgment creditor of this application be first paid from the said money and that the balance be then paid to the sheriff of the.....of..... to be dealt with under *The Creditors' Relief Act*.

R.R.O. 1960, Reg. 396, Form 80.

Form 81

INTERPLEADER ORDER—
WHEN CLAIM BARRED

(RULE 637)

Upon the application of the said sheriff for an interpleader order, and upon reading the affidavit of ..... filed, and upon hearing the solicitor [*or* counsel] for..... and the said claimant not appearing though duly served with notice as by affidavit of..... appears.....:

1. It is ordered that the claimant and all persons claiming under him be and they are hereby forever barred of and from all claim to the goods and chattels seized herein by the said sheriff as against....., and that no action be brought against the above-named (*sheriff*) for or in respect to the seizure of said goods.

2. And it is further ordered that the costs of this application be.....

R.R.O. 1960, Reg. 396, Form 81.

Form 82

INTERPLEADER ORDER—WHEN
CLAIMANT SUBSTITUTED AS DEFENDANT

Upon the application of....., and upon reading the affidavit of....., filed, and upon hearing the solicitor [*or* counsel] for.....:

1. It is ordered that the above-named claimant be substituted as defendant in this action in lieu of the present defendant.

2. And it is further ordered that the costs of this application be.....

R.R.O. 1960, Reg. 396, Form 82.

Form 83

INTERPLEADER ORDER—WHEN
WHEN ISSUE DIRECTED

Upon the application of the said sheriff for an interpleader order, and upon reading the affidavit of ....., filed, and upon hearing the solicitor [*or* counsel] for.....:

1. It is ordered that the said sheriff proceed to sell the goods seized by him under the writ of *fieri facias* issued herein, and pay the net proceeds of the sale, after deducting the expenses thereof (*or as otherwise ordered*), into Court in this cause, to abide further order herein.

Or, It is ordered that upon payment into Court by the said claimant within.....from this date of the sum of $..... [*or* of the appraised value of the goods and chattels seized by the said sheriff herein, together with the expenses of appraisement], or upon the said claimant within the same time giving to the execution creditor security to the satisfaction of.....for the payment of the same amount by the said claimant according to the directions of any order to be made herein, and upon payment of the said claimant to the above-named sheriff of the possession money from (*the date of his notice of motion or of the order or such date as may be proper*), and upon production to the said sheriff of the Accountant's certificate that the money has been paid into Court, or the certificate of the said..... that security has been given as aforesaid, the said sheriff do withdraw from the possession of the goods and chattels seized by him under the writ of *fieri facias* herein.

And it is further ordered that unless such payment be made (including the sheriff's possession money) or security be given within the time aforesaid, or in case, before the expiration of the time aforesaid, the claimant desires the said goods and chattels to be sold by the said sheriff, the said sheriff proceed to sell the said goods and chattels, and pay the proceeds of the sale, after deducting the expenses thereof (*or as otherwise ordered*) and the possession money as aforesaid, into Court to the credit of this matter, to abide further order herein.

2. And it is further ordered that the parties proceed to the trial of an issue in the Supreme Court of Ontario [*or* in the County Court of the County of.....], in which the claimant [*or* execution creditor] shall be plaintiff and the execution creditor [*or* claimant] shall be defendant, and that the question to be tried shall be whether at the time of (*insert here* the delivery of

the said writ to the sheriff *or* the seizure by the sheriff *or* the sale by the sheriff *as the case may require*) the goods and chattels seized [*in case the claimant is plaintiff* were the property of the claimant as against the execution creditor] [*or in case the execution creditor is plaintiff* were exigible under the execution of (*the execution creditor*) as against the claimant].

3. And it is further ordered that such issue be prepared and delivered by the plaintiff therein within ..... from this date, and be returned by the defendant therein within ..... days thereafter and be tried at .....

4. And it is further ordered that the question of costs and all further questions be reserved to be disposed of by the Judge at the trial of the said issue, or if not so disposed of then to be disposed of in chambers.

5. And it is further ordered that any other execution creditors desiring to take part in the contest of the said issue shall be at liberty to do so upon placing their executions against the goods of the defendant in the hands of the said sheriff within ..... days from this date and upon notifying within the same time the solicitors for ..... (*an execution creditor*) (who shall have the conduct of the said issue for all execution creditors taking part in it) of their desire to come in and of their agreement to contribute *pro rata* to the expense of the said contest according to the statute in that behalf.

6. And it is further ordered that no action be brought against the said sheriff for or in respect to the seizure of the said goods and chattels or for anything done under this order.

R.R.O. 1960, Reg. 396, Form 83; O. Reg. 80/63, s. 12.

Form 84

INTERPLEADER ORDER—
WHEN SUMMARY TRIAL

Upon the application of the sheriff of the ..... of ..... for an interpleader order, and upon hearing read the affidavits of ..... and upon hearing the solicitor [*or* counsel] for ....., and the claimant and the execution creditor having requested and consented that the merits of the claim made by the claimant be disposed of and determined in a summary manner:

1. It is ordered that .....

2. And it is further ordered that the costs of this application be .....

R.R.O. 1960, Reg. 396, Form 84.

Form 85

INTERPLEADER ORDER—
WHEN CLAIM FOR RENT ADMITTED

Upon the application of the sheriff of the ..... of ..... for an interpleader order, and upon reading the affidavit of ....., filed, and upon hearing the solicitor [*or* counsel] for .....:

1. It is ordered that the above-named sheriff proceed to sell enough of the goods seized under the writ of *fieri facias* issued in this action to satisfy the expenses of the said sale, the rent (if any) due, the claim of the claimant, and this execution.

2. And it is further ordered that out of the proceeds of the said sale, after deducting the expenses thereof, and rent, if any, the said sheriff pay to the claimant the amount of his said claim, and to the execution creditor the amount of his execution, and the residue, if any, to the defendant.

3. And it is further ordered that no action be brought against the said sheriff, and that the costs of this application be .....

R.R.O. 1960, Reg. 396, Form 85.

Form 86

ORDER OF REPLEVIN

(Rule 359)

Upon the application of the above-named plaintiff, and upon reading the affidavit of ....., filed, and upon hearing the solicitor [*or* counsel] for .....:

1. It is ordered that the sheriff of (*here insert the name of county, united counties, district or city*), do without delay take the security required by Rule 362 [*and where Rule 363 applies add* and Rule 363] and cause to be replevied to the plaintiff his goods, chattels and personal property following, that is to say (*here set out description of property as in the affidavit filed*), which the said plaintiff alleges to be of the value of

$....., and to have been taken and unjustly detained [*or* unjustly detained, *as the case may be*] by the defendant, *C. D.*, in order that the said plaintiff may have his remedy in that behalf.

2. And it is further ordered that the said sheriff do forthwith after the execution of this order, make return to (*insert here the officer in whose office the appearance in the action is to be entered*) what he shall have done in the premises, and do also return this order. R.R.O. 1960, Reg. 396, Form, 86; O. Reg. 162/62, s. 24.

Form 87

ORDER OF WITHERNAM

(RULE 367)

Upon the application of the plaintiff, and it appearing by the return of the sheriff of the..... of..... to the order of replevin made herein on the.....day of....., 19..., that the goods, chattels and personal property mentioned in the said order have been eloigned by the defendant, *C. D.*, out of the bailiwick of the sheriff of....., to places to him unknown so that he could not replevy the same to the said plaintiff:

1. It is ordered that the said sheriff do forthwith take in withernam the goods, chattels and personal property of the said defendant, *C. D.*, in his bailiwick, to the value of the goods, chattels and personal property by the said defendant, *C. D.*, before taken, and do forthwith deliver them to the said plaintiff to be kept by him until the said defendant, *C. D.*, delivers the goods, chattels and personal property last aforesaid to the said plaintiff.

2. And it is further ordered that if the said plaintiff gives security to the said sheriff as provided by law for the prosecution of the plaintiff's claims and for the return of the goods, chattels and property so to be taken in withernam as aforesaid, if the return thereof shall be adjudged, then the said sheriff do take security with two sufficient sureties from the said defendant, *C D.*, to answer to the said plaintiff for the taking and unjustly detaining of his goods, chattels and personal property aforesaid.

3. And it is further ordered that the said sheriff do forthwith make return to the Registrar's Office, at Toronto [*or name the officer in whose office the proceedings were commenced*] as to what he has done in the premises, and do also return this order.

R.R.O. 1960, Reg. 396, Form 87, *amended.*

Form 88

ORDER OF CERTIORARI

(RULE 630)

Upon the application of....., and upon reading the affidavit of....., filed, and upon hearing the solicitor [*or* counsel] for.....:

It is ordered that..... do send to the Registrar's Office at Toronto (*or as may be necessary*) forthwith [*or* on the.....day of.....] the....., with all things touching the same, as fully and entirely as they remain in his custody, together with this order, that this Court may further cause to be done thereupon what it sees fit to be done.

R.R.O. 1960, Reg. 396, Form 88, O. Reg. 301/70, s. 34.

Form 89

ORDER OF PROHIBITION

(RULE 630)

Style of cause thus:

In the matter of an action in the..... Small Claims Court of the County of..... wherein *A. B.* is plaintiff and *C. D.* is defendant:

Upon the application of....., and upon reading the affidavit of....., filed, and upon hearing the solicitor [*or* counsel] for....., and it appearing that the said..... has [entered an action against] *C. D.* in the said Court, and that the said Court has no jurisdiction in the said [action] or to hear and determine the said [action] by reason that (*state facts showing want of jurisdiction*).

It is ordered that the said..... be and he is hereby prohibited from further proceeding in the said [action] in the said Court.

R.R.O. 1960, Reg. 396, Form 89, *amended.*

Form 90

ORDER FOR ARREST

(*The Fraudulent Debtors Arrest Act*)

Upon the application of....., and upon reading the affidavit of....., filed, and upon

hearing the solicitor [*or* counsel] for.....:

1. It is ordered that the sheriff of the county, united counties *or* city where *C. D.*, the defendant [*or* one of the defendants], may be found, do forthwith arrest and take, or, if already in custody, do detain the said *C. D.* and him safely keep until he shall have given security in this action for the sum of $....., or shall by other lawful means be discharged from custody.

2. And it is further ordered that a copy of this order be served by the said sheriff on the said *C. D.*

3. And it is further ordered that the said..... do, within ten days after his arrest under this order, cause security to be put in for him in this Court and in this action, either by the deposit in Court of the said sum of $....., or by bond or other security, pursuant to the Rules of Court in that behalf, conditioned that the defendant will pay the amount by any judgment in the action adjudged to be recovered or directed to be paid either as a debt or for damages or costs, or will render himself to the custody of the sheriff, or that his sureties will do so for him.

R.R.O. 1960, Reg. 396, Form 90.

Form 91

ORDER FOR LEAVE TO ISSUE EXECUTION WHERE JUDGMENT ASSIGNED AND EXECUTION DEBTOR DEAD

(RULE 573)

Upon the application of *X. Y. Z.* and upon reading the affidavit of *E. F.*, filed, and it appearing that since judgment was recovered in this action the said plaintiff assigned the same and the full benefit thereof and the moneys thereby secured to the said *X.Y.Z.*, and it further appearing that on the..... day of....., 19..., *C. D.*, the defendant herein, died intestate and that Letters of Administration to the estate of the said *C. D.*, deceased, were issued out of the Surrogate Court of the County of....., in the Province of Ontario, on the..... day of ....., 19..., to *G. H.* as sole administratrix of the said estate of the defendant, *C. D.*, deceased:

It is ordered that the said *X.Y.Z.* be at liberty to issue forthwith a writ or writs of execution against the goods and chattels and lands and tenements which were of *C. D.*, the defendant, deceased, at the time of his death in the hands of *G. H.* to be administered to recover the full amount of the judgment debt, interest and costs and that the costs of this order, fixed at $...., be added to the plaintiff's costs and that all moneys recovered thereon be paid to the said *X.Y.Z.*

R.R.O. 1960, Reg. 396, Form 91.

JUDGMENTS

Note: The full style of cause is necessary in all judgments (*Rule 192*).

Note: Judgments should be divided into convenient paragraphs numbered consecutively.

Form 92

DEFAULT OF APPEARANCE OR DEFENCE IN CASE OF LIQUIDATED DEMAND

(RULE 37)

The..... day of....., 19...

The defendants [*or* the defendant, *C. D.*] not having appeared herein [*or* not having delivered any statement of defence], it is this day adjudged that the plaintiff recover against the said defendant $....., and costs to be taxed, [*or where the officer signing judgments is also the Taxing Officer*, $..... for costs].

Judgment signed the..... day of....., 19...

.....
(signature of officer)

The following may be appended to any judgment at or after the signing of the judgment on production of the taxing officer's certificate:

The above costs have been taxed and allowed at $....., as appears by a taxing officer's certificate dated the.....day of....., 19....

.....
(signature of officer)

R.R.O. 1960, Reg. 396, Form 92.

Form 93

JUDGMENT IN DEFAULT OF APPEARANCE IN ACTION FOR RECOVERY OF LAND

(RULE 41)

No appearance having been entered to the writ of summons herein, it is this day adjudged that the plaintiff recover possession of the land in the said writ

mentioned, being (*describing the land*). [*Where plaintiff is so entitled, add:* "and do also recover against the said *C. D.* (*the defendant*) his costs to be taxed *or*

$.....for costs."]

R.R.O. 1960, Reg. 396, Form 93.

Form 94

JUDGMENT IN DEFAULT OF DEFENCE IN ACTION FOR RECOVERY OF LAND

(RULE 354)

No statement of defence having been delivered herein, it is this day adjudged that the plaintiff recover possession of the land in the statement of claim herein

mentioned being.....and do also recover..... against the said *C.D.* (*the defendant*) his costs to be

taxed [*or* $.....for costs].

R.R.O. 1960, Reg. 396, Form 94.

Form 95

JUDGMENT IN DEFAULT OF DEFENCE IN ACTION FOR RECOVERY OF LAND WITH DAMAGES

(RULE 42)

No statement of defence having been delivered, it is this day adjudged that the plaintiff recover possession of the land in the statement of claim herein

mentioned, being..... (*describing the land*) and costs to be taxed, and it is further adjudged that the plaintiff recover against the defendant damages to be assessed.

O. Reg. 180/64, s. 27.

Form 96

JUDGMENT WHERE DEFENDANT LIMITS DEFENCE TO PART OF LAND CLAIMED

(RULE 55)

The defendant, *C.D.*, having by his appearance limited his defence to part of the land claimed, that is to say: (*etc., etc.*), it is this day adjudged that the said plaintiff do recover possession of the land in the writ [*or* statement of claim] mentioned, being..... (*describing the land*) other than the land so claimed by the defendant, with the appurtenances and costs to be

taxed [*or* $.....for costs].

R.R.O. 1960, Reg. 396, Form 96; O. Reg. 180/64, s. 28.

Form 97

JUDGMENT OF SEISIN FOR DOWER IN DEFAULT OF APPEARANCE

(RULE 40)

The defendant not having appeared to the writ of summons, it is this day adjudged that the plaintiff do have seisin of her third part or dower in the lands

in question in this action, being..... (*describing the land*) and that the same be forthwith delivered to her and set out by metes and bounds.

(*If damages are claimed, add:* And it is further adjudged that the plaintiff do recover against the defendant damages to be assessed.)

R.R.O. 1960, Reg. 396, Form 97; O. Reg. 180/64, s. 29.

Form 98

FINAL JUDGMENT IN DEFAULT OF APPEARANCE OR DEFENCE, RECOVERY OF CHATTELS

(RULE 38)

The defendants [*or* the defendant, *C.D.*] not having appeared herein [*or* not having delivered any statement of defence], it is this day adjudged that the plaintiff do recover against the defendant [*or* that the said defendant do forthwith deliver to the plaintiff] possession of the chattels in the writ [*or* statement of

claim] mentioned, being..... (*describing the chattels*) and do also recover against the

said defendant his costs to be taxed [*or* $..... for costs].

R.R.O. 1960, Reg. 396, Form 98; O. Reg. 180/64, s. 30.

Form 99

INTERLOCUTORY JUDGMENT IN DEFAULT OF APPEARANCE OR DEFENCE WHERE DEMAND UNLIQUIDATED

(RULE 38 (2))

No appearance having been entered to the writ of summons [*or* no statement of defence having been delivered by the defendant] herein:

It is this day adjudged that the plaintiff recover against the defendant the value of the goods [*or* damages *or both, as the case may be*], to be assessed.

R.R.O. 1960, Reg. 396, Form 99.

Form 100

REVOKED. O. Reg. 189/69, s. 26.

Form 101

JUDGMENT FOR PLAINTIFF'S COSTS AFTER CONFESSION OF DEFENCE

The defendant in his statement of defence herein having alleged a ground of defence which arose after the commencement of this action, and the plaintiff

having on the.....day of....., 19..., delivered a confession of that defence:

It is this day adjudged that the plaintiff recover

against the defendant costs to be taxed [*or* $..... for costs].

R.R.O. 1960, Reg. 396, Form 101.

Form 102

FORM OF JUDGMENT ON PRAECIPE FOR SALE OR FORECLOSURE WITH REFERENCE AS TO ENCUMBRANCES, ETC., AND ORDERS FOR IMMEDIATE PAYMENT AND DELIVERY OF POSSESSION

(RULE 472)

Upon reading the writ of summons issued in this action and the statement of claim, if any, and an affidavit of service of the said writ upon the defendant, and no appearance having been entered [*or*, and the defendant having made default in the delivery of the defence] and no notice that the defendant desires an opportunity to redeem the mortgaged premises having been filed:

1. It is ordered and adjudged that all necessary inquiries be made, accounts taken, costs taxed, and proceedings had for redemption or sale [*or* redemption or foreclosure] and that for these purposes this cause

be referred to the Master at.....

2. (*Where judgment is for immediate payment, add:* And it is further ordered and adjudged that the de-

fendant.....do forthwith pay to the plaintiff

the sum of $....., being the amount due to him for principal money, interest and costs at the date hereof; and upon payment of the amount due to the plaintiff (*where judgment is for sale, add:* before the sale hereinbefore directed shall have taken place) that, subject to the provisions of section 2 of *The Mortgages Act*, the plaintiff do assign and convey the mortgaged premises, and deliver up all documents relating thereto.)

3. (*Or where judgment is for amount found due by Master, add:* And it is further ordered and adjudged that the defendant do forthwith after the making of the Master's report pay to the plaintiff what shall be found due to him for principal money, interest and costs at the date of the said report and upon payment of the amount due to him (*where judgment is for sale, add:* before the sale hereinbefore directed shall have taken place) that, [subject to the provisions of section 2 of *The Mortgages Act*], the plaintiff do assign and convey the mortgaged premises, and deliver up all documents relating thereto.)

4. (*Where judgment is for recovery of possession, add:* And it is further ordered and adjudged that the defendant do forthwith deliver to the plaintiff, or to whom he may appoint, possession of the lands and premises in question, in this cause, or of such part thereof as may be in the possession of the said defendant.)

R.R.O. 1960, Reg. 396, Form 102.

Form 103

FORM OF JUDGMENT ON PRAECIPE FOR FORECLOSURE OR SALE ACCOUNT TAKEN BY REGISTRAR AND ORDERS FOR IMMEDIATE PAYMENT AND DELIVERY OF POSSESSION

(RULE 472)

Upon reading the writ of summons issued in this action and an affidavit of service of the said writ and no appearance having been entered, and a notice that the defendant desires an opportunity to redeem the mortgaged premises having been filed, and the account having been taken (in the presence of the defendant or his solicitor as the case may be) *or* (the defendant not having appeared on the taking of the account although duly notified as by affidavit filed appears):

1. This Court finds that the subsequent interest at

the rate of..... per cent per annum on the sum

of $.....principal money secured by the indenture of mortgage in the writ of summons [*or* pleadings]

mentioned, up to the.....day of....., 19..., being the time appointed for payment as hereinafter

mentioned amounts to $....., and that the

costs of the plaintiff.....amount to $..... which said subsequent interest and costs being added

to the sum of $.....claimed by the endorsement

on the writ served on the defendant.....make

together the sum of $.....

2. And upon the said defendant paying the said sum of $..... into the.....bank at the ..... during banking hours of the..... day of....., 19... to the joint credit of the plaintiff and the Accountant of the Supreme Court (*where order for payment granted, insert:* or in case the plaintiff shall (*where judgment is for sale, add:* before the sale hereinafter directed shall have taken place) recover the amount due to him under the order for payment hereinafter contained), it is ordered and adjudged, subject to section 2 of *The Mortgages Act*, that the said plaintiff do assign and convey the mortgaged premises, and deliver up all documents relating thereto.

3. But in default of the said defendant making such payment by the time aforesaid, it is ordered and adjudged (*where judgment is for foreclosure, after* "adjudged", *add:* "that the said defendant do stand absolutely debarred and foreclosed of and from all equity of redemption in and to the mortgaged premises": *where judgment is for sale, then after the word* "adjudged", *add*: "that the said premises be sold with the approbation of the Master at..... .....").

4. (*Where more than one party is entitled to redeem, add:* And it is further ordered and adjudged that the defendant..... [*encumbrancer*] is entitled to the first right to redeem, the defendant..... ..... [*encumbrancer*] is entitled to the second right to redeem and the defendant..... [*owner of equity and mortgagor*] is entitled to the third and last right to redeem.)

5. (*If judgment is for foreclosure, omit this clause.*) And it is further ordered and adjudged that the purchasers do pay their purchase money into Court, to the credit of this cause and that the same when so paid in be applied in payment of what has been found due to the said plaintiff together with subsequent interest and subsequent costs, to be computed and taxed by the said Master, and that the balance do abide the further order of the Court.

6. (*Where judgment is for immediate payment add:* And it is further ordered and adjudged that the defendant.....do forthwith pay to the plaintiff the sum of.....being the amount due to him at the date hereof for principal money, interest and costs.)

7. (*Where judgment is for recovery of possession, add:* And it is further ordered and adjudged that the defendant..... do forthwith deliver to the plaintiff....., or to whom he may appoint, possession of the mortgaged premises, or of such part thereof as may be in the possession of the said defendant.)

R.R.O. 1960, Reg. 396, Form 103; O. Reg. 189/69, s. 27.

Form 104

FORM OF JUDGMENT ON PRAECIPE FOR IMMEDIATE FORECLOSURE OR SALE AND ORDERS FOR IMMEDIATE PAYMENT AND DELIVERY OF POSSESSION

(RULE 472)

Upon reading the writ of summons issued in this action, and an affidavit of service of the said writ and no appearance having been entered and no notice that the defendant desires an opportunity to redeem the mortgaged premises having been filed:

1. It is ordered and adjudged (*Where judgment is for foreclosure after* "adjudged", *add:* "that the said defendant do stand absolutely debarred and foreclosed of and from all right, title and equity of redemption of, in and to the mortgaged premises"; *where judgment is for sale, then after the word* "adjudged", *add*: "that the said premises be sold, with the approbation of the Master, at.....").

2. (*If judgment is for foreclosure omit this clause.*) And it is further ordered and adjudged that the purchasers do pay their purchase money into Court to the credit of this action and that the same when so paid in be applied in payment of what is found to be due to the said plaintiff for principal money, interest and costs as computed and taxed by the said Master, and that the balance do abide the further order of the Court.

3. (*Where judgment is for immediate payment, add:* And it is further ordered and adjudged that the defendant.....do forthwith pay to the plaintiff the sum of.....being the amount due to him at the date hereof for principal money, interest and costs.)

4. (*Where judgment is for recovery of possession, add:* And it is further ordered and adjudged that the defendant.....do forthwith deliver to the plaintiff.....or to whom he may appoint, possession of the mortgaged premises, or of such part thereof as may be in the possession of the said defendant.)

R.R.O. 1960, Reg. 396, Form 104.

Form 104A

FORM OF CONDITIONAL JUDGMENT ON PRAECIPE FOR SALE IN A FORECLOSURE ACTION WHERE A DEFENDANT BY WRIT WHO IS A SUBSEQUENT ENCUMBRANCER SERVES AND FILES A NOTICE DESIRING A SALE

(RULE 467 (2))

(*To the appropriate recitals, add:* and the defendant

.....having served and filed a Notice Desiring a Sale:)

1. It is ordered and adjudged that all necessary inquiries be made, accounts taken, costs taxed and proceedings had for redemption or sale and that for these purposes this cause be referred to the Master at

.....

2. And it is further ordered and adjudged that,

should the said defendant..... fail to prove any claim on the reference for sale, the Master shall proceed as upon a reference for redemption or foreclosure.

O. Reg. 189/69, s. 28.

Form 105

FORM OF JUDGMENT ON PRAECIPE FOR REDEMPTION

(RULE 473)

Upon reading the writ of summons issued in this action and an affidavit of service of the said writ, and no appearance having been entered:

1. It is ordered and adjudged that all necessary inquiries be made, accounts taken, costs taxed, and proceedings had for the redemption of the premises in question, and that for this purpose the cause be

referred to the Master at.....

2. And, subject to the provisions of section 2 of *The Mortgages Act*, it is further ordered and adjudged

that, upon the plaintiff paying to the defendant..... what shall be found due to him, or, in case nothing

shall be found due to the defendant,.....then forthwith after the confirmation of the said Master's

report, the defendant.....do reconvey the said mortgaged premises and deliver up all documents relating thereto.

3. And it is further ordered and adjudged that, in case the plaintiff makes default in payment as aforesaid of what may be found due to the defendant,

.....the plaintiff's action do stand dismissed out of this Court, with costs to be paid by the

plaintiff to the defendant.....forthwith after taxation thereof.

4. And it is further ordered and adjudged that, in

case nothing is found due from the plaintiff.....,

to the defendant....., the defendant do pay the plaintiff his costs of this suit forthwith after the taxation thereof, and, in case any balance is found

due from the defendant.....to the plaintiff

....., that the defendant.....,.....do pay

such balance to the plaintiff.....forthwith after the confirmation of the Master's report.

R.R.O. 1960, Reg. 396, Form 105.

Form 106

GENERAL FORM OF JUDGMENT FOR ADMINISTRATION

(RULES 615 AND 525)

Upon the application of the above-named plaintiff

in the presence of the solicitor for the defendant.....

[*or* no one appearing for the defendant.....although duly notified as by affidavit filed appears], and upon hearing read the affidavits and papers filed, and what was alleged by the solicitor for the applicant [*or* solicitors for all parties]:

1. It is ordered and adjudged that all necessary inquiries be made, accounts taken, costs taxed and proceedings had for the administration and final winding

ing up of the real and personal estate of.....and for the adjustment of the rights of all parties interested

therein, by the Master at.....

2. And it is further ordered and adjudged that all balances which may be found due from the plaintiff

.....or defendant.....[or any or either of them] to the said estate be, forthwith after the same shall have been ascertained as aforesaid, paid into Court to the credit of this cause, subject to the further order of the Court.

3. And it is further ordered and adjudged that such real and personal estate, or such parts thereof as the Master may hereafter direct, be sold, as the

Master may direct, and that the purchasers do pay their purchase money into Court to the credit of this cause, subject to the order of the Court.

4. And it is further ordered and adjudged that the Master do execute conveyances for any infant parties who by reason of their tender years are unable to execute the same.

R.R.O. 1960, Reg. 396. Form 106.

Form 107

FORM OF JUDGMENT FOR PARTITION OR SALE

(RULES 622 AND 525)

Upon the application of the above-named plaintiff .....in the presence of the solicitor for the defendant [*or* no one appearing for the defendant .....although duly notified as by affidavit filed appears], and upon hearing read the affidavits and papers filed, and what was alleged by the solicitor for the applicant [*or* solicitors for all parties]:

1. It is ordered and adjudged that all necessary inquiries be made, accounts taken, costs taxed and proceedings had for the partition or sale of the lands and premises in the said affidavits mentioned, and for the adjustment of the rights of all parties interested therein, or for a partition of part and sale of the remainder of the said lands as may be most for the interest of the parties entitled to share therein, by the Master at.....

2. And it is further ordered and adjudged that the said lands, or such part thereof as the Master shall think fit, be sold, with the approbation of the Master, freed from the claims of such of the encumbrancers thereon, if any, whose claims were created by parties entitled to the said lands before the death of the said testator [*or* intestate] as shall have consented to such sale, and subject to the claims of such of them as shall not have consented and freed also from the dower of.....(*as the case may be*), and that the Master do execute the conveyances on behalf of such of the infant parties as, by reason of their tender years, are unable to execute the same, and that the purchasers do pay their purchase money into Court to the credit of this cause, subject to the order of the Court.

3. And it is further ordered and adjudged that, in the event of a partition of the whole of the said land, or in the event of a partition of a part and the proceeds of the sale of the remainder being insufficient to pay the costs in full, the costs, or so much thereof as remains unpaid be borne and paid by the said parties according to their shares and interests in the said lands (*if there be any infant parties interested in the estate, add:* and that the proportion of the said costs payable by the infant parties respectively be, and the same is hereby declared to be, a lien on their respective shares, and that the plaintiff do pay the guardian of the infant defendants his costs of this suit and that the same be added to his own costs.)

R.R.O. 1960, Reg. 396, Form 107.

Form 108

FINAL JUDGMENT ON MOTION—CHAMBERS

Upon the application of....., and upon reading the affidavit of....., filed, and upon hearing the solicitor [*or* counsel] for.....:

It is ordered and adjudged that the plaintiff do recover against the defendant the sum of $..... and costs to be taxed.

R.R.O. 1960, Reg. 396, Form 108.

Form 109

JUDGMENT AFTER TRIAL
(NO. 1)

In the Supreme Court of Ontario

The Honourable Mr. Justice.....

.....the.....day of....., 19....
(*date of pronouncing judgment*)

Between

.....
Plaintiff

and

.....
Defendants

This action coming on for trial this day [*or* on the .....day of....., 19....] .....at the sittings holden at.....for trial of actions without a jury [*or* at the sittings holden for the trial of actions with a jury at..... .....] in the presence of counsel for all parties [*or if some of the parties do not appear* for the plaintiff and the defendant, *C.D.*, no one appearing for the defendants, *E.F.* and *G.H.* although they were duly served with notice of the

trial as by the affidavit of service of notice of trial appears, *or as may be*] upon hearing read the pleadings and hearing the evidence adduced and what was alleged by counsel aforesaid: (*If judgment was reserved, add:* this Court was pleased to direct this action to stand over for judgment and the same coming on this day for judgment:)

1. This Court doth order and adjudge *as may be directed* [*or if any declaration is necessary*, This Court doth declare (*e.g.*, that the deed mentioned in the fourth and fifth paragraphs of the plaintiff's statement of claim is fraudulent and void as against the plaintiff and all other creditors of the defendant, *X.Y.*, except the defendant, *C.J.*, and doth order and adjudge the same accordingly)].

2. And this Court doth further order and adjudge (*add any special or appropriate direction or reference to Master or other officer*).

3. (*If so*) And this Court doth reserve further directions and the question of costs until after the Master shall have made his report.

(*Signature of officer settling judgment where not the same person as the officer signing judgments*)

Judgment signed the .....day of....., 19...

.....
(officer signing judgment)

R.R.O. 1960, Reg. 396, Form 109; O. Reg. 80/63, s. 13.

Form 110

JUDGMENT AFTER TRIAL
(NO. 2)

(*Formal parts as in Form 109*)

1. This Court doth order and adjudge that the plaintiff do recover from the defendant (*as may be directed*).

2. And this Court doth further order and adjudge that the defendant do pay to the plaintiff his costs of this action forthwith after taxation thereof [*or in the alternative*, And this Court doth order and adjudge that this action be and the same is hereby dismissed with costs to be paid by the plaintiff to the defendant forthwith after taxation thereof].

R.R.O. 1960, Reg. 396, Form 110.

Form 111

FORM OF JUDGMENT SETTING ASIDE FRAUDULENT CONVEYANCE

(*Formal parts as in Form 109*)

1. This Court doth declare that the deed or conveyance in the pleadings mentioned, dated the.....

day of ....., 19...., and made by the defendant, *A.B.*, to the defendant, *C.D.*, of all and singular, etc., is fraudulent and void as against the plaintiff and other creditors of the defendant, *A.B.*, and doth order and adjudge the same accordingly.

2. And this Court doth further order and adjudge that the plaintiff do recover from the defendants his costs of this action up to and inclusive of this judgment forthwith after taxation thereof.

3. And this Court doth further order and adjudge that the plaintiff's costs of this action as between solicitor and client over and above his party and party costs be taxed and such excess costs and so much of the party and party costs as may be not recovered under this judgment be paid out of the proceeds of the sale of the said lands and premises whether sold under execution or otherwise and that he do have a lien or charge for his said costs upon the said proceeds thereof in priority to all other creditors of the said *A.B.* other than mortgagees of the said lands whose mortgages existed prior to the commencement of this action.

R.R.O. 1960, Reg. 396, Form 111.

Form 112

JUDGMENT ON MOTION FOR JUDGMENT—COURT

Upon motion for judgment made this day unto this Court by counsel for the plaintiff (*or as may be*)

and upon hearing read.....and upon hearing counsel for the defendant (*or as may be*):

1. (*Where necessary*) This Court doth declare, etc.

2. [And] this Court doth order and adjudge, etc.

3. And this Court doth further order and adjudge, etc.

R.R.O. 1960, Reg. 396, Form 112.

Form 113

JUDGMENT AGAINST A MARRIED WOMAN

This Court doth order and adjudge that the plaintiff do recover against the defendant the sum of

$..... to be levied out of the separate property of the said defendant which she is now or may hereafter be possessed of or entitled to, and any property which she may hereafter while discovert be possessed of, or entitled to and not otherwise:

but this judgment shall not render available to satisfy the same any separate property which the defendant was or may be restrained from anticipating, unless by reason of section 10 of *The Married Women's Property Act*, such property shall be available to satisfy the judgment notwithstanding such restriction.

R.R.O. 1960, Reg. 396, Form 113.

Form 114

JUDGMENT AGAINST AN EXECUTOR OR ADMINISTRATOR

This Court doth order and adjudge that the plaintiff do recover against the defendant the sum of

$..... to be levied against the goods and chattels, lands and tenements, which were of the said *M.N.* (*the testator or intestate*) at the time of his death come or which shall hereafter come to the hands of the defendant to be administered if he hath so much thereof in his hands to be administered [*and in proper cases* and if he hath not so much in his hands to be administered then to be levied of the proper goods and chattels, lands and tenements of the defendant] and this Court doth further order and adjudge that the plaintiff do recover against

the defendant the further sum of.....

dollars and.....cents costs taxed to be levied, etc., *as above*.

R.R.O. 1960, Reg. 396, Form 114.

WRITS OF EXECUTION, ETC.

NOTE: *In all writs of execution there must be a testimonium clause as in Form 115.*

Form 115

WRIT OF *FIERI FACIAS*

(RULE 556)

(Court and Cause)

(Seal)

Name and title of Sovereign

To the Sheriff of.....greeting:

We command you that of the goods and chattels and lands and tenements in your bailiwick of *C.D.* you cause to be made the sum of $..... and

also interest thereon from.....

19...., (*day of the judgment or order, or day on which the money is directed to be paid, or day from which interest is directed by the order to run, as the case may be*), which sum of money and interest were by a judgment in this action bearing the date

of....., 19...., adjudged to be paid by the said *C.D.* to *A.B.*, and also the further

sum of $..... for the taxed costs of the said *A.B.*, mentioned in the said judgment, together with interest at the rate of 5 per cent per annum

thereon from....., 19...., (*the date of the certificate of taxation*) and we further command you that so much thereof as you shall have made from the said goods and chattels and lands and tenements be paid out according to law, and if required so to do make appear to our Justices of the Supreme Court of Ontario in what manner you shall have executed this our writ.

In witness whereof this writ is signed for the

Supreme Court of Ontario by ..... (Local)

Registrar of the said Court at.....

this ..... day of..... 19....

.....
(signature of officer)

Endorsements

The ..... is entitled to receive for this and other writs and renewals of the same, the following sums:

For this writ, $.....
(signature of officer)

For 1st renewal, $.....
(signature of officer)

For 2nd renewal, $.....
(signature of officer)

Etc., etc. (*as may be necessary*).

MR. SHERIFF: Levy the sum of $..... with

interest at 5 per cent per annum from .....,

19...., and the sum of $..... for costs, with

interest at 5 per cent per annum from.....,

19...., and for this writ $..... together with your own fees, poundage and incidental expenses.

.....
(signature of person filing writ)

.....
(address)

O. Reg. 242/67, s. 22.

Form 116

FIERI FACIAS AGAINST AN EXECUTOR OR ADMINISTRATOR ON A JUDGMENT *DE BONIS TESTATORIS ET SE NON DE BONIS PROPRIIS* AS TO THE COSTS

(RULE 556)

(Court and Cause)

(Seal)

Name and title of Sovereign

To the Sheriff of ..... greeting:

We command you that of the goods and chattels and lands and tenements in your bailiwick which were of *C.D.*, deceased, at the time of death, in the hands of *E.F.*, executor of the last will and testament [*or* administrator of the estate and effects] of the said deceased to be administered, you cause to be made the sum of $..... and also interest thereon from....., 19...., (*day of the judgment or order, or day on which the money is directed to be paid, or day from which interest is directed by the order to run, as the case may be*), which sum of money and interest were by a judgment in this action bearing the date of ....., 19...., adjudged to be paid by the said *E.F.* as executor [*or* administrator] as aforesaid to *A.B.* And further, that the goods and chattels and lands and tenements in your bailiwick which were of the said deceased, at the time of his death, in the hands of the said executor [*or* administrator] as aforesaid to be administered, if the said executor [*or* administrator] has so much in his hands to be administered you further cause to be made the sum of $..... for the taxed costs of the said *A.B.*, mentioned in the said judgment, together with interest thereon at the rate of 5 per cent per annum from..... 19...., (*the date of the certificate of taxation*) and that if he has not so much, then that you cause to be made of the proper goods and chattels and lands and tenements in your bailiwick of the said executor [*or* administrator] the said sum of $..... together with interest thereon as aforesaid, and we further command you that so much thereof as you shall have made from the said goods and chattels and lands and tenements be paid out according to law, and if required so to do make appear to our Justices of the Supreme Court of Ontario in what manner you shall have executed this our writ. (*Conclude as in Form 115*).

O. Reg. 242/67, s. 23.

NOTE: *Care must be exercised to follow the provisions of the judgment.*

Form 117

FIERI FACIAS AGAINST A MARRIED WOMAN

Modify the general form so as to make it follow the form of judgment: see Form 113.

R.R.O. 1960, Reg. 396, Form 117.

Form 118

PRAECIPE FOR RENEWAL OF A WRIT OF *FIERI FACIAS*

(RULE 566)

(Court and Cause)

REQUIRED that the writ of *fieri facias* filed with you (*or* issued by you *as applicable*) in this action, and which said writ expires on the ..... day of ....., 19...., be renewed for a further period of six years from the date hereof.

Dated the ..... day of ....., 19....

.....
(signature)

.....
(address)

O. Reg. 242/67, s. 24.

Form 119

REVOKED. O. Reg. 242/67, s. 25.

Form 120

REVOKED. O. Reg. 242/67, s. 25.

Form 121

REVOKED. O. Reg. 242/67, s. 25.

Form 122

WRIT OF POSSESSION

(RULE 567)

Whereas by a judgment (*or* order) herein dated ....., 19...., *A.B.* recovered (*or* *C.D.* was ordered to deliver to *A.B.*) possession of all and singular that ..... with the appurtenances in your bailiwick: Therefore, we command you that you enter the same, and without delay cause the said *A.B.* to have possession of the said land and premises with the appurtenances, and if required so to do make appear to our Justices of the Supreme Court of Ontario in what manner you shall have executed this our writ.

In witness whereof, etc.

Memorandum to be subscribed on the writ

N.B. This writ was issued pursuant to the order (*or* judgment) of ..... dated ....., 19...., and is to be in force for one year from the date of such order (*or* judgment) and no longer. O. Reg. 242/67, s. 26.

Form 123

WRIT OF DELIVERY

(RULE 580)

We command you that without delay you cause the following chattels, that is to say (*here enumerate the chattels recovered by the judgment*) to be returned to *A.B.*, which chattels the said *A.B.* by a judgment in this action dated....., recovered against *C.D.* [*or* *C.D.* was ordered to deliver to the said *A.B.*].

R.R.O. 1960, Reg. 396, Form 123; O. Reg. 242/67, s. 27.

Form 124

WRIT OF *CAPIAS AD SATISFACIENDUM*

(*The Fraudulent Debtors Arrest Act, s. 27*)

Whereas (*insert if necessary any recitals which under the order may be proper*):

We command you that you take *C.D.* if he shall be found in your bailiwick, and him safely keep so that you have his body before our Justices of our Supreme Court of Ontario immediately after the execution hereof to satisfy the sum of $....., which by a judgment in this action dated ...., was adjudged to be recovered by *A.B.* against the said *C.D.* with the further sum of $....., for the taxed costs mentioned in the said judgment, and interest upon the said sums at the rate of 5 per cent per annum from the ..... and ..... respectively. And have you then there this writ.

On a writ of *Capias* before judgment add this note:

NOTE: This writ is to be in force for two months from the date hereof and no longer.

R.R.O. 1960, Reg. 396, Form 124.

Form 125

WRIT OF ATTACHMENT FOR CONTEMPT

(RULE 569)

We command you to attach *C.D.*, notwithstanding any right of place he is in, so as to have him before our Justices in our Supreme Court of Ontario, immediately after the receipt hereof, then and there to answer to us, as well touching a contempt which he it is alleged hath committed against us, as also such other matters as shall be then and there laid to his charge, and further to perform and abide such order as our said Court shall make in this behalf, and hereof fail not, by reason of any liberty, and bring this writ with you.

R.R.O. 1960, Reg. 396, Form 125; O. Reg. 242/67, s. 28.

Form 126

WRIT OF SEQUESTRATION

(RULE 573)

Whereas by a judgment in this action dated ....., it was ordered that the said *C.D.* should (pay into Court to the credit of the said action the sum of.....; *or as the case may be*). Know ye, therefore, that we have given, and by these presents do give to you full power and authority to enter upon all the lands, tenements and real estate whatsoever of the said *C.D.*, and to collect, receive and sequester in your hands, not only all the rents and profits of his said lands, tenements and real estate, but also all his goods, chattels and personal estates whatsoever:

We therefore command you that you do, at certain proper and convenient days and hours, go to and enter upon all the lands, tenements and real estates of the said *C.D.*, and that you do collect, take and get into your hands not only the rents and profits of his said real estate, but also all his goods, chattels, and personal estate, and detain and keep the same under sequestration in your hands until the said *C.D.* shall (pay into Court to the credit of

the said action, the sum of $..... *or, as the case may be*), and clear his contempt, and our said Court make other order to the contrary.

R.R.O. 1960, Reg. 396, Form 126;
O. Reg. 162/62, s. 27;
O. Reg. 242/67, s. 29.

Form 127

WRIT OF ASSIGNMENT OF DOWER

(RULE 581)

Whereas it has been made to appear to us in an action in our Supreme Court of Ontario that *C.D.* is the owner of (*describe the lands*) out of which dower is claimed by *A.B.*, and it has been adjudged by the

judgment of our said Court bearing date the .....

day of ....., 19...., that the said *A.B.* is entitled to her proper dower out of the said lands [and also to recover from the said *C.D.* the

sum of $..... for damages for the detention of her dower]:

We therefore command you that without delay you do deliver to the said *A.B.* seisin of her third part of the said lands with the appurtenances. To hold to her in severalty by metes and bounds and that you do proceed in the execution in that respect of this our writ according to *The Dower Act*.

(*A fieri facias for recovery of the damages and costs, if any, awarded by the judgment, may be combined with this writ.*)

R.R.O. 1960, Reg. 396, Form 127;
O. Reg. 242/67, s. 30.

Form 128

WRIT OF ASSIGNMENT OF DOWER WHERE THE RIGHT OF DOWER IS ACQUIESCED IN BY THE OWNER OF THE ESTATE

Whereas *A.B.*, widow, who was the wife of *C.D.*, deceased, demands against *E.F.*, the third part of (*here describe the estate in which the dower is claimed as in other writs of assignments of dower*) as dower. And whereas the said *E.F.* acquiesces in the said claim and is willing to assign to the said *A.B.* her proper dower, but that the said *A.B.* and *E.F.* are not agreed as to the admeasurement thereof:

We therefore command you that, without delay, you do deliver the said *A.B.* seisin of her third part of the said lands and tenements with the appurtenances. To hold to her in severalty by metes and bounds. And that you do proceed in the execution of this our writ according to *The Dower Act*.

R.R.O. 1960, Reg. 396, Form 128.

Form 129

CERTIFICATE IN LIEU OF RETURN OF WRIT

(RULE 552)

A writ of execution in this cause issued on

....., 19...., from the office of the

(Local) Registrar of the said Court at ..... and directed to me, is now in my hands.

I certify that I have this day recorded my return thereto as follows:

(*Here insert the return as recorded*)

Dated, etc.

O. Reg. 242/67, s. 31.

Form 130

NOTICE OF APPEAL TO THE COURT OF APPEAL

(RULE 497)

(Court and Cause)

Take notice that the ..... appeals to the Court of Appeal from the judgment [*or* order] pronounced by ..... on the ..... day

of ....., 19...., and asks that the said judgment may be reversed and that judgment should be entered (*set out shortly what is desired*) (or *that a new trial may be had*) upon the following grounds: (*State the grounds clearly but briefly.*)

Dated the ..... day of ....., 19....

Signed *A.B.*, Solicitor for the.....

To *C.D.*, Solicitor for the.....

R.R.O. 1960, Reg. 396, Form 130.

Form 131

ORDER FOR COSTS OF AN ABANDONED APPEAL

(RULE 502)

(Court and Cause)

The appeal of the ..... from the judgment pronounced in this cause on the ..... day of ....., 19...., not having been prosecuted as required by the rules it has been struck from the list as abandoned. And it is now ordered that the said (*appellant*) shall pay to the (*respondent*) the costs of the said abandoned appeal to be taxed.

Dated, etc.

.....
(Registrar)

R.R.O. 1960, Reg. 396, Form 131.

PETITIONS OF RIGHT

Form 132

Petition

In the Supreme Court of Ontario

To the Queen's Most Excellent Majesty:

The humble petition of *A.B.* (*stating given name and surname*) of ....., [by his solicitor, *E.F.*, of .....], showeth that (*stating with convenient certainty the facts entitling the suppliant to relief*). Your suppliant therefore humbly prays that, etc.

The suppliant proposes that the trial of this petition shall take place at the ..... of .....

Dated the ..... day of ..... 19....

(Signed) .....*A.B.*
or *C.D.*, Counsel for *A.B.*
or *E.F.*, Solicitor for *A.B.*

(*Stating the usual place of abode of the suppliant, and if he has a solicitor, the place of business of such solicitor.*)

Endorsement

The suppliant prays for a plea or answer on behalf of Her Majesty within twenty-eight days, or otherwise that the petition may be taken as confessed.

R.R.O. 1960, Reg. 396, Form 132.

Form 133

NOTICE TO APPEAR TO PETITION

To.....

You are hereby required to appear to the within petition in Her Majesty's Supreme Court of Ontario within eight days, and to plead or answer thereto within fourteen days after the date of service hereof.

Take notice that, if you fail to plead or answer in due time, the said petition may, as against you, be ordered to be taken as admitting the truth of the matters set up in the petition.

R.R.O. 1960, Reg. 396, Form 133.

Form 134

CERTIFICATE OF JUDGMENT FOR PETITIONER

To the Honourable the Treasurer of Ontario:

In the matter of the petition of right of *A.B.*, in Her Majesty's Supreme Court of Ontario.

I hereby certify that on the.....day of ....., 19...., it was by the said Court adjudged [*or* ordered] that the above-named suppliant was entitled to, etc.

.....
(Judge)

R.R.O. 1960, Reg. 396, Form 134.

MISCELLANEOUS FORMS

Form 135

Certificate of Taxation

I certify that pursuant to the judgment [*or* order herein dated *or* the request of the Master, *or as may be*] I have taxed the costs of the....., at $.....

R.R.O. 1960, Reg. 396, Form 135.

Form 136

MODE OF MARKING EXHIBITS AT THE TRIAL

(RULE 262)

In the Supreme Court of Ontario

Smith vs. Jones

This Exhibit, the property of....., is produced by the plaintiff [*or* defendant *as the case may be*] this ..... day of ....., 19....

.....

Registrar [*or* Local Registrar]

R.R.O. 1960, Reg. 396, Form 136.

Form 137

SCHEDULE OF EXHIBITS

(RULE 262)

In the Supreme Court of Ontario

Smith vs. Jones

List of exhibits put in at the trial of this action at ....., the ..... day of ....., 19....

Plaintiff's Exhibits

(1) Patent.

(2) Deed, Jones to Smith.

(3) Bundle promissory notes (six in all).

Defendant's Exhibits

(4) Records of proceedings at Lodge of A.O.U.W.

(5) Will of Arthur Brown.

.....
(signature of officer)

R.R.O. 1960, Reg. 396, Form 137.

Form 138

FORM OF SATISFACTION PIECE

(RULE 539)

Satisfaction is acknowledged of the judgment bearing date the ..... day of ....., 19..., in an action in the Supreme Court of Ontario wherein *A.B.* was plaintiff and *C.D.* and others were defendants, whereby it was adjudged that the plaintiff should recover against the said defendants the sum of

$..... for debt and the further sum of

$..... for costs.

And the said *A.B.* doth hereby expressly nominate and appoint *M.N.*, his solicitor, to witness and attest his acknowledgment of satisfaction.

(Signed) "A.B." the above-named plaintiff.

Signed by the said *A.B.* on the .....day of ....., 19...., in the presence of the said *M.N.*, a solicitor of the Supreme Court of Ontario.

And I, the said *M.N.*, hereby declare myself to be solicitor for the said *A.B.* expressly named by him and attending at his request to inform him of the nature and effect of this acknowledgment of satisfaction which I accordingly did before the same was executed by him. In testimony whereof I subscribe my name as such solicitor.

Signed "M.N."

R.R.O. 1960, Reg. 396, Form 138.

Form 139

BONDS, ETC.

REPLEVIN BOND

(RULES 362 AND 363)

Know all men by these presents, that we *A.B.* (*the plaintiff*) of ....., *W.G.*, of..... ....., and *J.S.*, of ....., are jointly and severally held and firmly bound to *W.P.*, Esquire, Sheriff of the County of .....

in the sum of $..... of lawful money of Canada, to be paid to the said Sheriff, or his certain attorney, executors, administrators or assigns, for which payment to be well and truly made we bind ourselves, and each and every of us in the whole, our, and each and every of our heirs, executors and administrators, firmly by these presents.

Dated this .....day of ....., 19....

The condition of this obligation is such that, if the above bounden *A.B.* prosecute his action with effect and without delay against *C.D.* for the taking and unjustly detaining [*or* unjustly detaining, *as the case may be*] of his goods and chattels, to wit: (*here set forth the property distrained, taken or detained*), and do make a return of the said property, if a return thereof shall be adjudged, and also to pay such damages as the defendant shall sustain by the issuing of the order of replevin if the said *A.B.* fails to recover judgment in his said suit, and further do observe, keep and perform all rules and orders made by the Court in the said action [*where Rule 363 so requires add* and do indemnify and save harmless the defendant from all loss and damage which he may sustain by reason of the seizure of the said goods and chattels (*as the case may be*) and of any deterioration of the same in the meantime in the event of their being returned and all costs and expenses which the defendant may incur, including reasonable costs not taxable between party and party], then this obligation shall be void, or else remain in full force and virtue.

Sealed and delivered
in the presence of

Form of Assignment

Know all men by these presents, that I, *W.P.*, Esquire, Sheriff of the.....of....., have at the request of the within-named *C.D.*, the defendant in this cause, assigned over this Replevin Bond unto the said *C.D.*, pursuant to the Rules of the Supreme Court of Ontario in that behalf.

In witness whereof I have hereunto set my hand and seal of office this ..... day of ....., 19....

Sealed and delivered
in the presence of

R.R.O. 1960, Reg. 396, Form 139.

Form 140

PETITION FOR DIVORCE

(Rule 787)

No.....19....

In the Supreme Court of Ontario

Between

A.B.

Petitioner

and

C.D. (and *E.F.*)

Respondent(s)

PETITION FOR DIVORCE

To This Honourable Court:

I hereby petition for a decree of divorce from the Respondent spouse (*and where applicable* and for an order for alimony, custody, maintenance or costs *as the case may be under Rule 778*) on the grounds and in the circumstances following:

(*set out such information in paragraphs numbered and lettered as follows*)

1. Grounds:

A. My Petition is under the *Divorce Act* (Canada), section ....., subsection..... (and section ....., subsection....., *as the case may be*)

B. The particulars of my grounds for divorce are: (*here set forth fully but concisely all the material facts relied on but not the evidence by which they may be proved;*

in a case under section 4, subsection (1), paragraph (c) set forth the last place of cohabitation, the circumstances in which cohabitation ceased, the date when and the place where the respondent spouse was last seen or heard of and the steps taken to trace him)

2. Reconciliation:

A. The particulars of the circumstances which may assist the Court in ascertaining whether there is a possibility of reconciliation or resumption of cohabitation are:.....

B. (*where applicable*) The following efforts to reconcile have been made:.....

.....

3. Particulars of Marriage:

(*where possible, set out the particulars from the marriage certificate*)

A. The date of the marriage was: .....

B. The place of the marriage was: .....

C. The surname of the wife before marriage was:

.....

D. The maiden surname of the wife was: .....

.....

E. The marital status of the spouses at the time of the marriage was, wife: .....husband: .....

F. The wife was born at .....
(province or country)

on .....19....
(month) (day)

G. The husband was born at .....
(province or country)

on .....19....
(month) (day)

H. Filed herewith is a certificate of the marriage or of the registration thereof (*or where such certificate cannot be produced, substitute:* I am unable to file a certificate of the marriage or of the registration thereof because .....

.....

.....)

4. Domicile and Jurisdiction:

(*street address need not be shown in A and B below*)

A. My residence is in the municipality of .....

..... in the Province of .....

B. My spouse's residence is in the municipality of

..... in the Province of .....

C. I ceased to cohabit with my spouse on or about:

.....

D. My domicile is: .....

E. Such domicile has subsisted since: .....

F. I have [*or* The Respondent spouse has *as the case may be*] been ordinarily resident in the Province of Ontario for a period of at least one year immediately preceding the presentation of this petition and have [*or* has] actually resided in the said province for at least ten months of that period at: [*set out place or places of residence*] .....

.....

5. Age and Disability

A. The names of any of the parties under 21 years of age and the ages of such parties are: .....

.....

B. The names of the parties suffering any other legal disability and the nature thereof are: .....

.....

6. Children:

A. The names and dates of birth of all living children of the marriage as defined by the *Divorce Act* (Canada) are: .....

.....

B. The particulars of the past, present and proposed custody, care, upbringing and education of the said child(ren) are as follows: .....

.....

C. I claim custody of the following child(ren): ....

.....

D. The facts on which such claim for custody is founded are: .....

.....

7. Other Proceedings:

A. The particulars and status of all other petitions or proceedings instituted with reference to the marriage or any child thereof, including applications to the Parliament of Canada or actions for alimony or application under any statute, are:

.....

.....

8. Separation Agreements and Financial Arrangements:

A. The dates of any written or oral separation or financial agreements between the parties are:...

.....

B. (*where a claim for corollary relief is made*) The financial position, both income and capital, of the respective spouses is:.....

9. Collusion, Condonation and Connivance:

A. There has been no collusion in relation to this Petition.

B. [*where the petition is under section 3 of the Divorce Act* (Canada)] There has been no condonation of or connivance at the grounds for divorce set forth in this Petition. [*or, where there has been either connivance or condonation give the full particulars of the facts on which the Court will be asked to find that the public interest would be better served by granting the decree*)

10. Relief Asked:

I therefore ask this Honourable Court for the following relief:

A. A decree that I be divorced from the respondent, *C.D.*

B. .....

C. .....

etc., etc.

11. Declaration of Petitioner:

I have read and understand this Petition. Those statements contained therein of which I have personal knowledge are true, and those of which I do not have personal knowledge I believe to be true.

Dated at....., this.....

day of....., 19....

.....
(signature of petitioner)

.....
(address for service)

Place of Hearing

I propose that this Petition be heard at the sittings of this Court at.....

.....

Statement of Solicitor

(*Where Petition is presented by a solicitor, etc.*)

I, *X.Y.*, the (*solicitor, etc.*) for *A.B.*, the Petitioner herein certify to this Court that I have complied with the requirements of section 7 of the *Divorce Act* (Canada). (*Where the circumstances of the case are of such a nature that it would clearly not be appropriate to so comply, set out such circumstances*)

Dated at.....this.....

day of....., 19....

.....
(signature of solicitor)

O. Reg. 156/68, s. 23; O. Reg. 301/70, s. 35.

Form 141

NOTICE OF PETITION FOR DIVORCE

(Rule 787)

No.....19....

In the Supreme Court of Ontario

Between

A.B.

Petitioner

(Seal) and

C.D. (and *E.F.*)

Respondent(s)

NOTICE OF PETITION FOR DIVORCE

To: *C.D.*, of the.....of.....

in the.....of.....

(And To: *E.F.*, of the.....of.....

in the.....of.....)

Take Notice that a Petition for a Decree of Divorce has been presented to this Court by the Petitioner. A copy of it is attached to this notice.

AND FURTHER TAKE NOTICE that if you wish to appear but do not necessarily oppose the Petition, you may cause an Appearance to be entered but such entry of Appearance does not enlarge the time for serving and filing an Answer.

AND FURTHER TAKE NOTICE that if you wish to oppose the said Petition or if you wish other relief you must cause your Answer or Answer and Counter-petition to be served on the Petitioner and filed with proof of service in the office of the undersigned registrar within the time hereinafter stated:

Where you are served within Ontario, within twenty days after service on you of this Notice, inclusive of the day of such service;

Where you are served elsewhere in Canada or within one of the United States of America, within forty days after service on you of this Notice, inclusive of the day of such service;

or

Where you are served elsewhere than in Canada or within one of the United States of America, within sixty days after service on you of this Notice, inclusive of the day of such service.

AND FURTHER TAKE NOTICE that a decree and other relief may be given in your absence and in default of your entering an Appearance or of your serving and filing such Answer within the time prescribed above, this proceeding may be set down for hearing at the place proposed by the Petitioner in his Petition and (subject to the Rules of Court) you will not be entitled to any further notice of hearing or notice of any further proceedings.

AND FURTHER TAKE NOTICE that where an Appearance is entered or an Answer is served or filed, it must be in accordance with the Rules of Court.

AND FURTHER TAKE NOTICE that you may ascertain the approximate date of the hearing of the said Petition and the date and details of any decree from the office of the said registrar.

AND FURTHER TAKE NOTICE that any decree given at such hearing may become final after the expiration of such time from the granting thereof as the decree may provide unless in the meantime you deliver to the undersigned and to the petitioner and to Her Majesty's Proctor at Toronto, a written Notice that you wish to show cause why the decree should not become final and the grounds therefor.

AND FURTHER TAKE NOTICE that neither spouse is free to remarry as a result of these proceedings until a decree of divorce has been granted and such decree has been made final.

Dated at ..... the .....

day of....., 19....

.....
(Local) Registrar, S.C.O.

.....
(address)

The Petitioner's address is:.....

.....

This Notice of Petition was issued on behalf of the

Petitioner by:..... solicitor(s)

whose address is:.....

NOTE 1: This Notice is to be served upon the respondent spouse within ninety days from the date on which it was issued, unless otherwise ordered.

NOTE 2: The person who serves this notice shall at the time of service request each respondent to complete and sign in his presence the following form of acknowledgment of service and shall sign his name as a witness to any signature thereto.

I am the person named as..... a Respondent in this Notice of Petition. I have this day received a copy of the within Notice and attached Petition and my mailing address for further

service of documents is.....

.....
(signature)

WITNESS:

.....

.....

O. Reg. 156/68, s. 23; O. Reg. 301/70, s. 36.

Form 142

AFFIDAVIT OF SERVICE OF A PETITION AND NOTICE OF PETITION FOR DIVORCE

(RULE 791)

No.....19....

In the Supreme Court of Ontario

Between

A.B.

Petitioner

and

C.D. (and *E.F.*)

Respondent(s)

AFFIDAVIT OF SERVICE

I,.....,

of the.....of....., in the.....

of....., ...,
(occupation)

make oath and say as follows:

1. I did on....., the.....

day of....., 19...., personally serve the above-named respondent(s) with the attached Notice of Petition for Divorce together with the Petition for Divorce attached thereto by delivering true copies of the same to and leaving the same with the said respondent(s) on the day aforesaid at.....

2. Upon the said copies so served as aforesaid were endorsed at the time of such service true copies of all the endorsements appearing upon the original Notice of Petition and Petition.

3. At the time of such service I requested the said respondent(s) to complete and sign the acknowledgment of service endorsed on the said Notice of Petition and my request was complied with and I witnessed such signature(s) and signed the endorsement accordingly (*or* my request was refused *as the case may be*).

4. My means of knowledge as to the identity of the person(s) so served were as follows:

(*a*) .....

(*b*) .....

Etc., etc.

5. To effect such service I necessarily travelled

.....miles.

Sworn, etc.

O. Reg. 156/68, s. 23.

Form 142A

NOTICE WHEN SUBSTITUTED SERVICE ORDERED

(RULE 793)

In the Supreme Court of Ontario

NOTICE TO: *C.D.* (and *E.F.*)

A Petition for divorce (*where applicable, add:* and for alimony, and for maintenance, and for custody

and maintenance of the infant child..... and for costs) has been presented by *A.B.* You may inspect the Petition at the office of the

..... Registrar of this Court at

..... If you wish to appear to or oppose the Petition, or if you seek other relief, your Appearance or Answer or Answer and Counter-petition must be delivered in accordance with the Rules of Court. In default of Appearance or Answer you will not be entitled to notice of any further proceedings.

.....
(solicitor for the petitioner)

.....
(address)

O. Reg. 301/70, s. 37.

Form 143

ANSWER TO PETITION FOR DIVORCE

(RULE 795)

No.....19....

In the Supreme Court of Ontario

Between

A.B.

Petitioner

and

C.D. (and *E.F.*)

Respondent(s)

ANSWER

1. The respondent(s) admit(s) the allegations in paragraphs..... and ..... of the petition for divorce.

2. (*set out concisely in convenient paragraphs a statement of the material facts relied upon for contesting petition*)

DELIVERED, etc.

O. Reg. 156/68, s. 23.

Form 143A

APPEARANCE

(RULE 795)

Enter an appearance for (*giving the name of the person for whom appearance is to be entered*) in this proceeding.

Dated the ..... day of .....,

19....

Signed.....

.....
(address)

O. Reg. 301/70, s. 38.

Form 144

ANSWER AND COUNTER-PETITION

(RULE 795)

No.....19....

In the Supreme Court of Ontario

Between

A.B.

Petitioner

and

C.D. (and *E.F.*)

Respondent(s)

(*where another person as well as the petitioner is made a party to the counter-petition, add a second style of cause*)

And Between

C.D.

Petitioner by Counter-petition

and

A.B. and *G.H.*

Respondents by Counter-petition

ANSWER AND COUNTER-PETITION

1. The respondent *C.D.* admits the allegation in paragraphs ..... and ..... of the petition for divorce.

2. (*set out concisely in convenient paragraphs a statement of the material facts relied upon for contesting petition*)

3. I hereby petition for a decree of divorce (*and where applicable* and for an order for alimony, custody, maintenance and costs *as the case may be under rule 778*) on the grounds and in the circumstances following: (*complete all the numbered paragraphs of Form 140 the facts of which have not been admitted in paragraph 1 hereof and, where the relief asked includes a claim for a decree of divorce, the statement of the solicitor according to Form 140*)

DELIVERED, etc.

O. Reg. 156/68, s. 23.

Form 145

NOTICE TO RESPONDENT ADDED BY COUNTER-PETITION

(RULE 795)

No.....19....

In the Supreme Court of Ontario

Between

A.B.

Petitioner

(Seal) and

C.D. (and *E.F.*)

Respondent(s)

And Between

C.D.

Petitioner by Counter-petition

and

A.B. and *G.H.*

Respondents by Counter-petition

NOTICE TO RESPONDENT ADDED BY COUNTER-PETITION

To: *G.H.* of the.....of.....,

in the.....of.....

TAKE NOTICE that a Petition for a Decree of Divorce has been presented to this Court by *A.B.*, a copy of which is attached to this Notice.

AND FURTHER TAKE NOTICE that the respondent *C.D.* has filed an answer and counter-petition against *A.B.* and *you*, the said *G.H.*, a copy of which is attached to this Notice.

AND FURTHER TAKE NOTICE that if you wish to appear but do not necessarily oppose the Counter-petition, you may cause an Appearance to be entered but such entry of Appearance does not enlarge the time for serving and filing an Answer.

AND FURTHER TAKE NOTICE that if you wish to oppose the said Counter-petition or if you wish other relief you must cause your Answer to be served on the said *C.D.* and on the Petitioner *A.B.* and filed with proof of service in the office of the undersigned registrar within the time hereinafter stated:

Where you are served within Ontario, within twenty days after service on you of this Notice, inclusive of the day of such service;

Where you are served elsewhere in Canada or within one of the United States of America, within forty days after service on you of this Notice, inclusive of the day of such service; or

Where you are served elsewhere than in Canada or within one of the United States of America, within sixty days after service on you of this Notice, inclusive of the day of such service.

AND FURTHER TAKE NOTICE that a decree and other relief may be given in your absence and in default of your entering an Appearance or of your serving and filing such Answer within the time prescribed above, this proceeding may be set down for hearing at the place proposed by the Petitioner in his Petition and (subject to the Rules of Court) you will not be entitled to any further notice of hearing or notice of any further proceedings.

AND FURTHER TAKE NOTICE that where an Appearance is entered or an Answer is served or filed, it must be in accordance with the Rules of Court.

AND FURTHER TAKE NOTICE that any decree given at the hearing of these proceedings may become final after the expiration of such time from the granting thereof as the decree may provide unless in the meantime you deliver to the undersigned and to *C.D.* and to *A.B.* the petitioner and to Her Majesty's Proctor at Toronto, a written Notice that you wish to show cause why the decree should not become final and the grounds therefor.

Dated at....., the.....

day of....., 19....

.....
(Local) Registrar, S.C.O.

.....
(address)

The address of *C.D.* is:.....

.....

This Notice of Counter-petition was issued on behalf

of the Counter-petitioner by:.....

solicitor(s) whose address is:.....

.....

NOTE 1: This Notice is to be served upon the respondent added by counter-petition within thirty days from the date on which it was issued, unless otherwise ordered.

NOTE 2: The person who serves this notice shall at the time of service request the respondent added by counter-petition to complete and sign in his presence the following form of acknowledgment of service and shall sign his name as a witness to any signature thereto.

I am the person named as..... a Respondent added by Counter-petition in this Notice of Counter-petition. I have this day received a copy of the within Notice, the attached Answer and Counter-petition and the Petition and my mailing address for further service of documents is

.....

.....
(signature)

WITNESS:

....
(date)

O. Reg. 156/68, Form 145; O. Reg. 301/70, s. 39.

Form 146

NOTICE OF HEARING FOR MATRIMONIAL CAUSES OTHER THAN AT TORONTO NON-JURY SITTINGS

(RULE 799)

No.....19....

In the Supreme Court of Ontario

Between

A.B.

Petitioner

and

C.D. (and *E.F.*)

Respondent(s)

NOTICE OF HEARING

TAKE NOTICE that this proceeding was set down on the ..... day of ....., 19.... for hearing in the County of .....

AND TAKE NOTICE that you may ascertain the date of the sittings for which this proceeding was set down from the ..... Registrar of this Court at .....

AND FURTHER TAKE NOTICE that if this proceeding is not heard at such sittings the same may be heard at a subsequent sittings without further notice to you.

DELIVERED, etc.

O. Reg. 301/70, s. 40.

Form 147

NOTICE OF HEARING FOR MATRIMONIAL CAUSES AT TORONTO NON-JURY SITTINGS

(RULE 799)

No.....19....

In the Supreme Court of Ontario

Between

A.B.

Petitioner

and

C.D. (and *E.F.*)

Respondent(s)

NOTICE OF HEARING

TAKE NOTICE that this proceeding was set down on the .....day of ....., 19... for hearing at the Toronto Non-Jury Sittings.

DELIVERED, etc.

O. Reg. 156/68, Form 147; O. Reg. 301/70, s. 41.

Form 148

DECREE NISI

(RULE 804)

No.....19....

In the Supreme Court of Ontario

The Honourable Mr. Justice..... | .....day, the..... day of.....19....

Between

A.B.

Petitioner

(Seal) and

C.D. (and *E.F.*)

Respondent(s)

DECREE NISI

This proceeding coming on this day for hearing at the sittings of this Court at....., in the presence of counsel for the petitioner, no one appearing for the respondents (*or as the case may be*) although duly served with the notice of petition and the petition (*and where applicable* and with notice of hearing), upon hearing read the pleadings and hearing the evidence adduced, and what was alleged by counsel aforesaid: (*where the decree may be made absolute in less than three months add* and the Court being of opinion that by reason of special circumstances it would be in the public interest for the decree to be made absolute after the expiration of ..... from the date hereof, and the parties having agreed and undertaken that no appeal will be taken from this decree)

1. THIS COURT DOTH DECREE AND ADJUDGE that the petitioner *A.B.*, whose marriage to the respondent *C.D.* was solemnized at the ..... of....., in the ..... of ....., on the.....day of....., 19...., be divorced from the said respondent *C.D.* unless sufficient cause be shown to this court within ..... from the date hereof why this decree should not be absolute.

2. AND THIS COURT DOTH ORDER AND ADJUDGE .....

3. AND THIS COURT DOTH FURTHER ORDER AND ADJUDGE.....

JUDGMENT signed this .....day of....., 19....

.....
(Local) Registrar, S.C.O.

(*The following notice shall be inscribed at the foot of the decree nisi unless service of the decree nisi has been dispensed with*)

NOTICE OF DECREE NISI

To the respondent *C.D.*

TAKE NOTICE that this decree nisi for divorce was granted by this Court in these proceedings and may become final after the expiration of..... from its date or after the expiration of one month from the day of service of this decree upon you (and upon the Official Guardian, where required by the Rules) whichever shall be the longer period of time unless in the meantime you deliver to the undersigned and to the solicitor for the petitioner and to Her Majesty's Proctor at Toronto a written notice that you wish to show cause why this decree should not become final and the grounds therefor.

AND FURTHER TAKE NOTICE that you are not free to remarry as a result of these proceedings until this decree has been made final by the court.

.....
(Local) Registrar, S.C.O.

.....
(address)

O. Reg. 156/68, s. 23; O. Reg. 301/70, s. 42.

Form 149

DECREE ABSOLUTE AT HEARING

(RULE 804)

No.....19....

In the Supreme Court of Ontario

The Honourable Mr. Justice.....	.....day, the..... day of....., 19....

Between

A.B.

Petitioner

(Seal) and

C.D. (and *E.F.*)

Respondent(s)

DECREE ABSOLUTE AT HEARING

This proceeding coming on this day for hearing at the sittings of this Court at....., in the presence of counsel for all parties, upon hearing read the pleadings and hearing the evidence adduced, and what was alleged by counsel aforesaid,

and the Court having decreed and adjudged that the petitioner is entitled to be divorced from the respondent spouse, and having granted a decree nisi, and the parties having agreed and undertaken that no appeal will be taken from that decree, and the Court being of opinion that by reason of special circumstances it would be in the public interest for a decree absolute to be granted at this hearing,

1. THIS COURT DOTH DECREE AND ADJUDGE that the petitioner *A.B.*, whose marriage to the respondent *C.D.* was solemnized at the..... of....., in the.....of....., on the.....day of....., 19...., is hereby divorced from the said respondent *C.D.*

2. AND THIS COURT DOTH ORDER AND ADJUDGE .....

3. AND THIS COURT DOTH FURTHER ORDER AND ADJUDGE.....

JUDGMENT signed this.....day of....., 19....

.....
(Local) Registrar, S.C.O.

O. Reg. 156/68, Form 149.

Form 150

APPLICATION FOR DECREE ABSOLUTE BY PETITIONER OR COUNTER-PETITIONER

(RULE 806)

No.....19....

In the Supreme Court of Ontario

Between

A.B.

Petitioner

and

C.D. (and *E.F.*)

Respondent(s)

APPLICATION FOR DECREE ABSOLUTE BY THE PETITIONER (*or* COUNTER-PETITIONER *as the case may be*)

I, *X.Y.*, the solicitor in this proceeding for the petitioner *A.B.* (*or* counter-petitioner *C.D. as the case may be*) give notice that application is hereby made for decree absolute in this proceeding and I hereby certify to this Honourable Court that:

1. No appeal from the decree nisi herein has been served upon me or upon my firm.

2. No notice of desire to show cause why the decree should not be made absolute has been served upon me or upon my firm.

SIGNED this .....day of....., 19....

.....
(signature)
.....
(address)

NOTE 1: Where notice of appeal or of desire to show cause has been given in the proceeding, the certificate of the solicitor shall state the fact and shall certify as to the disposition thereof.

NOTE 2: This notice of application is to be signed after the expiration of the period that must intervene before the decree nisi may be made absolute and within ten days of the filing thereof.

O. Reg. 156/68, s. 23.

Form 151

CERTIFICATE OF REGISTRAR

(RULE 806)

No.....19....

In the Supreme Court of Ontario

Between

A.B.

Petitioner

and

C.D. (and *E.F.*)

Respondent(s)

CERTIFICATE OF REGISTRAR

I,.....,
of the.....of.....,
in the.....of.....,
hereby certify to this Honourable Court that:

1. I have made or caused to be made the searches required by Rule 806 (2) and state that

(*a*) no appeal from the decree nisi is pending (*or* the appeal taken has been abandoned or dismissed *as the case may be*),

(*b*) no order has been made extending the time for appealing from the decree nisi (*or* an order has been made extending the time for appealing from the decree nisi and such time has expired without an appeal having been taken *as the case may be*), and

(*c*) no notice of desire to show cause why the decree nisi should not be made absolute has been filed (*or* a notice of desire to show cause why the decree nisi should not be made absolute was filed and has been dealt with by the court as follows

.....
as the case may be)

2. The rules relating to the granting of a decree absolute have been complied with. (*where such rules have not been complied with, the registrar shall state the circumstances fully*)

Dated at....., this.....

day of....., 19....

.....
(Local) Registrar, S.C.O.

O. Reg. 156/68, s. 23.

Form 152

DECREE ABSOLUTE OTHER THAN AT THE HEARING

(Rule 804)

No.....19....

In the Supreme Court of Ontario

The Honourable Mr.	.....day, the.....
Justice.....	day of....., 19....

Between

A.B.

Petitioner

(Seal) and

C.D. (and *E.F.*)

Respondent(s)

DECREE ABSOLUTE

The petitioner (*or as the case may be*) having made application for a decree making absolute the decree nisi herein whereby this Court did decree and adjudge that the petitioner be divorced from the respondent spouse unless sufficient cause be shown to this Court within..... from the date thereof why the said decree should not be made absolute and no such cause having been shown:

1. This Court Doth Decree and Adjudge that the decree nisi herein dated the .....day of ....., 19...., be and it is hereby made absolute and that the petitioner *A.B.*, whose marriage to the respondent *C.D.* was solemnized at the.....of....., in the.....of....., on the.....day of....., 19...., is hereby divorced from the said respondent, *C.D.*

Judgment signed this.....day of....., 19....

.....
(Local) Registrar, S.C.O.

O. Reg. 156/68, s. 23.

TARIFF A

Tariff of Fees to be allowed Solicitors in the Supreme Court and upon Proceedings under any Statute before a Judge of the Supreme Court

1. For institution of an action or of proceedings before an administrative tribunal..... Where writ specially endorsed, an additional $15.00. This item covers all costs except those of applications in court or chambers up to and including search for appearance.	$35.00
2. Defence..... Where an affidavit of merits is filed to a specially endorsed writ, an additional $10.00 subject to increase in cases of a difficult nature or involving large amounts or values, in the discretion of the taxing officer, up to $40.00.	20.00

3. Pleadings..... 30.00
Subject to increase, in the discretion of the taxing officer at Toronto, up to $100.00.

4. Discovery of documents..... 20.00
Subject to increase, in the discretion of the taxing officer at Toronto, up to $100.00.
This item includes notices to produce, affidavits on production and production.

5. Drawing and settling issues and stated cases..... 25.00
Subject to increase, in the discretion of the taxing officer at Toronto, up to $100.00.

6. Third party notice or summons to party added by counter-claim..... 20.00

7. Record and entry for trial..... 10.00

8. Upon *ex parte* motions, including order 30.00

9. Upon contested motions, including order..... 35.00
Subject to increase, in the discretion of the taxing officer at Toronto, up to $100.00.
Where questions of special importance and difficulty are involved or matters of substance are determined a further increased fee and a fee to junior counsel may be allowed in the discretion of the taxing officer at Toronto.

10. Application for decree absolute in a matrimonial cause where counsel not required to attend..... 25.00

11. Application for confirmation of an order or report in a mental incompetency proceedings, where counsel are not required to attend, including order... 45.00

12. Examinations including preliminary proceedings, preparation and counsel fee, up to..... 35.00
An increased fee may be allowed in the discretion of the taxing officer at Toronto.
This item includes examination taken on commission.

13. Counsel fee in an action or proceeding other than a motion including preparation for trial, notice of trial, notice to admit and to produce at trial, subpoenas, correspondence, brief at trial, counsel fee at trial or on acceptance of monies paid into court or on settlement, written argument, and attendance to hear judgment, in the discretion of the taxing officer up to..... 250.00
An increased fee and fee to junior counsel may be allowed in the discretion of the taxing officer at Toronto.

14. Judgment or decree, or order on motion or on appeal to the Court of Appeal, including drafting minutes, settlement and issue of same,
To the party having carriage..... 15.00
To other parties..... 10.00
Subject to increase, in the discretion of the taxing officer at Toronto, up to $50.00.

15. Counsel fee on originating motion including all preliminary proceedings, notices, affidavits, services, etc., correspondence, compliance with rule 238, preparation, counsel fee on motion, and attendance to hear judgment, up to... 75.00
Subject to increase in the discretion of the taxing officer at Toronto and in matters heard in Ottawa, London and Sudbury by the officers there.
A fee to junior counsel on the motion may be allowed in the discretion of the taxing officer at Toronto and in matters heard in Ottawa, London and Sudbury by the officers there.
This item applies to all applications under the provisions of any statute.

16. Counsel fee on appeal to the Court of Appeal including all preliminary proceedings, notices, services, etc., appeal book, statements of points of law and fact, preparation, counsel fee on appeal and attendance to hear judgment, in the discretion of the taxing officer at Toronto.
A fee to junior counsel on the argument of the appeal may be allowed in the discretion of the taxing officer at Toronto.
This item applies to all appeals to the Court of Appeal other than as provided in Tariff A, County Court and in *The Small Claims Courts Act*.

17. Counsel fee on reference including all preliminary proceedings, notices, affidavits, appointments, services, etc., attendances, correspondence, preparation, counsel fee on reference, report including attendances signing same, filing report and serving notice of filing, in the discretion of the officer taxing.
In addition to the above fee, in the discretion of the officer taxing, additional fees may be allowed in a sale action for preparation of conditions of sale and advertisement, arranging for

advertising and for auctioneer, conducting sale, arranging for payment of purchase price and for the preparation of a conveyance where one is executed or for arranging a private sale.

The fees provided in the above paragraphs may be taxed by the officer hearing the reference or by the taxing officer at Toronto subject to any direction in the order of reference.

An appeal lies from the taxation of costs under this item by the officer hearing the reference to a judge in chambers in the same manner as an appeal from the certificate of a taxing officer under sub-rule (2) of rule 516.

18. Signing default judgment,
Final $25.00
Interlocutory 15.00

19. Writ of execution and each renewal thereof 6.00

20. A *praecipe* order for revivor and service thereunder where occasioned by the death or the transmission of interest of an opposite party 25.00

21. Taxation of costs 15.00
The taxing officer at Toronto may, in his discretion, refuse costs of taxation or include such costs or award costs of taxation and adjournments thereof to either party, such costs to be taxed by him when and as allowed.

TARIFF OF FEES TO BE ALLOWED SOLICITORS IN COUNTY COURTS AND UPON PROCEEDINGS UNDER ANY STATUTE TAKEN BEFORE THE JUDGE OF THE COUNTY COURT OR BEFORE ANY JUDICIAL OFFICER OTHER THAN A JUDGE OF THE SUPREME COURT

1. For institution of an action $20.00
Where writ specially endorsed, an additional $10.00.
This item covers all costs except those of applications in court or chambers up to and including search for appearance.

2. Defence 15.00
Where an affidavit of merits is filed to a specially endorsed writ, an additional $10.00.

3. Pleadings 20.00
Subject to increase in cases involving $1500 or more, up to $40.00.

4. Discovery of documents 10.00
Subject to increase in cases involving $1500 or more, up to $40.00.
This item includes notices to produce, affidavits on production and production.

5. Third party notice or summons to party added by counter-claim $15.00

6. Record and entry for trial 5.00

7. Upon *ex parte* motions, including order 15.00
Subject to increase in cases involving $1500 or more, up to $20.00.

8. Upon contested motions, including order 20.00
Subject to increase in the discretion of the judge, up to $75.00.

9. Examinations including preliminary proceedings, preparation and counsel fee, up to 20.00
Subject to increase in cases involving $1500 or more, in the discretion of the judge, up to $50.00.
This item includes examinations taken on commission.

10. Counsel fee in an action or proceeding other than a motion including preparation for trial, notice of trial, notice to admit and to produce at trial, subpoenas, correspondence, brief at trial, counsel fee at trial or on acceptance of monies paid into court or on settlement, written argument and attendance to hear judgment, up to 100.00
An increased fee may be allowed in the discretion of the judge.

11. Judgment, or order on motion or on appeal to the Court of Appeal, including drafting minutes, settlement and issue of same,
To the party having carriage 10.00
To other parties 5.00
Subject to increase in cases involving $1500 or more, up to $20.00.

12. Counsel fee on originating motion including all preliminary proceedings, notices, affidavits, services, etc., correspondence, preparation, counsel fee on motion and attendance to hear judgment, up to 40.00
An increased fee may be allowed in the discretion of the judge.

13. Counsel fee on appeal to the Court of Appeal including all preliminary proceedings, notices, services, etc., appeal book, statement of points of law and fact, preparation, counsel fee on appeal and attendance to hear judgment in the discretion of the taxing officer at Toronto.
This item applies to all appeals under *The County Courts Act* and *The Surrogate Courts Act*.

In cases in which under *The County Courts Act* the costs in the county court are allowed upon the Supreme Court scale, the costs of an appeal shall be taxed upon the Supreme Court scale, unless the Court of Appeal otherwise directs.

In appeals from the Surrogate Court where in the Surrogate Court the costs are taxable or have been taxed upon the Supreme Court scale, the costs of appeal shall be taxed upon the Supreme Court scale, unless the Court of Appeal otherwise directs.

14. Counsel fee on reference including all preliminary proceedings, notices, affidavits, appointments, services, etc., attendances, correspondence, preparation, counsel fee on reference, report including attendance signing same, filing report and serving notice of filing, in the discretion of the judge.

In addition to the above fee, in the discretion of the judge, additional fees may be allowed in a sale action for preparation of conditions of sale and advertisement, arranging for advertising and for auctioneer, conducting sale, arranging for payment of purchase price and for the preparation of a conveyance where one is executed or for arranging a private sale.

15. Signing default judgment,
Final $15.00
Interlocutory 10.00

16. Writ of execution and each renewal thereof 4.00

17. A *praecipe* order of revivor and service thereunder where occasioned by the death or the transmission of interest of an opposite party 15.00

18. Taxation of costs 10.00

Where in an action in the county court costs are awarded on the scale of the Supreme Court under *The County Courts Act*, the taxing officer at Toronto has the same power of allowing increased fees as in cases in the Supreme Court.

In the counties of Carleton, Essex, Middlesex, Wentworth and York, and in the District of Sudbury, where a fee other than counsel fee may be increased by the judge, the clerk may allow the increase subject to an appeal to the judge and upon such appeal the exercise of discretion by the clerk is subject to review.

Notes to Tariff A

1. Unless otherwise specified the allowances in the Tariff are exclusive of proper disbursements.

2. The court or the judge or officer awarding costs may decrease or restrict the fees herein provided.

3. Upon taxation between a solicitor and his client additional allowances may be allowed in the discretion of the officer taxing but the exercise of such discretion is subject to review upon appeal.

4. Where for any reason the services covered by an item are not completed, the fee may be apportioned by the taxing officer.

5. Any item of a counter-claim may be taxed as in a separate action and any item common to claim and counter-claim may be apportioned or divided.

6. In appeals from the official arbitrator or from a county court judge acting as arbitrator under the provisions of any statute which authorizes him to award costs upon the Supreme Court scale or where the amount involved exceeds the county court jurisdiction, the court may allow costs on the Supreme Court scale.

7. In cases stated under *The Assessment Act* where the amount involved exceeds the county court jurisdiction the court may order costs to be taxed on the Supreme Court scale.

O. Reg. 189/69, s. 29.

TARIFF B

Tariff of Disbursements

Fees Payable in the Supreme Court and County Courts

	Supreme Court	County Court
1. On the issue of,		
(1) a notice of petition in a matrimonial cause	$30.00	
(2) a duplicate or concurrent writ of summons	5.00	$ 3.00

a duplicate or concurrent notice of petition in a matrimonial cause	5.00	
(3) any other writ of summons	15.00	10.00
(4) a notice to third or subsequent parties	10.00	7.00
(5) a summons to a defendant added by counterclaim	10.00	7.00
a notice of counter-petition to a respondent added by counter-petition in a matrimonial cause	10.00	
(6) a subpoena	5.00	3.00
(7) a certificate or exemplification of a judgment or order	3.00	2.00
(8) a certificate certifying to court documents attached thereto	3.00	2.00
and where the documents attached consist of more than five pages, for each additional page	.50	.50
(9) a certificate of *lis pendens*.	3.00	2.00
(10) a commission to take evidence	5.00	
(11) an appointment for taxation of a solicitor and client bill	10.00	
2. On the entry of an appearance	5.00	3.00
2A. On the filing of an answer to a petition in a matrimonial cause	5.00	
3. On the filing of a notice desiring an opportunity to redeem, or a notice requesting a sale instead of foreclosure	2.00	1.00
4. On the setting down of,		
(1) an action or an issue for trial or for an assessment of damages, for the first time only	25.00	18.00
NOTE: *The fee payable under The Jurors Act is not included in the above item.*		
(2) an originating notice of motion or an application other than in an action	10.00	8.00
(3) a motion for leave to appeal to the Court of Appeal	5.00	
(4) a notice of appeal to the Court of Appeal on an appeal from,		
(*a*) any interlocutory order	10.00	
(*b*) any final order or judgment from,		
(i) a Small Claims Court	10.00	
(ii) a County Court	15.00	
(iii) the Supreme Court	25.00	
(iv) any other tribunal	25.00	
5. On any order or judgment directing a reference (with the exception of a praecipe order for taxation of a solicitor and client bill)	15.00	10.00
6. On the filing of an application for decree absolute in a matrimonial cause, including the making up and forwarding of the papers to and from the Registrar, S.C.O.	15.00	
7. For making up and forwarding papers, documents and exhibits (postage or carriage charges to be paid extra on the excess over five pounds)	2.00	2.00
8. For making copies of documents not requiring certification, per page	.50	.50
9. On the filing of a petition to quiet a title	30.00	
10. To special examiner for each person examined:		
(1) appointment	1.00	1.00
(2) oath, return and certicate.	1.50	1.50
(3) conducting examination per hour or part thereof	5.00	5.00
NOTE: *This fee shall be charged on a cancelled appointment unless 48 hours notice of cancellation has been given to the examiner.*		

(4) for copy of transcript,

(*a*) when ordered by party having carriage of the examination, per folio (100 words) ..... .25 .25

(*b*) when not ordered by party having carriage of the examination, to first party ordering, per folio (100 words) .. .25 .25

(*c*) when ordered by any other party, per folio (100 words) ..... .10 .10

NOTE: *Where a transcript is ordered, the special examiner is responsible for the filing of the original transcript in the proper court, and no additional charge shall be made for the transcript on filing.*

(5) attendance out of office, per mile one way ..... .20 .20

(6) for a reporter's attendance where no copy of the examination is ordered, per hour or part thereof ... 5.00 5.00

NOTE: *A charge shall not be made under this item where the reporter is a salaried employee in the office of the person conducting the examination.*

11. When a shorthand reporter is employed upon a reference, the fees payable shall be as follows:

(1) For services at the hearing $25.00 for a full day and $15.00 for a half-day or less.

(2) For the copy of evidence to be filed on an appeal, for the purposes of mechanical reproduction, $1.25 per page.

(3) For the copy of evidence for use other than provided for in sub-item (2), a single charge of $1.35 per page for transcribing and supplying up to 5 copies.

(4) For reading evidence to the Master from notes when no copies are ordered at the rate of $5.00 per hour, payable by the party having the conduct of the reference.

(5) Sub-items (1) and (4) are not payable to reporters employed at Osgoode Hall paid by salary.

12. (1) An allowance may be made for the service or attempted service within Ontario by a sheriff, deputy sheriff or anyone employed by a sheriff, or a small claims court bailiff, or any writ, pleading, order, judgment, notice, appointment or other paper requiring personal service when proof by affidavit of such service or attempted service is filed on the taxation; such allowance not to exceed the amount authorized by Tariff C.

(2) A reasonable allowance not exceeding the amount actually paid may be made for service of any of the foregoing outside Ontario or for reasonable attempts to effect such service.

(3) An allowance may be made for the costs of service by publication of any document required to be so served by an order of the Court.

13. Fees payable to witnesses:

(1) Each day of necessary attendance 10.00 10.00

Barristers, solicitors, physicians, surgeons and dental surgeons, other than parties to the cause, when called upon to give evidence in consequence of any professional opinions, each day of necessary attendance, unless otherwise provided by statute 25.00 25.00

Engineers, actuaries, chartered or certified accountants, surveyors, architects and veterinarians, other than parties to the cause, when called upon to give

evidence of any professional service rendered by them or to give evidence depending upon their skill or judgment, each day of necessary attendance, unless otherwise provided by statute	25.00	25.00

(*a*) Where a witness travels by private automobile, 10 cents a mile for each mile necessarily travelled between his place of residence and the place of trial, but, where the trial is held in the city or town in which the witness resides, 75 cents. Where a witness travels by means other than private automobile, a sum equal to the amount of the fare actually paid for the transportation from his place of residence to the place where the trial is held, and return.

(3) In addition to the fee for attending at trial, where the witness resides elsewhere and is required to remain at the place of trial overnight, the amount reasonably and actually paid for living expenses, but not more than $10.00 for each day of necessary attendance.

(4) If witnesses attend in one case only, they are entitled to the full allowance. If they attend in more than one case, they are entitled to a proportionate part in each case only.

(5) An allowance may be made to an interpreter not exceeding the fee payable to a professional witness.

(6) A reasonable sum may be allowed for the preparation of any plan, model or photograph when necessary for due understanding of the evidence.

14. The cost of certified copies of documents such as judgments, orders, birth, marriage and death certificates, abstracts of title, deeds, mortgages and other registered documents where made exhibits.

15. The cost of a copy of the reasons for judgment in the action or other proceeding.

16. The cost of transcripts of proceedings of courts or tribunals when required by the court or the rules.

17. The cost of certified copies of judgments and orders, including the cost of registration, where necessary to implement such judgments and orders.

O. Reg. 207/66, s. 10; O. Reg. 242/67, ss. 32, 33; O. Reg. 156/68, s. 25; O. Reg. 189/69, s. 30.

TARIFF C

FEES OF SHERIFFS

	Supreme Court	County Court
1. Services on one party of any writ, subpoena, notice, pleading, or other paper, including receiving, filing, return, affidavit of service and one letter (exclusive of mileage); when more than one paper served at the same time, it shall be considered as one service,		
(1) in a matrimonial cause	$ 5.00	
(2) in any other action or proceeding	4.00	$ 3.00
2. Each additional party served,		
(1) in a matrimonial cause	2.00	
(2) in any other action or proceeding	1.50	1.00
3. When writ returned without service being made	2.00	1.50
4. On receiving and filing writs of *Fieri Facias* and *Ven. Ex.* and renewals thereof (payable in advance; see *The Sheriff's Act*, s. 19)	2.00	1.50
5. For warrant, attending at address of defendant and report for each debtor when different addresses are given	2.00	1.50
6. REVOKED. O. Reg. 155/65, s. 26.		
7. Executing each order or writ relating to arrest, attachment, absconding debtor, replevin, sequestration, possession, hab. fac. pos., escheat and striking a special jury, and including receiving, filing return, preparing warrant, precept, bond and affidavits when necessary, and other necessary attendances and including correspondence (exclusive of mileage, of poundage when chargeable, and of reasonable and necessary actual disbursements)	12.00	8.00

8. Poundage on executions and on attachments on the sum made: up to and including $1,000, 6 per cent; excess over $1,000 and up to and including $4,000, 3 per cent: and on excess over $4,000, 1½ per cent. In county court cases, 5 per cent on the sum made. (Exclusive of mileage and of all reasonable and necessary actual disbursements).		
9. For seizure where sale is not proceeded with (exclusive of mileage, of poundage when chargeable, and of all reasonable and necessary actual disbursements)	2.00	1.00
10. (1) Schedule made on the execution of any process, including copy for the debtor, not exceeding five folios	1.50	1.00
(2) Each folio above five	.20	.20
11. Drawing advertisement and copies, including transmitting and posting	4.00	2.00
12. Every notice of sale or postponement thereof	.50	.50
13. For each day's attendance upon a view by a jury (exclusive of mileage and all reasonable and necessary actual disbursements)	10.00	5.00
14. (1) Mileage from the court house to the place where a paper is served, writ executed or other service performed (one way except in the case of an arrest, when mileage is both ways) per mile payable in advance (see *The Sheriffs Act*, s. 18):		
(*a*) in northern Ontario	.25	.25
(*b*) in southern Ontario	.20	.20
(2) The dividing line between southern Ontario and northern Ontario, for the purposes hereof, is as follows:		
Highway No. 12 from Penetanguishene through Midland to its junction with No. 7 north of Sunderland, No. 7 eastward to Perth, No. 15 to Carleton Place, No. 29 to Arnprior, No. 17 to Renfrew, the paved county road from Renfrew through Douglas to Pembroke, No. 17 Pembroke to Chalk River; the above highways to be included in southern Ontario.		
15. Every letter not above provided for and required by a party or his solicitor	.75	.50
16. Bringing up prisoner on attachment or habeas corpus besides mileage as provided in item 14.	2.00	1.50
17. Certificate of surrender by sureties	2.00	1.50
18. Where a sheriff is directed by the court to perform any service or do any act for which no fee is provided, he may be allowed such fee as the court thinks fit, and it shall be payable as the court directs (*The Sheriffs Act*, s. 18).		
19. Every search for writs against one debtor not being by a party to a cause or his solicitor	.50	.50
20. When search embodied in a certificate, including mailing to solicitor. (It shall include any sales during the six months preceding its date)	1.00	1.00
21. Maximum fee for a land certificate relating to the investigation of one title and in which shall be included all names required (see *The Sheriffs Act*, s. 11).		
22. For notices upon seizure of stock, mortgages, patents and all choses in action, additional.	4.00	2.00
23. For sheriff's deed or bill of sale	6.00	5.00
24. For schedule of distribution under *The Creditors' Relief Act*	5.00	3.00

R.R.O. 1960, Reg. 396, Tariff C; O. Reg. 155/65, s. 26.

TARIFF D

COSTS ALLOWED ON SALES, LEASES AND MORTGAGES OF LAND UNDER *The Devolution of Estates Act*

To the Solicitor for the Personal Representative

1. Where sale price or amount of mortgage is under $200, $10.
Where it is over $200, up to and including $400, $12.
Where it is over $400, up to and including $600, $15.
Where it is over $600, up to and including $800, $20.
Where it is over $800, up to and including $1,000, $25.
Where it is over $1,000, up to and including $1,500, 2½ per cent.
Where it is over $1,500, up to and including $2,000, $7 plus 2 per cent.
Where it is over $2,000, up to and including $3,000, $17 plus 1½ per cent.
Where it is over $3,000, up to and including $5,000, $32 plus 1 per cent.
Where it is over $5,000, $57 plus ½ of 1 per cent.

Where a part of the land of an estate has been sold, in the case of any subsequent sale, three-fourths of the foregoing amount shall be allowed.

2. In addition to the above amounts there shall be allowed,

(*a*) the cost of taking out letters of administration or letters probate and of succession duty affidavits as fixed by the Surrogate Court Rules, where there is no personal estate out of which such costs can be paid;

(*b*) the proper disbursements for advertising for creditors where there is no personal estate out of which such disbursements can be paid;

(*c*) where the sale is by auction, the auctioneer's fee and the costs of all necessary printing of advertisements; and

(*d*) the fees paid to valuators.

Costs of Official Guardian

3. The costs of the Official Guardian shall be one-third of the amount allowed under item 1, and his actual disbursements.

Special Allowances

4. Where special circumstances render the amount taxable under this tariff unreasonable or inadequate, a judge may order the allowance of a smaller or larger sum.

NOTE: In applying this tariff to leases, the amount shall be deemed to be the annual rental multiplied by the number of years in the term.

R.R.O. 1960, Reg. 396, Tariff D.

REGULATION 546

under The Judicature Act

STENOGRAPHIC REPORTERS

1. In this Regulation, "page" means a typewritten page containing at least 500 words in forty-seven single-spaced lines. O. Reg. 220/66, s. 1.

2. Shorthand notes of evidence shall be transcribed on good quality paper being paper approximately 11 inches long, 8½ inches wide and 16M weight with a margin on the left side and every tenth line numbered consecutively from top to bottom. O. Reg. 220/66, s. 2.

3. In all transcripts of *viva voce* evidence, a question shall be preceded by the letter "Q", and the answer, which shall continue on the line on which the question concludes, by the letter "A", with no double-spacing between an answer and the following question to the same witness by the same person. O. Reg. 220/66, s. 3.

4. The transcript of evidence shall contain an index showing the name of each witness with a page reference to where his examination in chief commences, his cross-examination commences and his re-examination commences, and shall contain also a list of the exhibits and their numbers. O. Reg. 220/66, s. 4.

5. Where the transcript of evidence consists of twenty or more pages, it shall be bound on the left side in book form with covers approximately 20M weight and, where it consists of fewer than twenty pages, it shall be similarly bound with or without covers. O. Reg. 220/66, s. 5.

6. Stenographic reporters are entitled to the following fees for shorthand evidence:

1. For a copy required to be filed in an appeal, for the purpose of mechanical reproduction, $1.25 per page.

2. For copies other than a copy referred to in paragraph 1, including charges to the jury and oral judgments, other than for use in appeal books, $1.25 a page for the first copy and 40 cents a page for each additional copy. O. Reg. 220/66, s. 6.

7. The copies of evidence ordered by the judge for his own use shall be paid for by the county upon the certificate of the judge. O. Reg. 220/66 s. 7.

REGULATION 547

under The Junior Farmer Establishment Act

APPLICATION FOR BANK LOAN

1. An application for a bank loan shall be in Form 1. O. Reg. 253/63, s. 1.

Form 1

The Junior Farmer Establishment Act

APPLICATION FOR BANK LOAN

Branch Code Number.....

To:..... (name of bank)

Applications covering loans made to be numbered consecutively by lending bank — Application Number .....

..... (branch)

Name of Applicant(s) in Full — Address

..... (surname) (full given names) .....

..... (surname) (full given names) .....

1. I submit the following information for the purpose of obtaining from you a loan of $.....

under *The Junior Farmer Establishment Act*, for a period of.....

repayable.....,

the loan being required for the following purpose: (*Describe purpose fully*).....

the total estimated cost being $..... and the following items to be purchased at the estimated cost mentioned below: (Describe the items of agricultural implements, live stock, equipment, machinery, materials or supplies, as the case may be, and in the case of agricultural implements indicate whether new or used.)

Description	Estimated Cost
.....	$.....
.....	$.....
.....	$.....
.....	$.....

2. I hereby certify that I am in possession of the farm composed of the land described below, that except as indicated below said land is clear of encumbrances, including overdue taxes, and that I hold an interest in the said farm of the nature indicated below:

Home Farm	Other Land Farmed
(*a*)	(*a*) .....
..... (full legal description)	..... (full legal description)
(*b*) ..... (nature of interest in farm, i.e. owner, purchaser under agreement of sale, etc.)	(*b*) ..... (nature of interest in farm, i.e. owner, purchaser under agreement of sale, lessee, etc.)
(*c*) ..... (state whether land is clear title, subject to a mortgage, or held under an agreement of sale)	(*c*) ..... (state whether land is clear title, subject to a mortgage, or held under an agreement of sale or under a lease)
(*d*) THE ONTARIO JUNIOR FARMER ESTABLISHMENT LOAN CORPORATION (name of mortgagee)	(*d*) ..... (name of mortgagee, vendor or lessor)
(*e*) ..... (particulars of all encumbrances including all payments of principal, interest or taxes in arrears)	(*e*) ..... (particulars of all encumbrances including all payments of principal, interest or taxes in arrears)
(*f*) Applicant's Valuation ..... $.....	(*f*) Applicant's Valuation ..... $.....
Total encumbrances including overdue taxes ..... $.....	Total encumbrances including overdue taxes ..... $.....
(*g*) Fire Insurance on Buildings ..... $.....	(*g*) Fire Insurance on Buildings ..... $.....
	(*h*) ..... (if a lease, the terms thereof, including expiry date)

3. If you desire evidence of the title to the said farm and its status as regards encumbrances, I authorize you to obtain on my behalf such certificate of search or abstract of title and/or report on title as you deem requisite and I agree to reimburse to you the cost thereof.

NOTE: Sections 4 to 9 of this form are not required to be completed where the bank loan applied for does not exceed $500 or the applicant was granted a bank loan by the bank under the Act during the preceding twelve months.

4. Of the land described above, there are .....acres under cultivation, of which .....acres are in crop or will be in crop during 19....made up as follows:

.....acres of wheat	.....acres of other grain	.....acres of fruit
.....acres of barley	.....acres of hay	.....acres of roots
.....acres of oats	.....acres of tobacco	.....acres in other crops

5. I own:

	Present Value
.....horses	$.....
.....cattle	$.....
.....hogs	$.....
.....sheep	$.....
.....poultry	$.....
.....tractor	$.....
.....thresher	$.....
.....combine	$.....
.....other implements	$.....
.....motor car	$.....
.....truck	$.....
TOTAL	$.....

6. My debts are (other than those secured upon the land described above):

	Amount
On live stock.....	$.....
On tractor.....	$.....
On thresher or combine.....	$.....
On other implements.....	$.....
On motor car.....	$.....
On truck.....	$.....
To banks.....	$.....
To stores.....	$.....
To doctors or hospitals.....	$.....
For taxes.....	$.....
Other debts (specify).....	$.....
.....	$.....
.....	$.....
TOTAL....	$.....

7. I estimate my net financial worth to be as follows:

Land described above.....	$.....
Chattels listed above.....	$.....

Other assets (specify) ..... $.....

..... $.....

..... $.....

Total Assets..... $.....

Less Total Debts..... $.....

Net Financial Worth.... $.....

8. I estimate my gross receipts for the year 19.... to be as follows:

From Farming Operations:

Sale of grain ..... $.....

Sale of live stock ..... $.....

Sale of dairy products..... $.....

Other farming receipts (specify) ..... $.....

..... $.....

Sub-total..... $.....

From Sources Other than Farming Operations (specify):

..... $.....

..... $.....

Total Receipts..... $.....

9. My gross yearly receipts are usually received during the following months, from the following sources and in the following amounts:

Month Received	Source	Amount
.....	.....	$.....
.....	.....	$.....
.....	.....	$.....
.....	.....	$.....

10. I owe nothing in respect of which there is outstanding any chattel mortgage, lien, or judgment except as follows: .....

.....

.....

11. Except as indicated below, I have not heretofore applied for or received a bank loan under the provisions of *The Junior Farmer Establishment Act*, any part of which remains unpaid.

Date of Application	Bank	Amount of Loan Made	Amount Now Owing
.....	.....	.....	.....
.....	.....	.....	.....

12. I am.....years of age, am married/single and have.....dependents of whom.....are children under 16 years of age and of whom.....are boys over 16 years of age living at home.

13. I have farmed my present land for.....years and previous to that farmed land located at .....for.....years.

14. In the event of the loan applied for being made by you I hereby,

(*a*) undertake to use the proceeds for the purpose specified in section 1 of this application and for no other purpose;

(*b*) authorize you, if security be required, to have the appropriate registration or filing effected and to obtain evidence satisfactory to you of the rank of such security and I agree to reimburse to you the cost thereof; and

(*c*) authorize you, in the event of default in the repayment of this loan or the payment of any interest thereon, to sell by public or private sale any of the security given for this loan and any property covered thereby and to apply the proceeds of each sale less the expenses thereof on account of my indebtedness and I agree that my liability for any deficiency shall not be affected thereby to any extent.

15. I authorize you to furnish to any officer, inspector, clerk or employee appointed under the authority of *The Junior Farmer Establishment Act*, all information in respect of the loan hereby applied for or in connection with any of my dealings with you.

Dated at....., this.....day of....., 19....

.....
(signature of applicant)

.....
(signature of applicant)

NOTE: Section 16 to be completed by applicant only where any required security under Section 88 of the *Bank Act* (Canada) will not be given at same time as loan is made.

16. If you are prepared to make a loan to me in accordance with the foregoing application, I promise and agree to give you security for the said loan by way of assignment under Section 88 of the *Bank Act* (Canada) covering the property hereinafter described of which I am or may hereafter become the owner. (Describe property on which security is to be taken):.....and which is now or may hereafter be in the place or places hereinafter designated. (Describe place or places where property is or may be):.....

I hereby appoint the person for the time being acting as manager of the above-mentioned branch of the bank my attorney, on my behalf to give to the bank the security mentioned above and to sign or endorse and deliver any and all instruments and documents in connection therewith.

Dated at....., this.....day of....., 19....

.....
(signature of applicant)

.....
(signature of applicant)

CERTIFICATE OF OFFICER OF THE BANK

17. I hereby certify that I have scrutinized and checked the foregoing application with the care required of me by the bank in the conduct of its ordinary business.

....., 19.... .....
(signature of officer)

O. Reg. 253/63, Form 1.

REGULATION 548

under The Junior Farmer Establishment Act

GENERAL

INTERPRETATION

1. In this Regulation, "board" means the board of directors of the Corporation. R.R.O. 1960, Reg. 398, s. 1.

2. Meetings of the board may be called at any time by the chairman or, in his absence, by the vice-chairman. R.R.O. 1960, Reg. 398, s. 2.

3. Notice of all meetings of the board shall be delivered to the office of each member of the board at least twenty-four hours before the meeting but no notice is necessary when all members of the board, either before or after the meeting, sign a waiver of notice. R.R.O. 1960, Reg. 398, s. 3.

4. Two directors constitute a quorum at any meeting of the board. R.R.O. 1960, Reg. 398, s. 4.

5. The board shall cause the secretary, or some other official of the Corporation who is charged with that duty, to keep a book or books in which shall be recorded,

(*a*) a copy of the Act and any amendments thereto and a copy of the regulations;

(*b*) a copy of all Orders-in-Council relating to the Corporation;

(*c*) the names of all members of the board with the date on which each became, and ceased to be, a member of the board; and

(*d*) the minutes of all meetings and votes of the board, verified by the signature of the chairman or vice-chairman. R.R.O. 1960, Reg. 398, s. 5.

6. The board shall cause proper books of account to be kept, containing full and true statements of,

(*a*) the financial transactions of the Corporation;

(*b*) the assets of the Corporation;

(*c*) the money received and expended by the Corporation and the matters in respect of which the receipt and expenditure took place; and

(*d*) the credits and liabilities of the Corporation. R.R.O. 1960, Reg. 398, s. 6.

7. The fiscal year of the Corporation terminates on the 31st day of March in each year. R.R.O. 1960, Reg. 398, s. 7.

8. All cheques, notes and orders for the payment of money may be signed by two directors, or the board may by resolution appoint any officials or persons on behalf of the Corporation to sign cheques, notes and orders for the payment of money, and the cheques, notes and orders shall be signed by two officials or persons so appointed. R.R.O. 1960, Reg. 398, s. 8.

9. Contracts, documents or instruments in writing requiring execution by the Corporation may be signed by the chairman, the vice-chairman or a director, or the board may by resolution appoint any official or person on behalf of the Corporation to sign contracts, documents and instruments in writing. R.R.O. 1960, Reg. 398, s. 9.

10. Debentures of the Corporation, whether in coupon form or in fully registered form, shall be sealed with the seal of the Corporation and may be signed by the chairman or vice-chairman of the Corporation and by the secretary or other officer of the Corporation and the interest coupons attached to any coupon debentures may be signed by the secretary or other officer of the Corporation; the signature of the chairman or vice-chairman of the Corporation upon debentures and the signature of the secretary or other officer of the Corporation upon any interest coupons may be engraved, lithographed, printed or otherwise mechanically reproduced and any such engraved, lithographed, printed or mechanically reproduced signature shall be deemed for all purposes the signature of such chairman, vice-chairman, secretary, or other officer of the Corporation, as the case may be, and shall be binding upon the Corporation; the said signatures may be the signatures of the chairman or vice-chairman of the Corporation and of the secretary or other officer of the Corporation, respectively, holding office at the time each such signature is respectively affixed (either manually or by mechanical reproduction as aforesaid) to any such debentures or interest coupons and notwithstanding any change in any of the persons holding the said offices between the time when such signatures are so affixed and the date of delivery of the debentures and notwithstanding the fact that the person whose signature is so affixed may not have held office at the date of the debentures or at the date of delivery thereof, the debentures and the interest coupons attached to any coupon debentures, so signed, shall be valid and binding upon the Corporation. R.R.O. 1960, Reg. 398, s. 10.

11. The seal of the Corporation shall be in the form of two concentric circles with the words "The Ontario Junior Farmer Establishment Loan Corporation" inserted in the space between the circles and when used shall be authenticated as provided by section 9. R.R.O. 1960, Reg. 398, s. 11.

FEES AND EXPENSES

12. The fees and expenses payable by borrowers under the Act are as follows:

1. For valuating the security offered by the borrower, a fee of.....$ 10

2. For legal services, where the amount of the loan is,

   (*a*) not more than $3,500, a fee of $35; and

   (*b*) more than $3,500, a fee of one per cent of the amount of the loan.

3. Expenses actually and necessarily incurred by way of disbursements for investigating and certifying title and for registration of documents and taxes on documents. R.R.O. 1960, Reg. 398, s. 13; O. Reg. 245/63, s. 2.

INFORMATION TO BE FURNISHED BY APPLICANTS FOR LOANS

13.—(1) Every applicant for a loan shall furnish to the Corporation,

(*a*) an application for the loan in writing in Form 1; and

(*b*) a statement of all liabilities of the applicant in Form 2.

(2) Where the applicant for a loan applies for the loan in respect of a family farm, a farm operated by a partnership or an incorporated family farm, he shall furnish with the application for the loan,

(*a*) in the case of a family farm,

   (i) particulars of the legal or equitable interest of the applicant and the interest of each remaining owner in each farm offered as security for the loan,

   (ii) particulars of the relationship of the applicant to each of the remaining owners of the farm, and

   (iii) particulars of the operation of the farm showing the names of the members of the family who are actively managing the farm;

(*b*) in the case of a farm operated by a partnership and offered as security for the loan,

   (i) a true copy or a notarial copy of the partnership agreement, and

   (ii) particulars of the ownership of the farm;

(*c*) in the case of an incorporated family farm,

   (i) the letters patent issuing the charter and all supplementary letters patent, or notarial copies thereof, or copies thereof certified by the secretary of the Corporation to be true copies,

   (ii) particulars of the office in the corporation held by the applicant,

   (iii) a list of all owners of shares in the corporation and the number of shares held by each owner, and

   (iv) particulars of the operation of the farm showing the name of the manager and the extent to which the applicant is connected with the active management of the farm offered as security for the loan.

(3) Where an applicant for a loan fails to furnish to the Corporation,

(*a*) the information required by forms 1 and 2; and

(*b*) in the case of a family farm, a farm operated by a partnership or an incorporated family farm, the information required under subsection 2,

the Corporation may, notwithstanding such failure, make the loan where the Corporation is satisfied that it has sufficient information to make the loan.

(4) Every applicant for a loan who applies to the Corporation for a loan in respect of the operation of a family farm, a farm operated by a partnership or an incorporated family farm shall furnish upon request to the Corporation a statement of all liabilities and assets of,

(*a*) in the case of a family farm, each of the owners of the farm;

(*b*) in the case of a farm operated by a partnership, of the partnership; and

(*c*) in the case of an incorporated family farm, of the corporation. O. Reg. 245/63, s. 3.

14. Where the applicant is not the registered owner of the farm or farms offered as security for the loan, the Corporation may refuse to make the loan unless the applicant joins in the mortgage as a party thereto in his personal capacity. O. Reg. 245/63, s. 3.

PROPERTY VALUATION FOR LOANS

15.—(1) Where an application is made for a loan for a purpose that includes the erecting of farm buildings or the making of other permanent improvements that increase the productive value of the farm offered as security for the loan, the amount of the loan may be determined on the basis of the value of the farm after the erecting of such farm buildings or the making of such other permanent improvements.

(2) Where an application for a loan is made for a purpose stated in subsection 1, the valuator shall report to the Corporation the value of the security offered by the applicant,

(*a*) at the time of the valuator's inspection; and

(*b*) as enhanced by the erection of such farm buildings or the making of such other permanent improvements to the farm. O. Reg. 245/63, s. 3.

LIFE INSURANCE FOR BORROWERS

16.—(1) The Corporation may make an agreement with an insurer licensed under *The Insurance Act* for creditor's group life insurance to provide insurance on the life of a borrower who is a junior farmer or the spouse of a junior farmer or both of them. O. Reg. 245/63, s. 3.

(2) An agreement under subsection 1 shall provide that, upon the death of the insured, the insurer pays to the Corporation,

(*a*) in the case of a loan that has been fully advanced, the full amount required to be paid to the Corporation for a discharge of the mortgage; and

(*b*) in the case of a loan that has not been fully advanced,

(i) the full indebtedness under the loan to the Corporation, and

(ii) any amount of the loan not advanced to the borrower by the Corporation. O. Reg. 245/63, s. 3; O. Reg. 37/64, s. 1.

BANK LOANS

17. Upon request of an officer of a chartered bank to the Corporation for a certificate showing that an applicant for a bank loan is eligible for a guaranteed bank loan under the Act, the manager of the Corporation shall furnish such certificate in Form 3. O. Reg. 245/63, s. 3.

18. Where a bank loan is approved by a chartered bank, the bank shall forthwith mail a copy of the application for the loan to the Corporation. O. Reg. 245/63, s. 3.

19. Where a borrower is in default in respect of any payment the entire amount of the balance outstanding on the loan shall, at the option of the bank, thereupon become due and payable. O. Reg. 245/63, s. 3.

20.—(1) Every bank shall prepare and mail to the Corporation by ordinary post within thirty days following the last day of each month, monthly reports in accordance with Form 4, showing particulars of loans made in the preceding month.

(2) Every bank shall prepare and mail to the Corporation by ordinary post within thirty days following the last day of April and December, respectively, in each year, reports in accordance with Form 5, showing,

(*a*) particulars of all loans in default for a period of more than three months; and

(*b*) the total amount of all other loans in default. O. Reg. 245/63, s. 3.

Form 1

The Junior Farmer Establishment Act

Application No.....

APPLICATION FOR LOAN

1. Name of Applicant(s) in Full	Address	Telephone
..... (surname) (full given names)	.....	.....
..... (surname) (full given names)	.....	.....

Postal address of property if not same as above.....

I REQUIRE THIS LOAN FOR THE FOLLOWING PURPOSES:

To acquire land for agricultural purposes..... $.....

To erect and improve buildings..... $.....

To pay off charges against farm at time of acquisition by applicant under a will or by descent, or to pay off encumbrances..... $.....

To consolidate liabilities incurred for productive agricultural purposes..... $.....

To provide drainage..... $.....

To purchase live stock; or other purposes relating to establishment, development and operation of applicant's farm..... $.....

Total amount of loan required..... $.....

Repayment Term.....years, with interest only payable on the first payment date, then
(29, 25, 20, 15, 10, 5)

principal and interest in equal annual instalments, payments to fall due.....
(December 1st, or June 1st, state preference)

Do you wish to have your life insured under The Junior Farmer Establishment Loan Corporation's group insurance contract, if eligible and insurable? .....

2. LANDS OFFERED AS SECURITY FOR LOAN

Brief legal description of each parcel	Name of Registered Owner	Total Acres	Year Acquired	By Purchase, Will, Gift or Crown Grant	If Purchased			
					Price	Down Payment	Interest Rate	Balance Owing
Lot Con. Twp. Cnty, etc.								
.....	.....	.....	.....	.....	$.....	$.....	.....%	$.....
.....	.....	.....	.....	.....	$.....	$.....	.....%	$.....
.....	.....	.....	.....	.....	$.....	$.....	.....%	$.....
.....	.....	.....	.....	.....	$.....	$.....	.....%	$.....

Nearest Town.....miles. Marketing Facilities.....

Is any part of stock and equipment included in purchase price?..... Value $.....

Is any part of security offered under estate administration? ..... (If so, attach letter of explanation)

Who holds title papers? ..... In whose name is property registered? .....

Are any of the lands leased?..... (If so, give particulars, including expiry date of lease).....

If improvements made since occupation, list and give cost of each.....

Have the lands adequate buildings?..... What repairs are required, if any?.....

What do you consider is the present value of the above lands and buildings? $.....

Present encumbrances on property, with particulars of mortgages and any balance owing on Agreement for Sale and other charges against title, such as judgements, liens, etc.:

Name of Mortgagee or Vendor or other Secured Creditor	Year of Mortgage or Sale	Interest Rate	Original Amount	Interest Arrears	Total Amount Still Owing
.....	19.....	.....%	$.....	$.....	$.....
.....	19.....	.....%	$.....	$.....	$.....
.....	19.....	.....%	$.....	$.....	$.....

3. Additional land owned by applicant but not offered as security for loan:

Brief Legal Description (Lot numbers, etc.)	Total Acres	Acres Cultivated	Value	Amount Owing
.....	.....	.....	$.....	$.....
.....	.....	.....	$.....	$.....
.....	.....	.....	$.....	$.....

4. STATEMENT OF FARM ASSETS

Equity in farm land and buildings..... $.....

Value of present stock..... $.....

Value of present equipment..... $.....

Total Value of Farm Assets..... $.....

5. Value of assets other than farm land, live stock and equipment:
(List bonds, stocks, shares, urban real estate, savings, accounts receivable, etc.)

..... $.....

..... $.....

..... $.....

..... $.....

Total Value of Other Assets..... $.....

6. STATEMENT OF INCOME AND EXPENSES—LAST CALENDAR YEAR

INCOME

Income	Kind	Acres	Total Yield	Amount Sold	Receipts $
Crops and Forest Products					

	Kind	Number on Hand	Value $	Number Sold	
Live Stock					

	Product	Unit Price	Amount Sold	
Live Stock Products				

	Specify Nature of Enterprise	
Other Enterprises on the Farm		

Total Income from Farm Property	
Wages	
Income, Other Investments	
Miscellaneous Income	
Total Non-Farm Income	
Total Income All Sources	

EXPENSES

	$
1. Taxes	
2. Feed Bought	
3. Live Stock Purchases	
4. Other Live Stock Expenses	
5. Marketing Expenses	
6. Seed ..... Fertilizer	
7. Crop Insurance, Twine, Spray	
8. Farm Fuel, Oil, Grease, etc.	
9. Equipment Repairs	
10. Truck—All Expenses	
11. ½ Car Expenses	
12. Building and Fence Repair	
13. Labour Hired	
14. Custom Work Hired	
15. Hydro and Telephone	
16. Building Insurance	
17. Stock and Equipment Insurance	
18. Rent of Land	
19. Other Expenses	
20.	
21.	
22. TOTAL CASH EXPENSES	
23. Estimated Equipment Depreciation	
24. Estimated Building Depreciation	
25. Estimated Living Costs	

PLANS FOR OPERATING THE FARM

7.

(Outline plans under the general headings shown in the margin and give any additional information you believe will be of assistance to the Corporation in considering your application for a loan.)

Amount of Land You Will Be Farming .....

Kinds and Approximate Acreage of Crops, Hay, Pasture, Etc. .....

Kinds and Numbers of Live stock to be Kept .....

Plans to Improve and Increase Live Stock .....

Plans to Improve Land and Buildings .....

New Equipment Required .....

Plans to Finance Liabilities not Paid by Loan .....

Other Pertinent Information .....

8. PERSONAL INFORMATION RESPECTING APPLICANT:

How long have you been a resident of Ontario?.....

Have you any occupation other than farming at present?.....

(If so, state occupation and average yearly income).....

.....$.....

Do you intend to discontinue other employment, if any?.....

Date of birth.....

Place of birth.....

Married or single.....

Date of birth of wife.....

Number of children.....

Are you in good health?.....

Agricultural training course taken:.....

---

9. IN MAKING THIS APPLICATION FOR A LOAN, I AGREE TO COMPLY WITH THE FOLLOWING:

1. To execute a mortgage in the form determined by the Corporation as a first charge upon the lands offered as security for the amount of the loan, and to pay all fees and disbursements incurred by the Corporation in the investigation of title and the perfecting thereof, and permit the charging of said lands with the payment of said fees and disbursements.

2. To remove all prior claims affecting title to lands offered as security for the loan and, where the Corporation is required to pay any such claims, the amounts paid may be taken from the proceeds of the loan and the Corporation is not responsible for the correction of such claims.

3. If after approval of this application I fail within one month after notification of such approval to execute any documents the Corporation deems necessary to complete the security, I will pay all expenses incurred by the Corporation in the consideration of the application and in the investigation of title within fourteen days of the mailing to me of an itemized statement thereof.

4. I will insure the buildings on said property taken as security for loan up to their full insurable value or for such lesser amount as is acceptable to the Corporation, all policies to include a standard mortgage clause and the loss, if any, to be payable to the Corporation as its interest may appear.

10. I certify that I have suppressed no information respecting any of the security which would adversely affect its value and that no suits are pending against me in any court of law.

11. I understand that any mis-statement of facts contained herein entitles the Corporation to cancel the loan and require immediate repayment of all moneys secured by the mortgage and expenses incurred.

12. I authorize and request the Corporation to remit the balance of loan granted to me by cheque payable to the order of myself, by mail at my risk, *first paying thereout the amount of solicitor's costs incurred, and all prior claims and encumbrances affecting title to property offered as security for the loan and other liabilities approved for payment.*

13. I have been resident in Ontario for at least three years immediately preceding this application.

14. I have had at least three years experience in farming.

15. I am actually farming, or intend to farm, on a full-time basis on the land upon the security of which the loan is applied for.

16. I agree to participate in a Farm Management Program at the request of the Corporation.

17. I enclose the inspection fee of $10.00 and I understand the inspection fee will not be returned to me after the Corporation's appraisal of the security has been made.

Dated this.....day of....., 19....

....
(witness) (signature of applicant)

Full Name of Wife.....

Will she consent to Mortgage? ( )

Telephone Exchange..... Telephone No.....

O. Reg. 245/63, s. 3.

Form 2

The Junior Farmer Establishment Act

STATEMENT OF LIABILITIES

To The Ontario Junior Farmer Establishment Loan Corporation,
Parliament Buildings,
TORONTO.

The following particulars of liabilities is a full and complete statement of any financial liabilities of every nature and kind whatsoever:

	Name of Creditor	Amount Owing
Mortgages on land		$.....
Agreement to purchase land		$.....
Taxes on land		$.....
Bank loans		$.....
Judgments		$.....
Cattle		$.....
Live stock other than cattle		$.....
Machinery and implements		$.....
Truck or automobile		$.....
Notes		$.....
Chattel mortgages		$.....
Fertilizer		$.....
Store bills		$.....
Wages		$.....

Other (specify).....	.....	$.....
.....	.....	$.....
.....	.....	$.....
	TOTAL.....	$.....

I certify that the live stock, machinery and implements on my farm are my property and, except as may be in the list of liabilities herein, are not subject to a chattel mortgage and are not assigned to a bank under the provisions of the *BankAct* (Canada).

Dated at....., this.....day of....., 19....

....
(witness) (signature)

....
(address of witness) (address)

O. Reg. 245/63, s. 3.

Form 3

The Junior Farmer Establishment Act

CERTIFICATE

To..... Branch Code Number of Bank.....
(name of bank)

..... Application Number of Bank.....
(branch)

.....
(address)

.....
(name of applicant for bank loan)

.....
(address)

This is to certify that a mortgage was registered on the.....day of....., 19...., as Number.....

.....

.....

to The Ontario Junior Farmer Establishment Loan Corporation, its successors and assigns, mortgaging all that certain parcel or tract of land and premises, situate, lying and being in the Township of....., in the County (or District or as the case may be) of....., and being composed of.....

The borrower in the said mortgage is,

(*a*) a junior farmer or the spouse of a junior farmer, or both of them, or a partnership; ( )

(*b*) the owner of a family farm, or a corporation operating an incorporated family farm; ( )

and the junior farmer therein is,

.....
(name of junior farmer)

There is now owing upon the said mortgage for principal the sum of $.....with interest at .....% from the first day of....., 19....

According to the records of the Corporation the taxes on the said lands are paid to.....

Dated at Toronto, this.....day of....., 19....

THE ONTARIO JUNIOR FARMER ESTABLISHMENT LOAN CORPORATION

by.....
(Manager, Assistant Manager, Treasurer, Secretary or Director)

O. Reg. 245/63, s. 3.

Form 4

The Junior Farmer Establishment Act

MONTHLY REPORT OF NEW LOANS

For Month Ended....., 19....

	Number	Amount
(1) Total loans made to date of last report..... (Item No. 3 st report)	.....	$.....
(2) Plus loans made since last report as listed below.....	.....	$.....
(3) Total loans made to date.....	.....	$.....
(4) Less total repayments made to date.....	.....	$.....
(5) Total Number and Amount of Loans Outstanding....	.....	$.....

CERTIFIED CORRECT,

....
Manager Accountant

LOANS MADE SINCE LAST REPORT

*Application Number	Name of Borrower	Amount of Loan	Period of Loan	How Repayable	Purpose of Loan Briefly

*Applications covering loans made to be numbered consecutively from the commencement. Each advance under a loan to be reported under the original application number.

LIST ON REVERSE LOANS PAID IN FULL SINCE LAST REPORT SHOWING APPLICATION NUMBER, BORROWER'S NAME AND ORIGINAL AMOUNT OF LOAN. O. Reg. 245/63, s. 3.

Form 5

The Junior Farmer Establishment Act

REPORT OF LOANS IN DEFAULT

Complete as of last day of April and December Branch Reporting Number.....

.....
(name of lender)

.....
(branch) Loans in Default as at last day of....., 19...

REPORT IN DETAIL LOANS IN DEFAULT MORE THAN THREE MONTHS AND TOTALS ONLY OF ALL OTHER LOANS IN DEFAULT

Application Number	Name of Borrower (List Alphabetically)	Original Date of Loan	Original Amount of Loan (Omit Cents)	Present Amount Owing (Omit Cents)	Total Amount in Arrears	Date Last Payment Received on Principal	State Reason for Default and Steps Taken to Collect	(This Space to be left Blank)

Number of Loans in Default 3 Months or Less .....

Total Number of All Loans in Default .....

TOTALS .....

Certified Correct:

....
Manager Accountant

Use double typewriting spacing between particulars of each loan, reasons for default being single spaced.

O. Reg. 245/63, s. 3.

REGULATION 549

under The Labour Relations Act

GENERAL

FINANCIAL STATEMENT OF PENSION OR WELFARE FUND

1.—(1) Every person operating a pension or welfare fund for the benefit of employees shall, upon the request of the Superintendent of Insurance, file with the Department of Insurance an audited financial statement of the affairs of the fund for the last completed fiscal year.

(2) An audited financial statement filed under subsection 1 shall show,

(*a*) how the fund is administered;

(*b*) the basis on which contributions to the fund and pension or welfare payments are made or are to be made;

(*c*) the assets of the fund;

(*d*) the liabilities of the fund as they are known; and

(*e*) the income and expenditure of the fund. R.R.O. 1960, Reg. 399, s. 1.

REMUNERATION OF CHAIRMAN AND MEMBERS OF CONCILIATION BOARD

2. The amounts of remuneration of a chairman of a conciliation board for his several duties as such shall be,

(*a*) $100 for each day,

(i) that he is present when the board sits,

(ii) necessarily spent in travelling from his place of residence to meetings of the board and returning therefrom, and

(iii) during which he is engaged in the preparing of the report of the board's findings and recommendations;

(*b*) the amount of,

(i) his living expenses, and

(ii) his travelling expenses where the means of conveyance is other than by his own automobile,

where the expenses are necessarily, actually and reasonably expended in connection with the work of the board; and

(*c*) in any one fiscal year, where he travels by his own automobile in connection with the work of the board,

(i) either outside Ontario or within that part of Ontario designated as southern Ontario in the Schedule, the following:

1. For the first 5000 miles or any part thereof necessarily travelled, fifteen cents per mile.

2. For miles necessarily travelled or any part thereof in excess of 5000, but not exceeding 10,000, eight cents per mile.

3. For miles necessarily travelled or any part thereof in excess of 10,000, six cents per mile, and

(ii) within that part of Ontario designated as northern Ontario in the Schedule, the following:

1. For the first 5000 miles or any part thereof necessarily travelled, sixteen cents per mile.

2. For miles necessarily travelled or any part thereof in excess of 5000, but not exceeding 10,000, nine cents per mile.

3. For miles necessarily travelled or any part thereof in excess of 10,000, seven cents per mile. O. Reg. 468/69, s. 1.

3. The amounts of remuneration for the several duties of a member of a conciliation board other than a chairman, shall be,

(*a*) for considering the recommendation of a person to be the third member of the board, $5;

(*b*) $60 for each day,

(i) that he is present when the board sits,

(ii) necessarily spend in travelling from his place of residence to meetings of the board and returning therefrom, and

(iii) during which he is engaged in preparing the report of the board's findings and recommendations;

(*c*) the amount of,

(i) his living expenses, and

(ii) his travelling expenses where the means of conveyance is other than by his own automobile,

where the expenses are necessarily, actually and reasonably expended in connection with the work of the board; and

(*d*) in any one fiscal year, where he travels by his own automobile in connection with the work of the board,

(i) either outside Ontario or within that part of Ontario designated as southern Ontario in the Schedule, the following:

1. For the first 5000 miles or any part thereof necessarily travelled, fifteen cents per mile.

2. For miles necessarily travelled or any part thereof in excess of 5000, but not exceeding 10,000, eight cents per mile.

3. For miles necessarily travelled or any part thereof in excess of 10,000, six cents per mile, and

(ii) within that part of Ontario designated as northern Ontario in the Schedule, the following:

1. For the first 5000 miles or any part thereof necessarily travelled, sixteen cents per mile.

2. For miles necessarily travelled or any part thereof in excess of 5000, but not exceeding 10,000, nine cents per mile.

3. For miles necessarily travelled or any part thereof in excess of 10,000, seven cents per mile. O. Reg. 468/69, s. 2.

4. The amounts of remuneration of a mediator for his several duties as such shall be,

(*a*) $100 for each day,

(i) that he confers with the parties and endeavours to effect a collective agreement,

(ii) necessarily spent in travelling from his place of residence to the place where he confers with the parties and returning therefrom, and

(iii) during which he is engaging in preparing the report of his findings and recommendations;

(*b*) the amount of,

(i) his living expenses, and

(ii) his travelling expenses where the means of conveyance is other than by his own automobile,

where the expenses are necessarily, actually and reasonably expended in connection with the work of the board; and

(*c*) in any one fiscal year, where he travels by his own automobile in connection with the work of the board,

(i) either outside Ontario or within that part of Ontario designated as southern Ontario in the Schedule, the following:

1. For the first 5000 miles or any part thereof necessarily travelled, fifteen cents per mile.

2. For miles necessarily travelled or any part thereof in excess of 5000, but not exceeding 10,000, eight cents per mile.

3. For miles necessarily travelled or any part thereof in excess of 10,000, six cents per mile, and

(ii) within that part of Ontario designated as northern Ontario in the Schedule, the following:

1. For the first 5000 miles or any part thereof necessarily travelled, sixteen cents per mile.

2. For miles necessarily travelled or any part thereof in excess of 5000, but not exceeding 10,000, nine cents per mile.

3. For miles necessarily travelled or any part thereof in excess of 10,000, seven cents per mile. O. Reg. 468/69, s. 3.

FORMS

5.—(1) A copy of a decision of an arbitrator or arbitration board for filing in the office of the Registrar of the Supreme Court under subsection 10 of section 37 of the Act shall be in Form 1.

(2) A copy of a determination of the Board for filing in the office of the Registrar of the Supreme Court under subsection 5 of section 79 of the Act shall be in Form 2. R.R.O. 1960, Reg. 399, s. 4 (1, 2).

(3) A copy of an interim order or direction of the Board for filing in the office of the Registrar of the Supreme Court under subsection 10 of section 81 of the Act shall be in Form 3. O. Reg. 295/66, s. 4.

6. A statement filed with the Board under section 73 of the Act shall be in Form 4. R.R.O. 1960, Reg. 399, s. 5.

7. A notice filed with the Board under section 77 of the Act shall be in Form 5. O. Reg. 337/62, s. 1.

Schedule

1. That part of Ontario lying south of the following described boundary line is designated as southern Ontario and that part lying north of the line is designated as northern Ontario:

The road known municipally as Healey Lake Road from Healey Lake easterly to its junction with Secondary Highway No. 612; Secondary Highway No. 612 to King's Highway No. 103; King's Highway No. 103 easterly to its junction with King's Highway No. 69; King's Highway No. 69 easterly to its junction with King's Highway No. 118; King's Highway No. 118 through the Town of Bracebridge to its junction with King's Highway No. 11; King's Highway No. 11 northerly to its junction with King's Highway No. 60 at the Town of Huntsville; King's Highway No. 60 easterly to its junction with King's Highway No. 62 at Killaloe Station; King's Highway No. 62 to the Town of Pembroke.

2. The highways named in the boundary line described in paragraph 1 are included in the designation of southern Ontario. O. Reg. 468/69, s. 4.

Form 1

The Labour Relations Act

In the matter of the decision of an arbitrator or arbitration board pursuant to section 37 of *The Labour Relations Act*.

Between:

Complainant,

—and—

Respondent.

To: The Registrar of the Supreme Court:

1, ...being a
(name) a

.....
(Party, employer, trade union or employee)

affected by the decision of *an arbitrator or *arbitration board under section 37 of *The Labour Relations Act* hereby files the decision under the said section 37.

*Strike out if not applicable.

2. The decision was made under the following circumstances:

i. Arbitrator or Members of Board of Arbitration:

ii. Appearances for Complainant:

iii. Appearances for Respondent:

iv. Date and Place of Hearing:

v. Date of Decision:

vi. Date of Release of Decision:

*vii. Date Provided in Decision for Compliance:

*Strike out if not applicable.

3. The decision, exclusive of the reasons therefor, reads as follows:

4. The respondent has failed to comply with the decision.

Dated at .....this.....day of

..... 19....

I certify that the copy of the decision is a true copy and the particulars set out herein are within my knowledge and accurate.

.....
(signature of person filing the decision or, where person filing is a corporation or trade union, of an officer authorized in that behalf)

R.R.O. 1960, Reg. 399, Form 1.

Form 2

The Labour Relations Act

In the matter of a determination by The Ontario Labour Relations Board pursuant to section 79 of *The Labour Relations Act*.

Between:

Complainant,

—and—

Respondent.

To: The Registrar of the Supreme Court:

1. The Ontario Labour Relations Board hereby files a determination made in this matter under section 79 of *The Labour Relations Act*.

2. The determination was made under the following circumstances:

   i. Members of the Board who constituted the quorum who made the Determination:

   ii. Appearances for the Complainant:

   iii. Appearances for the Respondent:

   iv. Date and Place of Hearing:

   v. Date of Determination:

   vi. Date of Release of Determination:

*Strike out if not applicable.

   *vii. Date Provided in Determination for Compliance:

3. The determination, exclusive of the reasons therefor, reads as follows:

4. The Ontario Labour Relations Board has been notified that the respondent has failed to comply with the determination.

Dated at.....this.....day of

....., 19....

I certify that the copy of the determination is a true copy and the particulars set out herein are accurate.

.....
Registrar, Ontario Labour Relations Board

R.R.O. 1960, Reg. 399, Form 2.

Form 3

The Labour Relations Act

In the matter of an Interim Order or Direction of the Ontario Labour Relations Board pursuant to section 81 of *The Labour Relations Act*.

Between:

Complainant,

—and—

Respondent.

To: The Registrar of the Supreme Court:

*Strike out words not applicable.

1. The Ontario Labour Relations Board hereby files an *Interim Order or *Direction made in this matter under section 81 of *The Labour Relations Act*.

2. The *Interim Order or *Direction was made under the following circumstances:

   i. Members of the Board who constituted the quorum who made the *Interim Order or *Direction:

   ii. In the case of an Interim Order, the persons consulted by the Board:

   iii. In the case of a Direction,

      (*a*) date and place of hearing:

      (*b*) appearances at the hearing,

         (i) for the complainant:

(ii) for the respondent:

(iii) for other parties:

iv. Date of *Interim Order or *Direction:

v. Date fixed in *Interim Order or *Direction for compliance:

3. The *Interim Order or *Direction, exclusive of the reasons therefor, reads as follows:

Dated at....., this .....day of

....., 19....

I certify that the copy of the Interim Order or Direction is a true copy and the particulars set out herein are accurate.

.....
Registrar, Ontario Labour Relations Board

O. Reg. 295/66, s. 5.

Form 4

The Labour Relations Act

STATEMENT OF TRUSTEESHIP OVER LOCAL UNION TO THE ONTARIO LABOUR RELATIONS BOARD

.....
(name of provincial, national or international trade

....., having assumed supervision union filing statement)

or control over.....
(name of subordinate trade union)

submits the following information to the Ontario Labour Relations Board under section 73 of *The Labour Relations Act*:

1.—(*a*) Head office address of provincial, national or international trade union that has assumed supervision or control:

(*b*) Address for service of such provincial, national or international trade union:

2. Address of the subordinate trade union:

3. Date on which supervision or control was assumed:

4.—(*a*) Name(s) and address(es) of person(s) appointed to exercise supervision or control over subordinate trade unions:

(*b*) By whom was such appointment made:

(i) (if by the executive or other body) the name of the body and the names and official positions of the persons composing the body:

(ii) (if by an individual or individuals) the name(s) and official position(s) of such person(s):

5. Period of time during which supervision or control is to be exercised:

6.—(*a*) Detailed statement of the terms under which supervision or control is to be exercised (give the provisions of any document, including the constitution or by-laws, appointing a supervisor or controller and defining the terms under which supervision or control is to be exercised):

(*b*) The provisions, if any, that have been made in the terms under which supervision or control is to be exercised for:

(i) the holding of membership meetings of the subordinate trade union:

(ii) the representation of members of the subordinate trade union at conferences and conventions of the trade union that has assumed supervision or control over the subordinate trade union:

Dated at.....this.....day of

....., 19....

.....

.....
(signatures of principal officers)

R.R.O. 1960, Reg. 399, Form 3.

Form 5

The Labour Relations Act

NOTICE AUTHORIZING REPRESENTATIVE FOR SERVICE OF PROCESS UNDER SECTION 77

1. Name of reporting organization:

*Strike out term not applicable.

*(*a*) trade union,

*(*b*) unincorporated employers' organization.

*Strike out if not applicable.

*2. Name or names other than (1) above by which the reporting organization is known: .....

.....

.....

.....

3. .....
(name)

.....
(address)

.....

.....

a person resident in Ontario, is henceforth authorized to accept service of process and notices under *The Labour Relations Act* on behalf of the reporting organization.

*Strike out if not applicable.

*4. This notice replaces any prior notice previously filed by the reporting organization.

Dated at .....this.....day of

....., 19....

.....
(signature)

.....
(official title)

O. Reg. 337/62, s. 2.

REGULATION 550

under The Labour Relations Act

OFFICE OF THE BOARD

1. The Office of the Board and the Board Room for hearings shall be located at 8 York Street, Toronto 1, Ontario. R.R.O. 1960, Reg. 400, s. 1.

REGULATION 551

under The Labour Relations Act

RULES OF PROCEDURE

INTERPRETATION

1.—(1) In these Rules,

(*a*) "file" means file with the Board;

(*b*) "party" means an applicant or complainant and each person served with notice of the application or complaint, or a person added as a party by the Board under section 54;

(*c*) "person" includes a partnership, employers' organization, trade union and council of trade unions;

(*d*) "registrar" means the registrar of the Board and includes a deputy registrar;

(*e*) "respondent" means the person named in an application or complaint as a respondent or added as a respondent by the Board under section 54.

(2) Where a period of time is prescribed by these Rules and expressed as a number of days, the period shall be computed as the number of days expressed exclusive of holidays. O. Reg. 264/66, s. 1.

APPLICATIONS

GENERAL

2. When an application is made, the registrar shall fix a terminal date for the application which shall be not less than five and not more than ten days, as directed by the Board, after,

(*a*) the day on which the registrar serves the employer with the notice of application for posting, where they are served personally; or

(*b*) the day immediately following the day on which the registrar mails the notices of application to the employer for posting, where they are served by mail. O. Reg. 264/66, s. 2.

CERTIFICATION

3. An application for certification as bargaining agent shall be made in quadruplicate in Form 1. O. Reg. 264/66, s. 3.

4.—(1) The registrar shall serve the applicant with a notice of the fixing of the terminal date for the application in Form 2.

(2) The registrar shall serve the respondent with,

(*a*) a copy of the application;

(*b*) a notice of application and of hearing in Form 3, or a notice of application in Form 4, as the case may be; and

(*c*) an appropriate number of notices of application in Form 5 or 6, as the case may be, for posting. O. Reg. 264/66, s. 4.

5. Where an applicant has requested that a pre-hearing representation vote be taken and the Board has refused the request, the registrar shall,

(*a*) fix a new terminal date for the application for the purposes of section 48;

(*b*) serve the applicant with a notice of fixing of the terminal date in Form 2;

(*c*) serve the respondent and the intervener, if any, with a notice of hearing in Form 7; and

(*d*) serve the respondent with an appropriate number of notices of application in Form 5 for posting. O. Reg. 264/66, s. 5.

6. The applicant shall, not later than the second day after the terminal date for the application, file a declaration concerning membership documents in Form 8. O. Reg. 264/66, s. 6.

7. A respondent shall file a reply in quadruplicate in Form 9 not later than the terminal date for the application and the reply shall be accompanied by a copy of any existing or recently expired collective agreement that is or was recently binding upon the respondent or any employees of the respondent in the bargaining unit claimed by either the applicant or the respondent to be appropriate. O. Reg. 264/66, s. 7.

8. The registrar shall serve upon any trade union or council of trade unions named in the application or reply as claiming, or known to him as claiming, to be the bargaining agent of or to represent any employees who may be affected by the application a copy of the application and a notice of application in Form 10. O. Reg. 264/66, s. 8.

9.—(1) A trade union or council of trade unions that is served with a notice of application or that claims to represent or to be the bargaining agent of any employees who may be affected by the application shall file its intervention, if any, in quadruplicate in Form 11 not later than the terminal date for the application and, if it fails to file such an intervention, it may be deemed by the Board to have abandoned any claim to represent any of the employees who may be affected by the application.

(2) Where the trade union or council of trade unions referred to in subsection 1 claims to be the bargaining agent of any employees who may be affected by the application and is or was recently bound by a collective agreement with the respondent, it shall file a copy of the collective agreement. O. Reg. 264/66, s. 9.

10.—(1) A trade union or council of trade unions desiring certification as bargaining agent of employees who may be affected by the application shall file an intervener's application for certification in quadruplicate in Form 12 not later than the terminal date for the application and the intervener's application shall be accompanied by a declaration concerning membership documents in Form 8.

(2) Section 2 does not apply to an intervener's application.

(3) Where the Board so directs, the registrar shall serve the employer with notices of the intervener's application for posting. O. Reg. 264/66, s. 10.

11. Where the applicant that has filed an application for certification or where the intervener that has filed an intervener's application for certification is a council of trade unions, it shall file with the registrar at the time the application or intervention is made the documents upon which it intends to rely to satisfy the Board that each of the trade unions that is a constituent union of the council has vested appropriate authority in the council to enable it to discharge the responsibilities of a bargaining agent. O. Reg. 264/66, s. 11.

TERMINATION OF BARGAINING RIGHTS

12. An application for a declaration of termination of bargaining rights shall be made in quadruplicate in Form 13. O. Reg. 264/66, s. 12.

13.—(1) The registrar shall serve the applicant with a notice of the fixing of the terminal date for the application in Form 2.

(2) The registrar shall serve the respondent with,

(*a*) a copy of the application; and

(*b*) a notice of application and of hearing in Form 14.

(3) The registrar shall serve the employer with an appropriate number of notices of application in Form 15 for posting. O. Reg. 264/66, s. 13.

14. A respondent shall file a reply in quadruplicate in Form 16 not later than the terminal date for the application. O. Reg. 264/66, s. 14.

15.—(1) Where the application is made by a person other than the employer, the registrar shall serve the employer with a copy of the application and a notice of application and of hearing in Form 17.

(2) An employer upon whom a copy of an application and a notice of application and of hearing are served shall file his intervention, if any, in quadruplicate in Form 11 not later than the terminal date for the application. O. Reg. 264/66, s. 15.

SUCCESSOR RIGHTS

16. An application for a declaration concerning the status of a successor trade union shall be made in quadruplicate in Form 18. O. Reg. 264/66, s. 16.

17.—(1) The registrar shall serve a copy of the application and a notice of application in Form 19 upon,

(*a*) the respondent;

(*b*) the trade union named in the application as the predecessor trade union; and

(*c*) the employer, where the respondent named in the application is a person other than the employer.

(2) The registrar shall serve the employer with an appropriate number of notices of application in Form 20 for posting. O. Reg. 264/66, s. 17.

18. A respondent, a trade union or an employer served under section 17 shall file a reply in quadruplicate in Form 21 not later than the terminal date for the application. O. Reg. 264/66, s. 18.

19.—(1) Where a party requests a hearing by the Board of an application under section 16, he shall set out in the application or reply, as the case may be, a concise statement of,

(*a*) the material facts upon which he proposes to rely at the hearing;

(*b*) the relief to which he claims to be entitled by reason of such facts; and

(*c*) the submissions he proposes to make in support of a claim for relief.

(2) Any employee or group of employees affected by an application under section 16 who desires to make representations in opposition to the application shall file a statement of desire as prescribed

in Form 20 not later than the terminal date for the application.

(3) Where no reply has been filed as required by section 18 and no statement of desire to make representations has been filed in the form and manner required by subsection 2, or any such reply or statement that has been filed does not state that a party, employee or representative of a group of employees desires a hearing before the Board, the Board may dispose of the application upon the material before it without further notice to any party or to the employees.

(4) Where a party or an employee or the representative of a group of employees requests or the Board directs a hearing, the registrar shall serve each of the parties and each such employee or representative of a group of employees with a notice of hearing in Form 7. O. Reg. 264/66, s. 19.

DECLARATION THAT STRIKE OR LOCKOUT UNLAWFUL

20.—(1) An application for a declaration that a strike is unlawful shall be made in quadruplicate in Form 22 or 23, as the case may be.

(2) An application for a declaration that a lockout is unlawful shall be made in quadruplicate in Form 24.

(3) Section 2 does not apply to an application under subsection 1 or 2. O. Reg. 264/66, s. 20.

21. The registrar shall serve each respondent with,

(*a*) a copy of the application; and

(*b*) a notice of application and of hearing in Form 25. O. Reg. 264/66, s. 21.

22. A respondent may reply by filing his reply in quadruplicate in Form 26 not later than the sixth day after,

(*a*) the day on which the registrar served the respondent with the notice of application, where it was served personally; or

(*b*) the day immediately following the day on which the registrar mailed the notice of application to the respondent, where it was served by mail. O. Reg. 264/66, s. 22.

CONSENT TO INSTITUTE PROSECUTION

23.—(1) An application for consent to institute a prosecution shall be made in quadruplicate in Form 27.

(2) Section 2 does not apply to an application under subsection 1.

(3) The registrar shall serve each respondent with,

(*a*) a copy of the application; and

(*b*) a notice of application and of hearing in Form 25. O. Reg. 264/66, s. 23.

24. A respondent may reply by filing his reply in quadruplicate in Form 28 not later than the sixth day after,

(*a*) the day on which the registrar served the respondent with the notice of application, where it was served personally; or

(*b*) the day immediately following the day on which the registrar mailed the notice of application to the respondent, where it was served by mail. O. Reg. 264/66, s. 24.

COMPLAINTS

FINANCIAL STATEMENTS

25.—(1) A complaint that a trade union has failed upon request to furnish a member with a copy of the audited financial statement of its affairs shall be made in quadruplicate in Form 29.

(2) The registrar shall serve the trade union with a copy of the complaint and a notice of complaint in Form 30. O. Reg. 264/66, s. 25.

26. The trade union shall file its reply in quadruplicate in Form 31 not later than the sixth day after,

(*a*) the day on which the registrar served the trade union with the notice of complaint, where it was served personally; or

(*b*) the day immediately following the day on which the registrar mailed the notice of complaint to the trade union, where it was served by mail. O. Reg. 264/66, s. 26.

27. Where, after the expiration of the time for reply fixed by section 26 the complainant informs the Board that the trade union has not furnished the complainant with a copy of the financial statement or where the trade union in its reply claims that the applicant is not entitled to be furnished with such a statement, the registrar shall serve each of the parties with a notice of hearing in Form 7. O. Reg. 264/66, s. 27.

COMPLAINT OF UNFAIR PRACTICE IN EMPLOYMENT

28. A complaint under section 79 of the Act shall be made in quadruplicate in Form 32 or 33, as the case may be. O. Reg. 264/66, s. 28.

29. Where the Board authorizes a field officer to inquire into a complaint, the field officer shall deliver a copy of the complaint to the person against whom the complaint is made. O. Reg. 264/66, s. 29.

30.—(1) Where the Board inquires into the complaint by means of a hearing by the Board, the registrar shall serve the complainant and the person against whom the complaint is made with a notice of the hearing in Form 7, and, where a copy of the complaint has not been previously served upon the person against whom the complaint is made, the registrar shall also serve upon such person a copy of the complaint.

(2) Where the Board inquires into the complaint by means of a person authorized by the Board to inquire into the complaint and report to the Board, the registrar shall serve the complainant and the person against whom the complaint is made with a notice of inquiry in Form 34.

(3) The person against whom the complaint is made shall file his reply, if any, in quadruplicate in Form 35 not later than the sixth day after,

(*a*) the day on which the registrar served the notice of hearing or inquiry, where it was served personally; or

(*b*) the day immediately following the day on which the registrar mailed the notice of hearing or inquiry, where it was served by mail. O. Reg. 264/66, s. 30.

31.—(1) The registrar shall serve a copy of the report of the person authorized to inquire into the complaint together with notice of the report in Form 36 upon each of the persons served with the notice of inquiry.

(2) Any person served with the notice of inquiry who desires to make representations concerning the report shall file a statement of desire as prescribed in Form 36 not later than the sixth day after,

(*a*) the day on which the registrar served the person with the notice of report, where it was served personally; or

(*b*) the day immediately following the day on which the registrar mailed the notice of report to the person, where it was served by mail.

(3) Where the registrar receives a statement of desire to make representations in the form and manner required by this section, or where the Board so directs, the registrar shall serve each of the parties with a notice of hearing by the Board in Form 7. O. Reg. 264/66, s. 31.

JURISDICTIONAL DISPUTES

32.—(1) A complaint to the Board under subsection 1 of section 81 of the Act shall be made in quadruplicate in Form 37.

(2) Section 2 does not apply to a complaint under subsection 1. O. Reg. 264/66, s. 32.

33. The registrar shall serve upon the respondent and each person named by the complainant as being affected by the complaint a notice of complaint and of hearing in Form 38 and he shall serve upon the complainant a notice of hearing in Form 7. O. Reg. 264/66, s. 33.

34. Every person who is served with a notice of complaint shall file a reply in quadruplicate in Form 39 not later than the sixth day after,

(*a*) the day on which the registrar served the notice of application where it was served personally; or

(*b*) the day immediately following the day on which the registrar mailed the notice of application, where it was served by mail. O. Reg. 264/66, s. 34.

35. A complainant shall file together with his complaint, and every person served with a notice of application shall file together with his reply,

(*a*) any union constitution;

(*b*) any collective agreement;

(*c*) any agreement or understanding between trade unions as to their respective jurisdictions on work assignment;

(*d*) any agreement or understanding between a trade union and an employer as to work assignment;

(*e*) any decision of any tribunal respecting work assignment; and

(*f*) any other document,

relating to the work in dispute which may be in his possession and upon which he proposes to rely in support of his claim for relief or his claim that the relief requested should not be granted, as the case may be, and a statement as to any area or trade practice relating to the work in dispute, and pictures, diagrams or drawings of the disputed work. O. Reg. 264/66, s. 35.

36. Where a complainant has requested that the Board issue a direction with respect to the assignment of work and subsequently the complainant or any other person affected by the complaint requests that the Board issue an interim order

with respect to such assignment, the request for an interim order shall contain,

(*a*) the names and addresses of,

(i) the person making the request,

(ii) the complainant,

(iii) the respondent, and

(iv) any other person, trade union, council of trade unions or employers' organization that may be affected by the request;

(*b*) the Board file number of the complaint; and

(*c*) the material facts upon which the person making the request proposes to rely in support of his allegation that a strike is imminent or is taking place by reason of the requirement as to the assignment of work or by reason of the assignment of work. O. Reg. 264/66, s. 36.

37.—(1) Where any person has requested that the Board issue an interim order respecting work assignment, the registrar shall give notice of such request by telegram or by personal service to the complainant, the respondent and each person named in the complaint or request as being affected by such complaint or request, and the notice shall fix a date, which shall be not less than two and not more than five days, as directed by the Board, from the date on which the registrar sends the telegram or effects personal service, as the case may be, on which the Board shall consult with the persons that in its opinion are concerned in the request.

(2) Where the registrar sends a notice under this section to a person and such person fails to appear before the Board at the time fixed in the notice, the Board may dispose of the request for an interim order without further notice to such person. O. Reg. 264/66, s. 37.

38.—(1) An application that the Board direct a person to cease and desist from doing anything intended or likely to interfere with the terms of an interim order or direction respecting the assignment of work shall be made in quadruplicate in Form 40.

(2) Section 2 does not apply to an application under subsection 1. O. Reg. 264/66, s. 38.

39.—(1) The registrar shall serve upon the applicant, the respondent and each person named by the applicant as being affected by the application, by telegram or by personal service, a notice of the making of the application and the notice shall fix a date which shall be not less than two days and not more than five days, as directed by the Board, from the date on which the registrar sends the telegram or effects personal service, as the case may be, for the hearing of the application.

(2) The registrar shall serve a copy of the application upon the respondent and each person named by the applicant as being affected by the application. O. Reg. 264/66, s. 39.

40. Where the registrar sends a notice under section 39 to a person and such person fails to appear at the hearing, the Board may dispose of the application without further notice to the person. O. Reg. 264/66, s. 40.

41.—(1) Where a strike is imminent or is taking place by reason of the requirement as to assignment of work or by reason of the assignment of work, a request for an interim order respecting work assignment or an application for a direction that a person cease and desist from doing anything intended or likely to interfere with the terms of an interim order or direction respecting work assignment may be made to the Board by telegram, but, in such an event, the complaint or application in Form 37 or 40, as the case may be, shall be mailed to the Board by registered mail on the day on which the telegram is sent.

(2) A request or application made under subsection 1 shall not be deemed to be invalid by reason of its failure to conform to the requirements of section 35 or Form 37 or 40, but the Board may issue such direction as it considers necessary for the further processing of the request or complaint. O. Reg. 264/66, s. 41.

EXAMINERS

42.—(1) In this section, "examiner" means a person authorized by the Board to inquire into and report upon any matter arising out of a proceeding before the Board, other than a person making an inquiry referred to in section 29 or 30.

(2) An examiner shall file his report immediately upon its completion and, where the Board so directs, the registrar shall serve upon each of the parties to the proceedings and, in the case of an application for certification or for a declaration terminating bargaining rights, upon any employee or representative of a group of employees who appeared at the hearing of the application, a copy of the report and a notice of the report in Form 41.

(3) Any person who is served with a notice of the report and desires to make representations concerning the report shall file a statement of desire as prescribed in Form 41 not later than the sixth day after,

(*a*) the day on which the registrar served the notice of the report, where it was served personally; or

(*b*) the day immediately following the day on which the registrar mailed the notice of the report, where it was served by mail.

(4) Where no statement of desire to make representations has been filed in the form and manner required by subsection 3, or any such statement that has been filed does not state that a party, employee or representative of a group of employees desires a hearing before the Board, the Board may dispose of the application upon the material before it without further notice to any party or to the employees.

(5) Where the registrar receives a statement of desire to make representations filed in the form and manner required by this section and the person filing such statement states that he desires a hearing, or where the Board so directs, the registrar shall serve each of the parties to the proceeding with a notice of hearing in Form 7. O. Reg. 264/66, s. 42.

REPRESENTATION VOTES

43. Where the Board directs the taking of a representation vote and refers the matter to the registrar, the registrar may, subject to the provisions of the reference,

(*a*) settle the list of employees to be used for the purposes of the vote;

(*b*) settle the form of the ballot;

(*c*) settle the date and hour for the taking of the vote;

(*d*) set the number and location of the polling places;

(*e*) prepare notices of the taking of the vote in Form 42 and direct posting thereof by the employer on his premises;

(*f*) act as the returning officer or appoint a returning officer;

(*g*) appoint such deputy returning officers and poll clerks as he deems necessary;

(*h*) give any directions he deems necessary for the disposition of improperly marked ballots and of ballots of persons whose eligibility to vote has been challenged by a party or is in doubt and generally for the proper conduct of the vote;

(*i*) take the vote by secret ballot on the premises of the employer during working hours if practicable or, if not practicable, in any other manner or place approved by the Board; and

(*j*) direct all interested persons to refrain and desist from propaganda and electioneering during the day or days the vote is taken and for seventy-two hours before the day on which the vote is commenced. O. Reg. 264/66, s. 43.

44.—(1) Subject to subsection 2, the returning officer shall, upon the completion of the vote,

(*a*) prepare a report of the vote;

(*b*) serve a copy of the report together with a notice of the report in Form 43, 44 or 45, as the case may be, upon each of the parties;

(*c*) serve the employer with an appropriate number of copies of the report and the notice; and

(*d*) file a copy of the report.

(2) Where the Board or the registrar directs that the ballot box be sealed and that the ballots be not counted pending a further direction by the Board and the Board subsequently directs that the ballots be counted, the returning officer shall, upon completion of the counting of the ballots,

(*a*) prepare a report of the vote;

(*b*) serve a copy of the report with a notice of the report in Form 46 upon each of the parties;

(*c*) serve the employer with an appropriate number of copies of the report and the notice; and

(*d*) file a copy of the report.

(3) The employer shall post the copies of the report and notice immediately upon their receipt and keep them posted upon his premises in conspicuous places where they are most likely to come to the attention of all employees who may be affected by the application until the expiration of the sixth day after the day on which the returning officer served the employer with copies of the report and the notice.

(4) Immediately after the employer has posted the copies of the report and notice under subsection 3 he shall file a return of posting in Form 47. O. Reg. 264/66, s. 44.

45.—(1) Subject to subsection 3, where a representation vote is taken after the hearing of an application,

(*a*) a party; or

(*b*) any employee or representative of a group of employees,

who desires to make representations as to any matter relating to the representation vote, or as to the

accuracy of the report of the returning officer, or as to the conclusions the Board should reach in view of the report, shall file a statement of desire as prescribed in Form 43 or 45, as the case may be, on or before the last day for the posting of the copies of the report and notices under subsection 3 of section 44

(2) Subject to subsection 3, where a pre-hearing representation vote is taken,

(*a*) a party; or

(*b*) any employee or representative of a group of employees,

who desires to make representations in connection with the application or as to any matter relating to the representation vote or the accuracy of the report of the returning officer or the conclusions the Board should reach in view of the report, shall file a statement of desire as prescribed in Form 44 or 45, as the case may be, on or before the last day for the posting of copies of the report and notices under subsection 3 of section 44.

(3) Where a representation vote is taken in connection with a direction that the ballot box be sealed and the Board subsequently directs that the ballots be counted,

(*a*) a party; or

(*b*) any employee or representative of a group of employees,

who desires to make representations as to the accuracy of the report of the returning officer on the counting of the ballots or the conclusions the Board should reach in view of the report, shall file a statement of desire as prescribed in Form 46, on or before the last day for the posting of the copies of the report and notices under subsection 3 of section 44.

(4) Upon receiving a statement of desire to make representations in the form and manner required by this section that contains a statement that a party or any employee or representative of a group of employees desires a hearing before the Board, the registrar shall serve a notice of hearing in Form 7 upon each of the parties to the proceedings and upon each person who has filed a statement.

(5) Where no statement of desire to make representations has been filed in the form and manner required by this section, or no such statement that has been filed states that a party, employee or representative of a group of employees desires a hearing before the Board, the Board may dispose of the application upon the material then before it without further notice to any party or to the employees. O. Reg. 264/66, s. 45.

DISMISSAL WITHOUT A HEARING

46.—(1) Where an application or complaint does not, in the opinion of the Board, make out a *prima facie* case for the remedy requested, the Board may dismiss the application or complaint without a hearing and it shall in its decision state the reason for the dismissal.

(2) The applicant or complainant may within ten days after he is served with the decision of the Board under subsection 1 request the Board to review its decision.

(3) A request for review under this section shall contain a concise statement of the facts and reasons upon which the applicant relies.

(4) Upon a request for review being filed, the Board may,

(*a*) direct that the application or complaint be re-opened and proceeded with by the Board in accordance with the provisions applicable thereto;

(*b*) direct the registrar to serve the applicant and any other person who in the opinion of the Board may be affected by the application or complaint with a notice of hearing to show cause why the application or complaint should be re-opened; or

(*c*) confirm its decision dismissing the application or complaint. O. Reg. 264/66, s. 46.

PARTICULARS

47.—(1) Where a person intends to allege, at the hearing of an application or complaint, improper or irregular conduct by any person, he shall,

(*a*) include in the application or complaint; or

(*b*) file a notice of intention that shall contain,

a concise statement of the material facts, actions and omissions upon which he intends to rely as constituting such improper or irregular conduct, including the time when and the place where the actions or omissions complained of occurred and the names of the persons who engaged in or committed them, but not the evidence by which the material facts, actions or omissions are to be proved, and, where he alleges that the improper or irregular conduct constitutes a violation of any provision of the Act, he shall include a reference to the section or sections of the Act containing such provision.

(2) Where, in the opinion of the Board, a person has not filed notice of intention promptly upon discovering the alleged improper or irregular conduct, he shall not adduce evidence at the hearing of the application of such facts, except with the consent

of the Board and, if the Board deems it advisable to give such consent, it may do so upon such terms and conditions as it considers advisable.

(3) Where a statement in an application or complaint or in any document filed under these Rules in respect of the application or complaint is so indefinite or incomplete as to hamper any person in the preparation of his case, the Board may, upon the request of the person made promptly upon receipt of the application, complaint or document, direct that the information stated be made specific or complete and, if the person so directed fails to comply with the direction, the Board may strike the statement from the application, complaint or document.

(4) No person shall adduce evidence at the hearing of an application or complaint of any material fact that has not been included in the application or complaint or in any document filed under these Rules in respect of the application or complaint, except with the consent of the Board and, if the Board considers it advisable to give such consent, it may do so upon such terms and conditions as it considers advisable. O. Reg. 264/66, s. 47.

EVIDENCE AS TO REPRESENTATION

48.—(1) Evidence of membership in a trade union or of objection by employees to certification of a trade union or of signification by employees that they no longer wish to be represented by a trade union shall not be accepted by the Board on an application for certification or for a declaration terminating bargaining rights unless the evidence is in writing, signed by the employee or each member of a group of employees, as the case may be, and,

(*a*) is accompanied by,

(i) the return mailing address of the person who files the evidence, objection or signification, and

(ii) the name of the employer; and

(*b*) is filed not later than the terminal date for the application.

(2) No oral evidence of membership in a trade union or of objection by employees to certification of a trade union or of signification by employees that they no longer wish to be represented by a trade union shall be accepted by the Board except to identify and substantiate the written evidence referred to in subsection 1.

(3) Any employee or group of employees affected by an application for certification or by a declaration of termination of bargaining rights and desiring to make representations to the Board in opposition to the application may file a statement in writing of such desire in the form prescribed by subsection 1 not later than the terminal date for the application, but this subsection does not apply where the Board grants a request that a pre-hearing representation vote be taken.

(4) An employee or group of employees who has filed a statement of desire in the form and manner required by this section may appear and be heard at the hearing or, in the case of an application to which sections 63 to 75 apply, at any hearing directed by the Board, in person or by a representative.

(5) The Board may dispose of the application without considering the statement of desire of any employee who fails to appear in person or by a representative and adduce evidence that includes testimony in the personal knowledge and observation of the witness as to,

(*a*) the circumstances concerning the origination of the statement of desire; and

(*b*) the manner in which each signature on the statement of desire was obtained. O. Reg. 264/66, s. 48.

SERVICE

49.—(1) Where a notice of hearing in Form 7 is required to be served, it shall be served not less than two days before the day fixed for the hearing.

(2) Where any person served with a notice of hearing fails to attend the hearing or any adjournment thereof, the Board may proceed in his absence. O. Reg. 264/66, s. 49.

50.—(1) Where a document is required to be filed by these Rules, filing shall be deemed to be made,

(*a*) at the time it is received by the Board; or

(*b*) where it is mailed by registered mail addressed to the Board at its office at 8 York Street, Toronto 1, Ontario, at the time it is mailed.

(2) Where a document is required to be served by these Rules, the service may be made,

(*a*) in person; or

(*b*) by mail addressed to the recipient at his address for service or his last-known or usual address or at his principal office or his place of business, referred to in an application, complaint, intervention or reply in the proceeding. O. Reg. 264/66, s. 50.

51.—(1) The registrar shall serve each of the parties to a proceeding with a copy of each reply, intervention, intervener's application for certifica-

tion, statement of desire to make representations or notice of intention to make allegations of improper or irregular conduct, filed in the proceeding.

(2) Upon receipt of a statement of desire by an employee or a group of employees to make representations in opposition to an application under these Rules, the registrar shall inform in writing the applicant, the respondent and the intervener, if any, of the nature thereof. O. Reg. 264/66, s. 51.

52.—(1) Where the registrar serves an employer with notices of application for posting, the employer shall post the notices immediately upon their receipt and keep them posted upon his premises in conspicuous places where they are most likely to come to the attention of all employees who may be affected by the application until the expiration of the terminal date for the application.

(2) Immediately after the employer has posted the notices under subsection 1 he shall file a return of posting in Form 47. O. Reg. 264/66, s. 52.

53. Where a trade union that makes an application for certification or for a declaration concerning the status of a successor trade union or that files an intervention has not been found by the Board to be a trade union within the meaning of clause *j* of subsection 1 of section 1 of the Act in a previous proceeding under the Act, the registrar shall serve upon the parties to the application and upon any trade union upon whom he is required to effect service under section 8 or 69 a notice to that effect and he shall also attach such a notice to any notice to employees of the making of an application that an employer is required to post under sections 4, 5, 10, 17, 67 or 72. O. Reg. 264/66, s. 53.

GENERAL

54. The Board may direct that any person be added as a party to a proceeding or be served with any document, as the Board considers advisable. O. Reg. 264/66, s. 54.

55.—(1) The Board may dispose of any application or complaint without further notice to anyone who has not filed a document in the proceeding in the form and manner prescribed by these Rules.

(2) Where a person is served with a notice of hearing by the registrar or is informed of the hearing by posting and fails to appear at the hearing, the Board may dispose of the application or complaint without further notice to the person and without considering any statement filed by him. O. Reg. 264/66, s. 55.

56. Where the Board deems it necessary, it may at any time direct that a proceeding before the Board be consolidated with any other proceeding before the Board and it may issue such directions in respect of the conduct of the consolidated proceeding as it considers advisable. O. Reg. 264/66, s. 56.

57.—(1) The Board may, if it considers it advisable in the interests of justice, adjourn any hearing for such time and to such place and upon such terms as it considers fit.

(2) The Board may, upon such terms as it considers advisable, enlarge the time prescribed by these Rules for doing any act, serving any notice, filing any report, document or paper or taking any proceeding and may do so although application therefor is not made until after the expiration of the time prescribed.

(3) Where it is satisfied that it is necessary or convenient in the public interest, the Board may abridge the time prescribed by these Rules for doing any act, serving any notice, filing any report, document or paper or taking any proceeding. O. Reg. 264/66, s. 57.

58. An application, reply, intervention, complaint, statement of desire to make representations or notice may be amended before or at the hearing by leave of the Board upon such terms and conditions as the Board considers advisable. O. Reg. 264/66, s. 58.

59. No proceeding under these Rules is invalid by reason of any defect in form or of any technical irregularity. O. Reg. 264/66, s. 59.

60. The decisions, declarations, determinations, directions, orders and rulings of the Board shall be signed on behalf of the Board by the chairman or a vice-chairman. O. Reg. 264/66, s. 60.

61. Procedure not prescribed is governed by analogy to these Rules. O. Reg. 264/66, s. 61.

SUMMONS

62. A summons to a witness shall be in Form 48. O. Reg. 264/66, s. 62.

CONSTRUCTION INDUSTRY

GENERAL

63.—(1) Sections 63 to 75 apply to proceedings for certification in the construction industry to which sections 106 to 112 of the Act apply, and, except as otherwise provided, sections 2 to 10, subsection 5 of section 42 and subsection 4 of section 45 do not apply to such proceedings.

(2) Section 65 applies to proceedings for termination of bargaining rights in the construction industry to which sections 106 to 112 of the Act apply, and, except as otherwise provided, section 2 does not apply to such proceedings.

(3) Where an application for certification under section 66 is made and the Board finds that the application is not one within the meaning of subsection 1 of section 108 of the Act, the Board may issue such directions as it deems necessary with respect to the terminal date, the filing of any document and any other matter necessary for the further processing of the application. O. Reg. 264/66, s. 63.

64. Where there is a conflict between any provision in sections 63 to 75 and any provision in sections 1 to 62, the provisions in sections 63 to 75 prevail. O. Reg. 264/66, s. 64.

65. When an application is made, the registrar shall fix a terminal date for the application which shall be not less than four and not more than six days, as directed by the Board, after,

(*a*) the day on which the registrar serves the employer with the notices of application for posting, where they are served personally; or

(*b*) the day immediately following the day on which the registrar mails the notices of application to the employer for posting, where they are served by mail. O. Reg. 264/66, s. 65.

CERTIFICATION

66. An application for certification as bargaining agent shall be made in quadruplicate in Form 49, but, where the applicant desires a pre-hearing representation vote, the application shall be made in Form 1 and sections 3 to 10 apply. O. Reg. 264/66, s. 66.

67.—(1) The registrar shall serve the applicant with a notice of the fixing of the terminal date for the application in Form 50.

(2) The registrar shall serve the respondent with,

(*a*) a copy of the application;

(*b*) a notice of the application in Form 51; and

(*c*) an appropriate number of notices of application in Form 52 for posting. O. Reg. 264/66, s. 67.

68. The applicant shall, not later than the terminal date for the application, file a declaration concerning membership documents in Form 54. O. Reg. 264/66, s. 68.

69. A respondent shall file a reply in quadruplicate in Form 55 not later than the terminal date for the application and the reply shall be accompanied by a copy of any existing or recently expired collective agreement that is or was recently binding upon the respondent or the employees of the respondent in the bargaining unit claimed by either the applicant or the respondent to be appropriate. O. Reg. 264/66, s. 69.

70. The registrar shall immediately notify any trade union or council of trade unions named in the application or reply as claiming, or known to him as claiming, to be the bargaining agent of or to represent any employees who may be affected by the application, that an application with respect to such employees has been made and shall serve upon such trade union or council of trade unions a copy of the application and a notice of application in Form 56. O. Reg. 264/66, s. 70.

71.—(1) A trade union or council of trade unions that is notified pursuant to section 70 shall notify the registrar immediately by telegram of its claim and of its intention to intervene in the proceedings.

(2) A trade union or council of trade unions that is served with a notice of application or that claims to represent or to be the bargaining agent of any employees who may be affected by the application shall notify the registrar immediately by telegram of its claim and of its intention to intervene in the proceedings and shall file its intervention, if any, in quadruplicate in Form 57, not later than the terminal date for the application and, if it fails to file such an intervention, it may be deemed by the Board to have abandoned any claim to represent any of the employees who may be affected by the application.

(3) Where the trade union or council of trade unions referred to in subsection 2 claims to be the bargaining agent of any employees who may be affected by the application and is or was recently bound by a collective agreement with the respondent, it shall file a copy of the collective agreement with its intervention. O. Reg. 264/66, s. 71.

72.—(1) A trade union or council of trade unions desiring certification as bargaining agent of employees who may be affected by the application shall file an intervener's application for certification in quadruplicate in Form 58 not later than the terminal date for the application and the intervener's application shall be accompanied by a declaration concerning membership documents in Form 54.

(2) Section 65 does not apply to an intervener's application.

(3) Where the Board so directs, the registrar shall serve the employer with notices of the intervener's application for posting. O. Reg. 264/66, s. 72.

73. Where a party requests a hearing of the application by the Board, he shall set out in the

application, reply or intervention, as the case may be, a concise statement of,

(*a*) the material facts upon which he proposes to rely at the hearing;

(*b*) the relief to which he claims to be entitled by reason of such facts; and

(*c*) the submissions he proposes to make in support of his claim for relief. O. Reg. 264/66, s. 73.

74. Where the Board directs a hearing to inquire into the matters raised in an application, a reply, an intervention or a statement of desire filed by an employee or group of employees within the time fixed and in the manner prescribed by these Rules, the registrar shall serve each of the parties and such employee or the representative of such a group of employees with a notice of hearing in Form 53. O. Reg. 264/66, s. 74.

75.—(1) Where the Board directs the taking of a representation vote without directing a hearing of the application, subsection 1 of section 45 applies *mutatis mutandis*.

(2) Where, following the taking of a representation vote, a statement of desire to make representations is filed with the Board pursuant to subsection 1 of section 45 and the Board directs a hearing, the registrar shall serve each of the parties to the proceedings and each person who has filed a statement with a notice of hearing in Form 53.

(3) Where, following the filing with the Board of the report of an examiner, the registrar receives a statement of desire to make representations filed in the form and manner required by section 42, and the Board directs a hearing, the registrar shall serve each of the parties to the proceedings with a notice of hearing in Form 53. O. Reg. 264/66, s. 75.

Form 1

The Labour Relations Act

APPLICATION FOR CERTIFICATION
BEFORE THE ONTARIO LABOUR RELATIONS BOARD

Between:

Applicant,

—and—

Respondent.

The applicant applies to the Ontario Labour Relations Board for certification as bargaining agent of the employees of the respondent in a unit that it claims to be appropriate for collective bargaining.

The applicant states:

1. (*a*) address of applicant:

   (*b*) address of applicant for service:

   (*c*) address of respondent:

*Strike out if not applicable.

*2. (Where the applicant is a council of trade unions)
The name and address of each constituent union of the council of trade unions that is the applicant:

3. Detailed description of the unit of employees of the respondent that the applicant claims to be appropriate for collective bargaining, including the municipality or other geographic area affected:

4. Approximate number of employees in the unit described in paragraph 3:

5. The name and address of any trade union or council of trade unions known to the applicant as claiming to be the bargaining agent of, or as claiming to represent, any employees who may be affected by this application:

6. The applicant does / does not request that a pre-hearing representation vote be taken in this matter among the employees in such voting constituency as the Board determines.

N.B. *This application will be processed without a pre-hearing representation vote being taken, unless the applicant clearly indicates that it DOES request a pre-hearing representation vote by striking out the words "does not" in paragraph 6.*

7. Other relevant statements (attach additional pages if necessary):

DATED at.....this.....day of....., 19....

.....
(signature for the applicant)

O. Reg. 264/66, Form 1.

FILE NO.....

Form 2

The Labour Relations Act

NOTICE OF FIXING TERMINAL DATE
BEFORE THE ONTARIO LABOUR RELATIONS BOARD

Between:

Applicant,

—and—

Respondent.

TO THE APPLICANT,

1. TAKE NOTICE that, in accordance with the Board's direction, I have fixed the .....day of .....day of ....., 19...., as the terminal date for this application.

2. Your attention is directed to subsections 1 and 2 of section 48 of the Board's Rules, which read as follows:

(1) Evidence of membership in a trade union or of objection by employees to certification of a trade union or of signification by employees that they no longer wish to be represented by a trade union shall not be accepted by the Board on an application for certification or for a declaration terminating bargaining rights unless the evidence is in writing, signed by the employee or each member of a group of employees, as the case may be, and

(*a*) is accompanied by,

(i) the return mailing address of the person who files the evidence, objection or signification, and

(ii) the name of the employer; and

(*b*) is filed not later than the terminal date for the application.

(2) No oral evidence of membership in a trade union or of objection by employees to certification of a trade union or of signification by employees that they no longer wish to be represented by a trade union shall be accepted by the Board except to identify and substantiate the written evidence referred to in subsection 1.

3. The hearing of the application by the Board will take place at its Board Room, 8 York Street, Toronto 1, Ontario, on.....day, the.....day of....., 19...., at ..... o'clock in the .....noon.

DATED this.....day of....., 19....

.....
Registrar

O. Reg. 264/66, Form 2.

FILE NO.....

Form 3

The Labour Relations Act

NOTICE OF APPLICATION FOR CERTIFICATION AND OF HEARING BEFORE THE ONTARIO LABOUR RELATIONS BOARD

Between:

Applicant,

—and—

Respondent.

TO THE RESPONDENT,

1. TAKE NOTICE that the applicant, on....., 19...., made an application to the Ontario Labour Relations Board for certification as bargaining agent of your employees in a bargaining unit described in the attached copy of the application.

2. You are required to post the enclosed Notices to Employees of Application (Form 5), immediately. These notices are to be posted in conspicuous places where they are most likely to come to the attention of all employees who may be affected by the application. You shall keep them posted upon your premises until the close of business on the terminal date set out in paragraph 4.

3. You shall complete and send to the Board immediately the Return of Posting (Form 47), which is attached hereto.

4. The terminal date fixed for this application as directed by the Board is the.....day of....., 19....

5. You shall send to the Board your reply as well as the material listed below so that,

(*a*) it is received by the Board not later than the terminal date shown in paragraph 4; or

(*b*) if it is mailed by registered mail addressed to the Board at its office, 8 York Street, Toronto 1, Ontario, it is mailed not later than the terminal date shown in paragraph 4:

1. A list arranged as in the schedule attached hereto of all employees in the bargaining unit described in the application as at....., the date when the applicant's application was made.

2. Documents from among existing employment records containing signatures of the employees whose names appear on the list referred to above arranged in alphabetical order.

6. If, in your reply, you propose a bargaining unit different from the one proposed by the applicant, you shall indicate on the list of employees referred to in paragraph 5 the name and classification of any person you propose should be excluded from, as well as the name and classification of any person you propose should be added to, the bargaining unit proposed by the applicant and you shall forward to the Board appropriate documents containing the signatures of additional persons, if any.

7. You shall verify the list of employees by adding thereto the following statement:

"This list has been prepared by me or under my instruction and I hereby confirm the accuracy thereof."

.....
signature

8. If you fail to file the list of employees and documents containing signatures as set out above, the Board may proceed to dispose of the application on the evidence before it without further notice to you.

9. AND FURTHER TAKE NOTICE of the hearing of the application by the Board at its Board Room at 8 York Street, Toronto, Ontario, on the.....day of....., 19....,

at.....o'clock in the.....noon.

10. (Where the applicant is a council of trade unions) AND FURTHER TAKE NOTICE that the applicant has filed with the Registrar certain documents upon which it intends to rely to satisfy the Board that each of the trade unions that is a constituent union of the council has vested appropriate authority in the council to enable it to discharge the responsibilities of a bargaining agent. These documents are available for inspection at the offices of the Board, 8 York Street, Toronto 1, Ontario, during business hours.

DATED this.....day of....., 19....

.....
Registrar

SCHEDULE

A. List (alphabetically arranged) of all employees in the bargaining unit described in the application of the applicant as at the.....day of....., 19.... (Do not include the names of employees that appear in B, C or D.)

Name	Occupational Classification
1.	
2.	
3.	
4.	
5.	

B. List (alphabetically arranged) of all employees regularly employed for not more than twenty-four hours per week in the bargaining unit described in the application of the applicant as at the..... day of....., 19....

Name	Occupational Classification
1.	
2.	
3.	
4.	
5.	

C. List (alphabetically arranged) of all employees who were not actually at work on the.....day of....., 19...., by reason of lay-off, in the bargaining unit described in the application of the applicant as at the.....day of....., 19....

Name	Occupational Classification	Date of Lay-off	Expected Date of Recall
1.			
2.			
3.			
4.			
5.			

D. List (alphabetically arranged) of all employees not previously shown who were not at work on the .....day of....., 19...., in the bargaining unit described in the application of the applicant as at the.....day of....., 19....

Name	Occupational Classification	Last Day Worked	Reason for Absence	Expected Date of Return
1.				
2.				
3.				
4.				
5.				

O. Reg. 264/66, Form 3.

FILE NO.....

Form 4

The Labour Relations Act

NOTICE OF APPLICATION FOR CERTIFICATION AND REQUEST FOR PRE-HEARING VOTE BEFORE THE ONTARIO LABOUR RELATIONS BOARD

Between:

Applicant,

—and—

Respondent.

TO THE RESPONDENT,

1. TAKE NOTICE that the applicant, on....., 19...., made an application to the Ontario Labour Relations Board for certification as bargaining agent of your employees in a bargaining unit described in the attached copy of the application.

2. AND TAKE NOTICE that the applicant has requested that a pre-hearing representation vote be taken in this matter among your employees in such voting constituency as the Board may determine.

3. You are required to post the enclosed Notices to Employees of Application (Form 6), immediately. These notices are to be posted in conspicuous places where they are most likely to come to the attention of all employees who may be affected by the application. You shall keep them posted upon your premises until the close of business on the terminal date shown in paragraph 5.

4. You shall complete and send to the Board immediately the Return of Posting (Form 47), which is attached hereto.

5. The terminal date fixed for the application as directed by the Board is the.....

day of....., 19....

6. You shall send to the Board your reply so that,

(*a*) it is received by the Board not later than the terminal date shown in paragraph 5; or

(*b*) if it is mailed by registered mail addressed to the Board at its office, 8 York Street, Toronto 1, Ontario, it is mailed not later than the terminal date shown in paragraph 5.

7. You shall prepare and have the following material available on or before the.....day

of....., 19...., for the Examiner whom the Board will appoint in this application:

i. A list arranged as in the schedule attached hereto of all employees in the bargaining unit described in the application as at....., the date when the applicant's application was made.

ii. Documents from among existing employment records containing signatures of the employees whose names appear on the list referred to above, arranged in alphabetical order.

8. If, in your reply, you propose a bargaining unit different from the one proposed by the applicant, you shall indicate on the list of employees referred to in paragraph 7 the name and classification of any person you propose should be excluded from, as well as the name and classification of any person you propose should be added to, the bargaining unit proposed by the applicant and you shall have available for the Examiner appropriate documents containing the signatures of additional persons, if any.

9. You shall verify the list of employees by adding thereto the following statement:

"This list has been prepared by me or under my instruction and I hereby confirm the accuracy thereof."

.....
(signature)

10. If you fail to make available to the Examiner a list of employees and documents containing signatures as set out above, the Board may proceed to dispose of the application on the evidence before it without further notice to you.

11. (Where the applicant is a council of trade unions) AND FURTHER TAKE NOTICE that the applicant has filed with the Registrar certain documents upon which it intends to rely to satisfy the Board that each of the trade unions that is a constituent union of the council has vested appropriate authority in the council to enable it to discharge the responsiblities of a bargaining agent. These documents are available for inspection at the offices of the Board, 8 York Street, Toronto 1, Ontario, during business hours.

DATED this.....day of....., 19....

.....
Registrar

SCHEDULE

A. List (alphabetically arranged) of all employees in the bargaining unit described in the application of the applicant as at the.....day of....., 19.... (Do not include the names of employees that appear in B, C or D.)

Name	Occupational Classification
1.	
2.	
3.	
4.	
5.	

B. List (alphabetically arranged) of all employees regularly employed for not more than twenty-four hours per week in the bargaining unit described in the application of the applicant as at the.....day of....., 19....

Name	Occupational Classification
1.	
2.	
3.	
4.	
5.	

C. List (alphabetically arranged) of all employees who were not actually at work on the.....day of....., 19...., by reason of lay-off, in the bargaining unit described in the application of the applicant as at the.....day of....., 19....

Name	Occupational Classification	Date of Lay-off	Expected Date of Recall
1.			
2.			
3.			
4.			
5.			

D. List (alphabetically arranged) of all employees not previously shown who were not at work on the .....day of....., 19...., in the bargaining unit described in the application of the applicant as at the.....day of....., 19....

Name	Occupational Classification	Last Day Worked	Reason for Absence	Expected Date of Return
1.				
2.				
3.				
4.				
5.				

O. Reg. 264/66, Form 4.

FILE NO.....

Form 5

The Labour Relations Act

NOTICE TO EMPLOYEES OF APPLICATION FOR CERTIFICATION AND OF HEARING BEFORE THE ONTARIO LABOUR RELATIONS BOARD

Between:

Applicant,

—and—

Respondent.

To The Employees Of

1. Take Notice that the applicant, on....., 19...., made an application to the Ontario Labour Relations Board for certification as bargaining agent of..... in the following bargaining unit:

2. Your attention is directed to the following information contained in the application:

3. The hearing of the application by the Board will take place at its Board Room, 8 York Street, Toronto 1, Ontario, on.....day, the.....day of....., 19...., at.....o'clock in the .....noon.

4. The terminal date fixed for this application as directed by the Board is the.....day of....., 19....

5. Any employee or group of employees affected by the application and desiring to make representations to the Board in opposition to this application must send to the Board a statement in writing of such desire, which shall,

(*a*) contain the return mailing address of the employee or representative of a group of employees;

(*b*) contain the name of the employer concerned; and

(*c*) be signed by the employee or each member of a group of employees.

6. The statement of desire must be,

(*a*) received by the Board not later than the terminal date shown in paragraph 4; or

(*b*) if it is mailed by registered mail addressed to the Board at its office, 8 York Street, Toronto 1, Ontario, mailed not later than the terminal date shown in paragraph 4.

7. A statement of desire that does not comply with paragraphs 5 and 6 will not be accepted by the Board.

8. Any employee, or group of employees, who has informed the Board in writing of his or their desire in accordance with paragraphs 5 and 6 may attend and be heard at the hearing in person or by a representative. Any employee or representative who appears at the hearing will be required to testify, or produce a witness or witnesses who will be able to testify from his or their personal knowledge and observation, as to (*a*) the circumstances concerning the origination of the material filed, and (*b*) the manner in which each of the signatures was obtained.

THE BOARD MAY DISPOSE OF THE APPLICATION WITHOUT FURTHER NOTICE AND WITHOUT CONSIDERING THE STATEMENT OF DESIRE OF ANY PERSON WHO FAILS TO ATTEND.*

9. No oral evidence of membership in a trade union, or of objection by employees to certification of the applicant will be accepted by the Board except to identify and substantiate such written evidence.

Dated this.....day of....., 19....

.....
Registrar

(Note: Any communication with respect to this application should be addressed to:
The Registrar, Ontario Labour Relations Board,
8 York Street, Toronto 1, Ontario.)

*Explanatory Note: Where employees fail to attend in person or by a representative or to testify or produce witnesses to testify as provided in paragraph 8 above, the Board normally does not accept the statement of desire as casting doubt on the evidence of membership filed by the applicant.

O. Reg. 264/66, Form 5.

FILE NO.....

Form 6

The Labour Relations Act

NOTICE TO EMPLOYEES OF APPLICATION
AND REQUEST FOR PRE-HEARING VOTE
BEFORE THE ONTARIO LABOUR RELATIONS BOARD

Between:

Applicant,

—and—

Respondent.

TO THE EMPLOYEES OF

1. TAKE NOTICE that the applicant, on....., 19...., made an application to the Ontario Labour Relations Board for certification as bargaining agent of.....in the following bargaining unit:

2. Your attention is directed to the following information contained in the application:

3. AND TAKE NOTICE that the applicant has requested that a pre-hearing representation vote be taken in this matter among the employees in such voting constituency as the Board may determine.

4. If the Board grants the request of the applicant that a pre-hearing vote be taken, appropriate notices will be posted indicating the time when and the place where the vote will be taken and the classes of employees who are eligible to vote. If the Board denies the request of the applicant that a pre-hearing representation vote be taken, further notices will be posted advising you as to the manner in which the Board will then deal with the application.

5. (Where the applicant is a council of trade unions) AND FURTHER TAKE NOTICE that the applicant has filed with the Registrar certain documents upon which it intends to rely to satisfy the Board that each of the trade unions that is a constituent union of the council has vested appropriate authority in the council to enable it to discharge the responsibilities of a bargaining agent. These documents are available for inspection at the offices of the Board, 8 York Street, Toronto 1, Ontario, during business hours.

DATED this.....day of....., 19....

.....
Registrar

(NOTE: Any communication with respect to this application should be addressed to:

The Registrar, Ontario Labour Relations Board,
8 York Street, Toronto 1, Ontario.)

O. Reg. 264/66, Form 6.

FILE NO.....

Form 7

The Labour Relations Act

NOTICE OF HEARING
BEFORE THE ONTARIO LABOUR RELATIONS BOARD

Between:

Applicant,

—and—

Respondent,

—and—

Intervener.

To:

TAKE NOTICE of the hearing by the Board of.....

at the Board Room, 8 York Street, Toronto 1, Ontario, on.....day, the.....day of .....day, 19....., at.....o'clock in the.....noon.

DATED this.....day of....., 19....

.....
Registrar

O. Reg. 264/66, Form 7.

FILE NO.....

Form 8

The Labour Relations Act

DECLARATION CONCERNING MEMBERSHIP DOCUMENTS
BEFORE THE ONTARIO LABOUR RELATIONS BOARD

Between:

Applicant,

—and—

Respondent,

—and—

Intervener.

I, ..., the .. .. of
(name) (office)

*Strike out word not applicable.

the *applicant / *intervener herein, declare that, to the best of my knowledge, information and belief:

1. The documents submitted in support of the application represent documentary evidence of membership on behalf of.....(number) persons who were employees of the respondent in the bargaining unit that the *applicant / *intervener herein claims to be appropriate for collective bargaining, on the date of the making of the application.

2. There were.....(number) persons who were employees of the respondent in the bargaining unit that the *applicant / *intervener herein claims to be appropriate for collective bargaining on the date of the making of the application.

3. (Where the documentary evidence consists in part of receipts or other acknowledgments of the payment on account of dues or initiation fees) On the basis of my personal knowledge and inquiries that I have made, I state that the persons whose names appear on the receipts or other acknowledgments of the payment on account of dues or initiation fees are the persons who actually collected the moneys paid on account of dues or initiation fees and that each member, on whose behalf a receipt or an acknowledgment of payment is submitted has personally paid in money the amount shown thereon on his own behalf to the person whose name appears on his receipt or acknowledgment of payment as collector, EXCEPT IN THE FOLLOWING INSTANCES:

DATED at.....,this.....day of....., 19....

.....
(signature)

O. Reg. 264/66, Form 8.

FILE NO.....

Form 9

The Labour Relations Act

REPLY TO APPLICATION FOR CERTIFICATION
BEFORE THE ONTARIO LABOUR RELATIONS BOARD

Between:

Applicant,

—and—

Respondent.

The respondent replies to the application for certification as follows:

The respondent states:

1. (*a*) correct name of respondent:

   (*b*) address of respondent:

   (*c*) address of respondent for service:

2. General nature of the respondent's business:

3. Total number of employees of the respondent on the payroll of the plant(s) or establishment(s) in respect ot which the application for certification has been made:

4. Number of employees in the unit described by the applicant as being appropriate for collective bargaining as of the date the application was made:

5. Detailed description of the unit claimed by the respondent to be appropriate for collective bargaining, including the municipality or other geographic area affected:

6. Number of employees in the unit claimed by the respondent to be appropriate for collective bargaining as of the date the application was made:

7. The name and address of any trade union known to the respondent as claiming to be the bargaining agent of or to represent any employees who may be affected by the application:

8. The date of any certification of a bargaining agent of any employees who may be affected by the application:

*Strike out if not applicable.

*9. The respondent is or was a party to or bound by a collective agreement, a copy of which is enclosed, with a trade union or council of trade unions that,

(*a*) was signed on the ..... day of ....., 19....;

(*b*) became effective on the ..... day of .....,

19....; and

(*c*) contains the following provision relating to its termination or renewal:

10. Other relevant statements (use additional pages if necessary):

DATED at....., this.....day of....., 19....

.....
(signature for the respondent)

O. Reg. 264/66, Form 9.

FILE NO.....

Form 10

The Labour Relations Act

NOTICE OF APPLICATION
BEFORE THE ONTARIO LABOUR RELATIONS BOARD

Between:

Applicant,

—and—

Respondent.

To:

1. TAKE NOTICE that the applicant, on ....., 19...., made to the Ontario Labour Relations Board an application for certification as bargaining agent of the employees of the respondent in a bargaining unit described in the attached copy of the application.

2. AND FURTHER TAKE NOTICE that if you claim to represent any of the employees affected by the application, you shall send to the Board your intervention thereon so that,

(*a*) it is received by the Board; or

(*b*) if mailed by registered mail addressed to the Board at its office, 8 York Street, Toronto 1, Ontario, it is mailed,

not later than the terminal date fixed for this application as directed by the Board, which terminal date is the.....day of....., 19...., and that if you fail so to send an intervention not later than the.....day of....., 19...., you may be deemed by the Board to have abandoned your claim, if any, to represent any of the employees who may be affected by the application.

3. (Where the applicant is a council of trade unions) AND FURTHER TAKE NOTICE that the applicant has filed with the Registrar certain documents upon which it intends to rely to satisfy the Board that each of the trade unions that is a constituent union of the council has vested appropriate authority in the council to enable it to discharge the responsibilities of a bargaining agent. These documents are available for inspection at the offices of the Board, 8 York Street, Toronto 1, Ontario, during business hours.

DATED this.....day of....., 19....

.....
Registrar

O. Reg. 264/66, Form 10.

FILE NO.....

Form 11

The Labour Relations Act

INTERVENTION
BEFORE THE ONTARIO LABOUR RELATIONS BOARD

Between:

Applicant,

—and—

Respondent.

.....intervenes
(name of intervener)

in this proceeding.

1. The intervener states:

(*a*) address of intervener:

(*b*) address of intervener for service:

*Strike out if not applicable.

*2. The intervener is a trade union or council of trade unions that,

*(*a*) represents employees; or

*(*b*) is the bargaining agent of employees who may be affected by the application,

OR

*3. The intervener is the employer of the employees affected by this application.

*4. The intervener submits with this intervention the following documentary evidence:

5. The intervener desires to make the following submissions:

DATED at....., this.....day of....., 19....

.....
(signature for the intervener)

O. Reg. 264/66, Form 11.

FILE NO.....

Form 12

The Labour Relations Act

APPLICATION FOR CERTIFICATION BY INTERVENER BEFORE THE ONTARIO LABOUR RELATIONS BOARD

Between:

Applicant,

—and—

Respondent,

—and—

Intervener.

The intervener applies to the Ontario Labour Relations Board for certification as bargaining agent of the employees of the respondent in a unit that it claims to be appropriate for collective bargaining.

The intervener states:

1. (*a*) address of intervener:

(*b*) address of intervener for service:

*Strike out where not applicable.

*2. (Where the intervener is a council of trade unions) The name and address of each constituent union of the council of trade unions that is the intervener:

3. Detailed description of the unit of employees of the respondent that the intervener claims to be appropriate for collective bargaining, including the municipality or other geographic area affected:

4. Approximate number of employees in the unit described in paragraph 3:

*Strike out word or words not applicable.

5. The intervener *does / *does not request that a pre-hearing representation vote be taken among the employees in such voting constituency as the Board may determine.

6. Other relevant statements (attach additional pages if necessary):

DATED at ....., this ..... day of ....., 19....

.....
(signature for the intervener)

O. Reg. 264/66, Form 12.

Form 13

The Labour Relations Act

APPLICATION FOR DECLARATION
TERMINATING BARGAINING RIGHTS
BEFORE THE ONTARIO LABOUR RELATIONS BOARD

Between:

Applicant,

—and—

Respondent.

The applicant applies to the Ontario Labour Relations Board under section..... of
(49, 50, 51 or 52)
the Act for a declaration that the respondent no longer represents the employees in the bargaining unit for which it is the bargaining agent.

The applicant states:

1. (*a*) address of applicant:

(*b*) address of applicant for service:

(*c*) address of respondent:

*To be completed if applicant is not employer

*2. (*a*) name of employer of employees affected by the application:

(*b*) address of employer:

3. Detailed description and geographic location of the unit of employees for which the respondent is the bargaining agent, including the municipality or other geographic area affected:

4. Approximate number of employees in the unit described in paragraph 3:

5. Other relevant statements (attach additional pages if necessary):

*Strike out this paragraph if not applicable.

*6. (Where the application is made under section 49 of the Act.) The applicant submits with the application the document or documents by which employees in the bargaining unit have voluntarily signified in writing that they no longer wish to be represented by the respondent.

DATED at ....., this ..... day of ....., 19....

.....
(signature for the applicant)

O. Reg. 264/66, Form 13.

FILE NO.....

Form 14

The Labour Relations Act

NOTICE OF APPLICATION FOR DECLARATION
TERMINATING BARGAINING RIGHTS AND OF HEARING
BEFORE THE ONTARIO LABOUR RELATIONS BOARD

Between:

Applicant,

—and—

Respondent.

To The Respondent,

1. Take Notice that the applicant, on ....., 19...., made an application to the Ontario Labour Relations Board for a declaration that the respondent no longer represents the employees of ..... in the bargaining unit described in the attached copy of the application.

2. The terminal date fixed for the application as directed by the Board is the ..... day of ....., 19....

3. You shall send to the Board your reply so that,

(*a*) it is received by the Board not later than the terminal date shown in paragraph 2; or

(*b*) if it is mailed by registered mail addressed to the Board at its office, 8 York Street, Toronto 1, Ontario, it is mailed not later than the terminal date shown in paragraph 2.

4. If you fail to send your reply on or before the terminal date shown in paragraph 2 and to appear at the hearing of this application, the Board may dispose of the application on the evidence and representations placed before it by the applicant without further notice to you.

5. And Further Take Notice of the hearing of the application by the Board at its Board Room at 8 York Street, Toronto 1, Ontario, on .....day, the ..... day of ....., 19...., at ..... o'clock in the .....noon.

Dated this ..... day of ....., 19....

.....
Registrar

O. Reg. 264/66, Form 14.

File No.....

Form 15

The Labour Relations Act

NOTICE TO EMPLOYEES OF APPLICATION FOR DECLARATION TERMINATING BARGAINING RIGHTS AND OF HEARING BEFORE THE ONTARIO LABOUR RELATIONS BOARD

Between:

Applicant,

—and—

Respondent.

To The Employees of

1. Take Notice that the applicant, on ....., 19...., made to the Ontario Labour Relations Board an application for a declaration that the respondent no longer represents the employees of ..... in the following bargaining unit:

2. Your attention is directed to the following information contained in the application:

3. The hearing of the application by the Board will take place at its Board Room, 8 York Street,

Toronto 1, Ontario, on .....day, the ..... day of ....., 19...., at .....

o'clock in the .....noon.

4. The terminal date fixed for this application as directed by the Board is the .....day of

....., 19....

5. Any employee or group of employees affected by the application and desiring to make representations to the Board in opposition to this application must send to the Board a statement in writing of such desire, which must,

(*a*) contain the return mailing address of the employee or representative of a group of employees;

(*b*) contain the name of the employer concerned; and

(*c*) be signed by the employee or each member of a group of employees.

6. The statement of desire must,

(*a*) be received by the Board not later than the terminal date shown in paragraph 4; or

(*b*) if it is mailed by registered mail addressed to the Board at its office, 8 York Street, Toronto 1, Ontario, be mailed not later than the terminal date shown in paragraph 4.

7. A statement of desire that does not comply with paragraphs 5 and 6 will not be accepted by the Board.

8. Any employee or group of employees, who has informed the Board in writing of his or their desire in accordance with paragraphs 5 and 6 may attend and be heard at the hearing in person or by a representative. Any employee or representative who appears at the hearing will be required to testify from his or their personal knowledge and observation, as to (*a*) the circumstances concerning the origination of the material filed, and (*b*) the manner in which each of the signatures was obtained.

THE BOARD MAY DISPOSE OF THE APPLICATION WITHOUT FURTHER NOTICE AND WITHOUT CONSIDERING THE STATEMENT OF DESIRE OF ANY PERSON WHO FAILS TO ATTEND.*

DATED this ..... day of ....., 19....

.....
Registrar

(NOTE: Any communication with respect to this application should be addressed to:

The Registrar, Ontario Labour Relations Board,
8 York Street, Toronto 1, Ontario.)

*EXPLANATORY NOTE: Where employees fail to attend in person or by a representative or to testify or produce witnesses to testify as provided in paragraph 8 above, the Board normally does not accept the statement of desire as casting doubt on the evidence filed by the applicant.

O. Reg. 264/66, Form 15.

Form 16 FILE NO.....

The Labour Relations Act

REPLY TO APPLICATION FOR DECLARATION
TERMINATING BARGAINING RIGHTS
BEFORE THE ONTARIO LABOUR RELATIONS BOARD

Between:

Applicant,

—and—

Respondent.

The respondent replies to the application for a declaration that the respondent no longer represents the employees in the bargaining unit for which it is the bargaining agent as follows:

The respondent states:

1. (*a*) correct name of respondent:

(*b*) address of respondent:

(*c*) address of respondent for service:

*To be completed if applicant is not the employer.

*2. (*a*) name of employer of employees affected by the application:

(*b*) address of employer:

3. Detailed description of the unit of employees for which the respondent is the bargaining agent, including the municipality or other geographic area affected:

4. Approximate number of employees in the unit as of the date the application was made:

5. The date of certification, if any, of the respondent as bargaining agent of the employees in the unit:

*Strike out if not applicable

*6. The respondent is or was a party to or bound by a collective agreement, a copy of which is enclosed herewith, with.....that,
(name of employer)

(*a*) was signed on the ..... day of ....., 19....;

(*b*) became effective on the ..... day of .....,
19....; and

(*c*) contains the following provision relating to its termination or renewal:

7. Other relevant statements (use additional pages if necessary):

DATED at ....., this ..... day of ....., 19....

.....
(signature for the respondent)

O. Reg. 264/66, Form 16.

FILE NO.....

Form 17

The Labour Relations Act

NOTICE OF APPLICATION FOR DECLARATION TERMINATING BARGAINING RIGHTS AND OF HEARING BEFORE THE ONTARIO LABOUR RELATIONS BOARD

Between:

Applicant,

— and —

Respondent.

TO:

1. TAKE NOTICE that the applicant, on....., 19...., made an application to the Ontario Labour Relations Board for a declaration that the respondent no longer represents the employees of ..... in the bargaining unit described in the attached copy of the application.

2. You are required to post the enclosed notices to employees of application and of hearing (Form 15) immediately. These notices are to be posted in conspicuous places where they are most likely to come to the attention of all employees who may be affected by the application. You shall keep them posted upon your premises until the terminal date for the application shown in paragraph 4.

3. You are required to complete and send to the Board the Return of Posting (Form 47) which is attached hereto.

4. The terminal date fixed for this application as directed by the Board is the.....day of ....., 19.....

5. You shall send to the Board your intervention to this application as well as the material listed below so that,

(*a*) it is received by the Board not later than the terminal date shown in paragraph 4; or

(*b*) if it is mailed by registered mail addressed to the Board at its office, 8 York Street, Toronto 1, Ontario, it is mailed not later than the terminal date shown in paragraph 4.

i. A list arranged as in the schedule attached hereto of all employees in the bargaining unit described in the application as at ....., 19...., the date when the applicant's application was made;

ii. Documents from among existing employment records containing signatures of the employees whose names appear on the list referred to above, also arranged in alphabetical order.

6. You will verify the lists of employees by adding thereto the following statement:

"This list has been prepared by me or under my instruction and I hereby confirm the accuracy thereof."

.....
(signature)

7. If you fail to file the list of employees and documents containing signatures as set out above, the Board may proceed to dispose of the case on the evidence before it without further notice to you.

8. AND FURTHER TAKE NOTICE of the hearing of the application by the Board at its Board Room, at 8 York Street, Toronto 1, Ontario, on .....day, the..... day of....., 19...., at.....o'clock in the .....noon.

DATED this.....day of....., 19.....

.....
Registrar

SCHEDULE

A. List (alphabetically arranged) of all employees in the bargaining unit described in the application of the applicant as at the ..... day of ....., 19..... (Do not include the names of employees that appear in B, C or D.)

Name	Occupational Classification
1.	
2.	
3.	
4.	
5.	

B. List (alphabetically arranged) of all employees regularly employed for not more than twenty-four hours per week in the bargaining unit described in the application of the applicant as at the..... day of ....., 19.....

Name	Occupational Classification
1.	
2.	
3.	
4.	
5.	

C. List (alphabetically arranged) of all employees who were not actually at work on the ..... day of ....., 19...., by reason of lay-off, in the bargaining unit described in the application of the applicant as at the ..... day of ....., 19.....

Name	Occupational Classification	Date of Lay-off	Expected Date of Recall
1.			
2.			
3.			
4.			
5.			

D. List (alphabetically arranged) of all employees not previously shown who were not at work on the ..... day of ....., 19...., in the bargaining unit described in the application of the applicant as at the .....day of ....., 19.....

Name	Occupational Classification	Last Day Worked	Reason for Absence	Expected Date of Return
1.				
2.				
3.				
4.				
5.				

O. Reg. 264/66, Form 17.

Form 18

The Labour Relations Act

APPLICATION FOR DECLARATION CONCERNING STATUS
OF SUCCESSOR TRADE UNION
BEFORE THE ONTARIO LABOUR RELATIONS BOARD

Between:

Applicant,

—and—

Respondent.

The applicant applies to the Ontario Labour Relations Board under section 54 of the Act for a declaration that .....
(name of trade union claiming to be the successor)

*Strike out if not applicable

*has (*or has not) acquired the rights, privileges and duties of its predecessor..... (name of predecessor trade union) .....by reason of a merger, amalgamation or a transfer of jurisdiction.

The applicant states:

1. (*a*) address of applicant:

   (*b*) address of applicant for service:

   (*c*) address of respondent:

2. Last known address of predecessor trade union:

3. (*a*) name of employer of employees affected by the application:

   (*b*) address of employer:

4. Detailed description of the unit of employees for which the predecessor was the bargaining agent, including the municipality or other geographic area affected:

5. Approximate number of employees in the unit described in paragraph 4:

*6. The date of the certification, if any, of the predecessor as bargaining agent of the employees in the unit:

*7. The predecessor trade union and the employer are or were parties to or bound by a collective agreement that,

   (*a*) was signed on the.....day of....., 19.....;

   (*b*) became effective on the.....day of....., 19.....;

   (*c*) contains the following provision relating to its termination or renewal:

8. The material facts upon which the applicant intends to rely to establish its request for a declaration (use additional pages if necessary):

9. Other relevant statements (use additional pages if necessary):

10. *(1) The applicant consents to the declaration requested being made without a hearing by the Board;

OR

*(2) The applicant consents to the disposition of the application without a hearing by the Board and makes the following representations thereon (use additional pages if necessary);

OR

*(3) The applicant requests a hearing of the application by the Board and undertakes to attend a hearing of the Board for this purpose. The applicant states in support of such request as follows (use additional pages if necessary):

DATED at....., this.....day of....., 19.....

.....
signature
for the applicant

O. Reg. 264/66, Form 18.

FILE NO.....

Form 19

The Labour Relations Act

NOTICE OF MAKING OF APPLICATION FOR DECLARATION CONCERNING STATUS OF SUCCESSOR TRADE UNION BEFORE THE ONTARIO LABOUR RELATIONS BOARD

Between:

Applicant,

—and—

Respondent.

TO:

1. TAKE NOTICE that the applicant, on....., 19...., filed with the Ontario Labour Relations Board an application, a copy of which is attached, for a declaration

that.....
(name of trade union claiming to be the successor)

*Strike out if not applicable.

*has (*or has not) acquired the rights, privileges and duties of its predecessor..... (name of .....by reason of a merger, amalgamation or a transfer of jurisdiction. predecessor trade union)

*Strike out if person to whom notice addressed isnot employer.

*2. You are required to post the enclosed Notices to Employees of Application for Declaration Concerning Status of Successor Trade Union (Form 20) immediately. These notices are to be posted in conspicuous places where they are most likely to come to the attention of all employees who may be affected by the application. You shall keep them posted upon your premises until the close of business on the terminal date for the application shown in paragraph 3. You shall complete and send to the Board immediately the Return of Posting (Form 47).

3. The terminal date fixed for this application as directed by the Board is the.....day of....., 19.....

4. You shall send to the Board your reply so that,

(*a*) it is received by the Board not later than the terminal date shown in paragraph 3; or

(*b*) if it is mailed by registered mail addressed to the Board at its office, 8 York Street, Toronto 1, Ontario, it is mailed not later than the terminal date shown in paragraph 3.

5. If you fail to send your reply to the Board as set out in paragraph 4, the Board may dispose of the application on the evidence before it without further notice to you.

DATED this.....day of....., 19.....

.....
Registrar

O. Reg. 264/66, Form 19.

FILE NO.....

Form 20

The Labour Relations Act

NOTICE TO EMPLOYEES OF APPLICATION FOR DECLARATION CONCERNING STATUS OF SUCCESSOR TRADE UNION BEFORE THE ONTARIO LABOUR RELATIONS BOARD

Between:

Applicant,

—and—

Respondent.

TO THE EMPLOYEES OF

1. TAKE NOTICE that the applicant, on....., 19...., made to the Ontario Labour Relations Board an application for a declaration that.....has (or has not) acquired the rights, privileges and duties of its predecessor.....in the following bargaining unit:

2. Your attention is directed to the following information contained in the application:

3. The terminal date fixed for this application as directed by the Board is the.....day of ....., 19.....

4. Any employee, or group of employees, affected by the application and desiring to make representations to the Board in opposition to this application must send to the Board a statement of such desire, which shall,

(*a*) be in writing signed by the person making the statement or his representative;

(*b*) contain the names of the parties to the application;

(*c*) contain a return mailing address;

(*d*) contain a concise summary of the representations; and

(*e*) contain a statement as to whether you desire a hearing before the Board in connection with the statement.

5. The statement of desire must be,

(*a*) received by the Board not later than the terminal date shown in paragraph 3; or

(*b*) if it is mailed by registered mail addressed to the Board at its office, 8 York Street, Toronto 1, Ontario, mailed not later than the terminal date shown in paragraph 3.

*6. IF NO STATEMENT OF DESIRE TO MAKE REPRESENTATIONS IS SENT TO THE BOARD IN ACCORDANCE WITH PARAGRAPHS 4 AND 5, THE BOARD MAY DISPOSE OF THE APPLICATION UPON THE MATERIAL BEFORE IT WITHOUT FURTHER NOTICE TO THE EMPLOYEES.

DATED this.....day of....., 19.....

.....
Registrar

*If you do not request a hearing but wish the Board to consider your representations without a hearing, your statement of desire must contain all the representations you wish the Board to consider.

O. Reg. 264/66, Form 20.

FILE NO.....

Form 21

The Labour Relations Act

REPLY TO APPLICATION FOR DECLARATION CONCERNING STATUS OF SUCCESSOR TRADE UNION
BEFORE THE ONTARIO LABOUR RELATIONS BOARD

Between:

Applicant,

— and —

Respondent.

*Strike out if not applicable.

*respondent
The *predecessor trade union states in reply to the application for a declaration that
*employer

.....*has (*or has not) acquired the rights, privileges and
(name of successor trade union)

duties of its predecessor.....by reason of a merger, amalgamation
(name of predecessor trade union)

or transfer of jurisdiction, as follows:

1. (*a*) correct name of *respondent *predecessor trade union: *employer

(*b*) address of *respondent *predecessor trade union: *employer

(*c*) address of *respondent *predecessor trade union for service: *employer

*(1) The *respondent *predecessor trade union consents to the declaration requested by the *employer applicant being made without a hearing by the Board;

OR

*(2) The *respondent *predecessor trade union consents to the disposition of the application *employer without a hearing by the Board and makes the following representations thereon (use additional pages if necessary):

OR

*(3) The *respondent *predecessor trade union requests a hearing of the application by the *employer Board and undertakes to attend a hearing of the Board for this purpose.

The *respondent *predecessor trade union states in support of such request as follows *employer (use additional pages if necessary):

DATED at....., this.....day of....., 19.....

.....
signature

*respondent
for the *predecessor trade union
*employer

O. Reg. 264/66, Form 21.

Form 22

The Labour Relations Act

APPLICATION FOR DECLARATION THAT STRIKE, CALLED OR AUTHORIZED BY TRADE UNION OR COUNCIL OF TRADE UNIONS, UNLAWFUL BEFORE THE ONTARIO LABOUR RELATIONS BOARD

Between:

Applicant,

— and —

Respondent.

The applicant applies to the Ontario Labour Relations Board for a declaration that a strike called or authorized by the respondent is unlawful.

The applicant states:

1. (*a*) address of applicant:

   (*b*) address of applicant for service:

   (*c*) address of respondent:

2. The material facts upon which the applicant intends to rely in support of its allegation that a strike was called or authorized by the respondent and that the strike is unlawful are as follows:

DATED at....., this.....day of....., 19.....

.....
signature
for the applicant

O. Reg. 264/66, Form 22.

Form 23

The Labour Relations Act

APPLICATION FOR DECLARATION THAT STRIKE, ENGAGED IN BY EMPLOYEES, UNLAWFUL BEFORE THE ONTARIO LABOUR RELATIONS BOARD

Between:

Applicant,

— and —

Respondents.

The applicant applies to the Ontario Labour Relations Board for a declaration that a strike engaged in by employees of the applicant is unlawful.

The applicant states:

1. (*a*) address of applicant:

   (*b*) address of applicant for service:

   (*c*) addresses of respondents:

2. The material facts upon which the applicant intends to rely to support its allegation that a strike was engaged in by the respondents and that the strike is unlawful are as follows:

DATED at....., this.....day of....., 19.....

.....
signature
for the applicant

O. Reg. 264/66, Form 23.

Form 24

The Labour Relations Act

APPLICATION FOR DECLARATION THAT LOCKOUT UNLAWFUL
BEFORE THE ONTARIO LABOUR RELATIONS BOARD

Between:

Applicant,

— and —

Respondent.

The applicant applies to the Ontario Labour Relations Board for a declaration that a lockout called or authorized by the respondent is unlawful.

The applicant states:

1. (*a*) address of applicant:

   (*b*) address of applicant for service:

   (*c*) address of respondent:

2. The material facts upon which the applicant intends to rely in support of its allegation that a lockout was called or authorized by the respondent and that the lockout is unlawful are as follows:

DATED at....., this.....day of....., 19.....

.....
signature
for the applicant

O. Reg. 264/66, Form 24.

FILE NO.....

Form 25

The Labour Relations Act

NOTICE OF APPLICATION FOR DECLARATION THAT STRIKE OR LOCKOUT UNLAWFUL OR FOR CONSENT TO INSTITUTE PROSECUTION AND OF HEARING BEFORE THE ONTARIO LABOUR RELATIONS BOARD

Between:

Applicant,

— and —

Respondent.

TO THE RESPONDENT,

1. TAKE NOTICE that the applicant, on....., 19...., made to the Ontario Labour Relations Board an application, a copy of which is attached, for.....

2. You shall send to the Board your reply, if any, to this application, so that,

(*a*) it is received by the Board; or

(*b*) if mailed by registered mail addressed to the Board at its office, 8 York Street, Toronto 1, Ontario, it is mailed,

not later than the.....day of....., 19.....

3. AND FURTHER TAKE NOTICE of the hearing of the application by the Board at its Board Room at 8 York Street, Toronto 1, Ontario, on.....day, the.....day of....., 19.....

4. If you fail to attend the hearing of the application on the.....day of....., 19...., or at any continuation thereof, the Board may dispose of the application on the evidence and representations placed before it at such hearing or hearings without further notice to you.

DATED this.....day of....., 19.....

.....
Registrar

O. Reg. 264/66, Form 25.

FILE NO.....

Form 26

The Labour Relations Act

REPLY TO APPLICATION FOR DECLARATION THAT STRIKE OR LOCKOUT UNLAWFUL BEFORE THE ONTARIO LABOUR RELATIONS BOARD

Between:

Applicant,

— and —

Respondent.

*Strike out if not applicable. The respondent states in reply to the application for a declaration that a *strike *lockout is unlawful as follows:

1. (*a*) correct name of respondent:

(*b*) address of respondent:

(*c*) address of respondent for service:

2. The respondent replies to the application as follows:

DATED at....., this.....day of....., 19.....

.....
signature
for the respondent

O. Reg. 264/66, Form 26.

FILE NO.....

Form 27

The Labour Relations Act

APPLICATION FOR CONSENT TO INSTITUTE PROSECUTION BEFORE THE ONTARIO LABOUR RELATIONS BOARD

Between:

Applicant,

— and —

Respondent.

The applicant applies to the Ontario Labour Relations Board for consent to institute a prosecution of the respondent for an offence under the Act.

The applicant states:

1. (*a*) address of applicant:

(*b*) address of applicant for service:

(*c*) address of respondent:

2. The nature of the alleged offence:

3. The date of commencement of the alleged offence:

4. The material facts upon which the applicant intends to rely as establishing the offence are as follows:

DATED at....., this.....day of....., 19.....

.....
signature
for the applicant

O. Reg. 264/66, Form 27.

FILE NO.....

Form 28

The Labour Relations Act

REPLY TO APPLICATION FOR CONSENT TO INSTITUTE PROSECUTION
BEFORE THE ONTARIO LABOUR RELATIONS BOARD

Between:

Applicant,

— and —

Respondent.

The respondent states in reply to the application for consent to prosecute for an offence under the Act as follows:

1. (*a*) correct name of respondent:

   (*b*) address of respondent:

   (*c*) address of respondent for service:

2. The respondent replies to the application as follows:

DATED at....., this.....day of....., 19.....

.....
signature
for the respondent

O. Reg. 264/66, Form 28.

Form 29

The Labour Relations Act

COMPLAINT CONCERNING FINANCIAL STATEMENT
BEFORE THE ONTARIO LABOUR RELATIONS BOARD

Between:

Complainant,

— and —

Respondent.

The complainant complains to the Ontario Labour Relations Board that the respondent has failed upon his request to furnish him with a copy of the audited financial statement of its affairs to the end of its last fiscal year, certified to be a true copy by its treasurer or other officer responsible for the handling and administration of its funds, contrary to section 76 of *The Labour Relations Act*.

The complainant states:

1. (*a*) address of complainant for service:

   (*b*) address of respondent:

2. The complainant is a member of the respondent.

3. Name and address of the treasurer or other officer of the respondent responsible for the handling and administration of its funds:

4. Statement as to the efforts made by the complainant to obtain from the respondent a copy of its audited financial statement:

5. Other relevant statements:

DATED at....., this.....day of....., 19.....

.....
signature

O. Reg. 264/66, Form 29.

FILE NO.....

Form 30

The Labour Relations Act

NOTICE OF COMPLAINT OF FAILURE TO FURNISH FINANCIAL STATEMENT BEFORE THE ONTARIO LABOUR RELATIONS BOARD

Between:

Complainant,

— and —

Respondent.

TO THE RESPONDENT,

1. TAKE NOTICE that the complainant, on the.....day of.....,

19...., made a complaint to the Ontario Labour Relations Board that you failed upon his request to furnish him with a copy of your financial statement, contrary to section 76 of *The Labour Relations Act*. A copy of the complaint is attached.

2. You shall send your reply to this complaint to the Board so that,

(*a*) it is received by the Board; or

(*b*) if mailed by registered mail addressed to the Board at its office, 8 York Street, Toronto 1, Ontario, it is mailed,

not later than the.....day of....., 19.....

3. If you fail to send your reply to the Board so that,

(*a*) it is received by the Board; or

(*b*) if mailed by registered mail addressed to the Board at its office, 8 York Street, Toronto 1, Ontario, it is mailed,

on or before the.....day of....., 19...., the Board may dispose of the application on the evidence and representations placed before it by the complainant without further notice to you.

DATED this.....day of....., 19.....

.....
Registrar

O. Reg. 264/66, Form 30.

FILE NO.....

Form 31

The Labour Relations Act

REPLY TO COMPLAINT CONCERNING FINANCIAL STATEMENT
BEFORE THE ONTARIO LABOUR RELATIONS BOARD

Between:

Complainant,

— and —

Respondent.

The respondent states in reply to the complaint of failure to furnish the complainant with a copy of the respondent's financial statement as required by section 76 of *The Labour Relations Act* as follows:

1. (*a*) correct name of respondent:

   (*b*) address of respondent:

   (*c*) address of respondent for service:

2. Name and address of the treasurer or other officer responsible for the handling and administration of the funds of the respondent:

*Strike out if not applicable.

3. *(1) The respondent furnished the complainant with a copy of the audited financial statement of its affairs to the end of its last fiscal year, certified to be

   a true copy by.....on the.....day of....., 19....;

   OR

   *(2) The complainant was not entitled to request the respondent to furnish him with a copy of the audited financial statement of its affairs to the end of its last fiscal year for the following reasons:

4. Other relevant facts:

DATED at....., this.....day of....., 19.....

.....
signature
for the respondent

O. Reg. 264/66, Form 31.

Form 32

The Labour Relations Act

COMPLAINT UNDER SECTION 79 OF THE ACT OF UNFAIR
PRACTICE IN EMPLOYMENT
BEFORE THE ONTARIO LABOUR RELATIONS BOARD

Between:

Complainant,

— and —

Respondent.

The complainant complains that the aggrieved person(s) named in paragraph 2 has (have) been dealth with by the respondent contrary to the provisions of section(s).....
[specify relevant section(s)]

Of The Labour Relations Act, and requests that.....
[state relief sought by aggrieved person(s)]

1. (*a*) name of complainant:

   (*b*) address of complainant for service:

   (*c*) name of respondent:

   (*d*) address of respondent:

2. (*a*) name(s) of aggrieved person(s):

   (*b*) address(es) and telephone number(s) of aggrieved person(s):

3. The following is a concise statement of the nature of each act or omission complained of (use additional sheets if necessary):

   On or about.....the aggrieved person(s) was (were) dealt with
   (date of alleged violation)

   by.....
   (name) (position with respondent)

   of the respondent contrary to the provisions of section(s).....of *The Labour Relations Act* in that he did on behalf of the respondent:

4. The following steps have been taken on behalf of the person(s) aggrieved for the adjustment of the matters giving rise to the complaint:

5. Other relevant statements:

DATED at....., this.....day of....., 19.....

.....
(signature of complainant)

N.B. Failure to complete this form, setting out all the particulars, may cause delay in the processing of this complaint.

O. Reg. 264/66, Form 32.

Form 33

The Labour Relations Act

COMPLAINT UNDER SECTION 79 OF THE ACT
OF UNFAIR PRACTICE IN EMPLOYMENT
(FAILURE TO COMPLY WITH TERMS OF SETTLEMENT OF PRIOR COMPLAINT)
BEFORE THE ONTARIO LABOUR RELATIONS BOARD

Between:

Complainant,

— and —

Respondent.

The complainant complains that the respondent has not complied with the terms of settlement of a complaint made under section 79 of *The Labour Relations Act*, contrary to subsection 6 of that section.

1. On.....a complaint under section 79 was filed with the Board
(date)

and on.....the parties entered into a written settlement of that
(date)

complaint (a signed copy of which is filed herewith).

2. The respondent has failed to comply with the terms of the settlement as follows:.....
(state how

.....
respondent has not complied with terms of settlement giving full particulars)

3. (*a*) name of complainant:

(*b*) address of complainant for service:

(*c*) name of respondent:

(*d*) address of respondent:

4. (*a*) name(s) of aggrieved person(s):

(*b*) address(es) of aggrieved person(s):

5. The following steps have been taken on behalf of the person(s) aggrieved to obtain compliance with the terms of settlement:

6. Other relevant statements:

7. The complainant requests that the respondent be required to:

.....
[state specific relief sought by aggrieved person(s)]

DATED at....., this.....day of....., 19.....

.....
(signature of complainant)

N.B. Failure to complete this form setting out all the particulars, or failure to file an original signed copy of the terms of settlement of the prior complaint under section 79 of the Act, may cause delay in the processing of this complaint.

O. Reg. 264/66, Form 33.

FILE NO.....

Form 34

The Labour Relations Act

NOTICE OF INQUIRY INTO COMPLAINT UNDER SECTION 79 OF THE ACT OF UNFAIR PRACTICE IN EMPLOYMENT

Between:

Complainant,

— and —

Respondent.

TO:

1. TAKE NOTICE that.....has been authorized by the Ontario Labour Relations Board on the.....day of....., 19...., to inquire into the complaint of the complainant that.....and report to the Board.

2. AND FURTHER TAKE NOTICE that the inquiry by.....will be held at.....on.....day, the.....day of....., 19...., at .....o'clock in the.....noon.

DATED this.....day of....., 19.....

.....
Registrar

O. Reg. 264/66, Form 34.

FILE NO.....

Form 35

The Labour Relations Act

REPLY TO COMPLAINT UNDER SECTION 79 OF THE ACT OF UNFAIR PRACTICE IN EMPLOYMENT BEFORE THE ONTARIO LABOUR RELATIONS BOARD

Between:

Complainant,

— and —

Respondent.

The respondent states in reply to the complaint of the complainant as follows:

1. (*a*) correct name of respondent:

(*b*) address of respondent:

(*c*) address of respondent for service:

2. The respondent replies to the complaint as follows:

DATED at....., this.....day of....., 19.....

.....
signature
for the respondent

O. Reg. 264/66, Form 35.

FILE NO.....

Form 36

The Labour Relations Act

REPORT ON COMPLAINT UNDER SECTION 79 OF THE ACT
OF UNFAIR PRACTICE IN EMPLOYMENT
BEFORE THE ONTARIO LABOUR RELATIONS BOARD

Between:

Complainant,

— and —

Respondent.

TO:

1. Attached hereto is a copy of the report of.....upon the inquiry he was authorized to make into the complaint herein under the Board's direction dated the.....day of....., 19.....

2. TAKE NOTICE that if you desire to make representations as to the conclusions the Board should reach in view of the report, you shall send to the Board a statement of desire to make representations which shall,

(*a*) be in writing signed by the person making the statement or his representative;

(*b*) contain the names of the parties to the complaint;

(*c*) contain a return mailing address; and

(*d*) contain all the representations you desire the Board to consider in connection with the report.

3. A statement referred to in paragraph 2 shall be sent to the Board so that,

(*a*) it is received by the Board not later than the.....day of....., 19....; or

(*b*) if it is mailed by registered mail addressed to the Board at its office, 8 York Street, Toronto 1, Ontario, it is mailed not later than the.....day of....., 19.....

4. If no statement of desire to make representations is sent to the Board in accordance with paragraphs 2 and 3, the report shall constitute the findings and conclusions on the matters complained of and the Board may determine the complaint upon the material before it without further notice to the parties.

DATED this.....day of....., 19.....

.....
Registrar

O. Reg. 264/66, Form 36.

Form 37

The Labour Relations Act

COMPLAINT CONCERNING WORK ASSIGNMENT
BEFORE THE ONTARIO LABOUR RELATIONS BOARD

Between:

Complainant,

— and —

Respondent(s).

The complainant requests that the Board issue a direction under section 81 of *The Labour Relations Act* with respect to the assignment of work hereinafter set forth.

*Strike out if not applicable.

*The complainant further requests that the Board issue an interim order with respect to the work assignment.

The complainant states:

1. (*a*) address of complainant:

   (*b*) address of complainant for service:

   (*c*) name(s) of respondent(s):

   (*d*) address(es) of respondent(s):

2. (*a*) name of any other person, trade union, council of trade unions or employers' organization that may be affected by the complaint:

   (*b*) address of person, trade union, council of trade unions or employers' organization that may be affected by the complaint:

3. The date(s) upon which the act(s) or work assignment(s) complained of occurred:

4. Detailed description of the work in dispute:

5. The work has been assigned to:

6. The material facts upon which the complainant proposes to rely at the hearing:

7. The relief to which the complainant claims to be entitled by reason of such facts:

8. The submissions the complainant proposes to make in support of a claim for relief:

9. The following steps have been taken by or on behalf of the complainant for the adjustment of the matters giving rise to the complaint:

10. (Where the complainant requests that an interim order with respect to the work assignment be issued by the Board) The material facts upon which the complainant proposes to rely in support of his allegation that a strike is imminent or is taking place by reason of the requirement as to the assignment of work or by reason of the assignment of work:

    N.B. This complaint will be processed as a complaint seeking a direction only with respect to the assignment of work, AND NOT AS A REQUEST FOR AN INTERIM ORDER, unless the complainant sets out in detail the material facts required by this paragraph.

DATED at....., this.....day of....., 19.....

.....
signature
for the complainant

O. Reg. 264/66, Form 37.

FILE NO.....

Form 38

The Labour Relations Act

NOTICE OF COMPLAINT CONCERNING WORK ASSIGNMENT AND OF HEARING BEFORE THE ONTARIO LABOUR RELATIONS BOARD

Between:

Complainant,

— and —

Respondent.

TO:

1. TAKE NOTICE that the complainant has made a complaint, a copy of which is attached, requesting a direction with respect to the assignment of work therein set forth.

2. You shall send to the Board your reply to this complaint so that,

(*a*) it is received by the Board; or

(*b*) if mailed by registered mail addressed to the Board at its office, 8 York Street, Toronto 1, Ontario, it is mailed,

not later than the.....day of....., 19.....

3. AND FURTHER TAKE NOTICE of the hearing of the complaint by the Board at its Board Room at 8 York Street, Toronto 1, Ontario, on.....day, the.....day of.....

19...., at.....o'clock in the.....noon.

4. If you fail to attend at the hearing of the complaint on the.....day of.....,

19...., or at any continuation thereof, the Board may dispose of the complaint on the evidence and representations placed before it at such hearing or hearings without further notice to you.

5. AND FURTHER TAKE NOTICE that the complainant has filed with the Registrar certain documents upon which he intends to rely in support of his claim for relief. These documents are available for inspection at the offices of the Board, 8 York Street, Toronto 1, Ontario, during business hours.

DATED this.....day of....., 19.....

.....
Registrar

O. Reg. 264/66, Form 38.

FILE NO.....

Form 39

The Labour Relations Act

REPLY TO COMPLAINT CONCERNING WORK ASSIGNMENT
BEFORE THE ONTARIO LABOUR RELATIONS BOARD

Between:

Complainant,

— and —

Respondent.

.....
(name of person, employers' organization, trade union or council of trade unions)
replies to the complaint concerning work assignment as follows:

1. (*a*) correct name of party making reply:

   (*b*) address of party making reply:

   (*c*) address for service of party making reply:

2. (*a*) name of any person, trade union, council of trade unions or employers' organization IN ADDITION TO THOSE NAMED IN THE COMPLAINT that in my (our) opinion may be affected by the complaint:

   (*b*) address of such person, trade union, council of trade unions or employers' organization:

3. Detailed description of the work in dispute:

4. The work has been assigned to:

5. The submissions I (we) propose to make in connection with the complainant's claim for relief:

DATED this.....day of....., 19.....

.....
signature

O. Reg. 264/66, Form 39.

Form 40

The Labour Relations Act

APPLICATION FOR CEASE AND DESIST DIRECTION
BEFORE THE ONTARIO LABOUR RELATIONS BOARD

Between:

Applicant,

— and —

Respondent.

The applicant requests that the Board issue a direction that.....
(name of person, employers' organization,

*Strike out term not applicable.

.....cease and desist from doing anything intended or likely trade union or council of trade unions)
to interfere with the terms of an *interim order / *direction respecting the assignment of work.

The applicant states:

1. (*a*) address of applicant:

   (*b*) address of applicant for service:

   (*c*) name of respondent:

   (*d*) address of respondent:

2. (*a*) name of any person, trade union, council of trade unions or employers' organization that in the applicant's opinion may be affected by the application:

   (*b*) address of person, trade union, council of trade unions or employers' organization that in the applicant's opinion may be affected by the application:

3. (*a*) (Where an interim order or direction has been issued) the date upon which the *interim order / *direction was issued by the Board with respect to the work assignment to which this application pertains:

   (*b*) the terms of the *interim order / *direction issued by the Board:

4. The material facts upon which the applicant proposes to rely to establish that the respondent intends or is likely to interfere with the terms of the *interim order / *direction respecting the assignment of work:

5. The direction that the applicant desires the Board to make:

DATED the.....day of....., 19.....

.....
for the applicant

O. Reg. 264/66, Form 40.

FILE NO..... ...

Form 41

The Labour Relations Act

NOTICE OF REPORT OF EXAMINER
BEFORE THE ONTARIO LABOUR RELATIONS BOARD

Between:

Applicant,

— and —

Respondent,

— and —

Intervener.

TO:

1. Attached hereto is a copy of the report of.....upon the inquiry he was authorized to make under the Board's direction, dated the.....day of....., 19...., in this matter.

2. TAKE NOTICE that if you desire to make representations as to the accuracy of the report or as to the conclusions the Board should reach in view of the report, you shall send to the Board a statement of desire to make representations which shall,

(*a*) be in writing signed by the person making the statement or his representative;

(*b*) contain the names of the parties to the application;

(*c*) contain a return mailing address; and

(*d*) contain a statement as to whether you desire a hearing before the Board in connection with the report.

If you desire to make representations as to the accuracy of the report, your statement of desire must contain a concise statement of your allegations as to errors in or omissions from the report.

If you wish to make representations as to the conclusions the Board should reach in view of the report, your statement must contain a summary of the representations you wish the Board to consider in connection with the report.

3. A statement referred to in paragraph 2 shall be sent to the Board so that,

(*a*) it is received by the Board not later than the.....day of....., 19....;

(*b*) if it is mailed by registered mail addressed to the Board at its office, 8 York Street, Toronto 1, Ontario, it is mailed not later than the.....day of....., 19.....

*4. IF NO STATEMENT OF DESIRE TO MAKE REPRESENTATIONS IS SENT TO THE BOARD IN ACCORDANCE WITH PARAGRAPHS 2 AND 3, THE BOARD MAY DISPOSE OF THE APPLICATION UPON THE MATERIAL BEFORE IT WITHOUT FURTHER NOTICE TO THE PARTIES.

DATED at....., this.....day of....., 19.....

.....
Registrar

*If you do not request a hearing but wish the Board to consider your representations on the report without a hearing, your statement of desire must contain all the representations you desire the Board to consider in connection with the report.

O. Reg. 264/66, Form 41.

Form 42

The Labour Relations Act

NOTICE OF TAKING OF VOTE
BY THE ONTARIO LABOUR RELATIONS BOARD
PURPOSE OF VOTE

WHEREAS.....

ha..... applied to the Board for.....

certain employees of.....

AND WHEREAS the Board has directed a representation vote in the matter;

THEREFORE TAKE NOTICE that, under the direction of the Board, a representation vote of the employees described below will be taken under the supervision of officials of the Board.

SECRET BALLOT

The vote shall be by secret ballot. The Returning Officer will issue a ballot to each eligible voter presenting himself to vote at his proper polling place. The voter will mark his ballot in secret in a polling booth, fold it and deposit it in the ballot box provided at the polling place. The Returning Officer is the proper person to whom inquiries should be directed by employees who are in doubt as to their eligibility to vote or as to the voting procedure.

ELECTIONEERING

I direct all interested persons to refrain and desist from propaganda and electioneering from midnight of.....day, the.....day of....., 19...., until the vote is taken.

SCRUTINEERS

One scrutineer approved by me and representing each interested party may be designated for each polling place. The scrutineers have the following duties and privileges:

1. To act as checkers of voters' lists at the polling place.
2. To assist in the identification of voters.
3. Otherwise to assist in the conduct of the vote as may be required by the Returning Officer.

ELIGIBLE VOTERS

Persons eligible to vote are:

TIME AND PLACE OF TAKING VOTE

Voters may cast ballots at their proper polling place at any time during the period in which voting is to take place.

The vote will be taken at the following time and place:

Date:

Hours:

Place:

FORM OF BALLOT

This is a sample of the ballot to be used for the vote:

Mark "X" opposite your choice		
IN YOUR EMPLOYMENT RELATIONS WITH		
DO YOU WISH TO BARGAIN COLLECTIVELY THROUGH		
	YES	
	NO	

Mark "X" opposite your choice	
IN YOUR EMPLOYMENT RELATIONS WITH	
DO YOU WISH TO BARGAIN COLLECTIVELY THROUGH	
OR	

DO NOT SIGN, NUMBER, OR OTHERWISE MARK YOUR BALLOT IN SUCH A WAY AS TO REVEAL YOUR IDENTITY.

VOTERS ARE ENTITLED TO VOTE WITHOUT INTERFERENCE, RESTRAINT OR COERCION.

THIS IS AN OFFICIAL NOTICE OF THE BOARD AND MUST NOT BE REMOVED OR DEFACED.

DATED this.....day of....., 19.....

.....
Registrar

O. Reg. 264/66, Form 42.

Form 43

The Labour Relations Act

NOTICE OF REPORT OF RETURNING OFFICER BEFORE THE ONTARIO LABOUR RELATIONS BOARD

Between:

Applicant,

— and —

Respondent,

— and —

Intervener.

TO:

1. Attached hereto is a copy of my report upon the representation vote herein held on the.....day of....., 19...., under the direction of the Board dated the.....day of....., 19.....

2. TAKE NOTICE that if you desire to make representations as to any matter relating to the representation vote, or as to the accuracy of the report, or as to the conclusions the Board should reach in view of the report, you shall send to the Board a statement of desire to make representations which shall,

(*a*) be in writing signed by the person making the statement or his representative;

(*b*) contain the names of the parties to the application;

(*c*) contain a return mailing address; and

(*d*) contain a statement as to whether you desire a hearing before the Board in connection with the report.

If you desire to make representations as to any matter relating to the representation vote, or as to the accuracy of the report, your statement of desire must contain a concise statement of your allegations concerning the representation vote or as to errors in or omissions from the report.

If you wish to make representations as to the conclusions the Board should reach in view of the report, your statement should contain a summary of the representations you wish the Board to consider in connection with the report.

3. A statement referred to in paragraph 2 shall be sent to the Board so that,

(*a*) it is received by the Board not later than the.....day of....., 19....;

(*b*) if it is mailed by registered mail addressed to the Board at its office, 8 York Street, Toronto 1,

it is mailed not later than the.....day of....., 19.....

*4. IF NO STATEMENT OF DESIRE TO MAKE REPRESENTATIONS IS SENT TO THE BOARD IN ACCORDANCE WITH PARAGRAPHS 2 AND 3, THE BOARD MAY DISPOSE OF THE APPLICATION UPON THE MATERIAL BEFORE IT WITHOUT FURTHER NOTICE TO THE PARTIES OR THE EMPLOYEES.

DATED at....., this.....day of....., 19.....

.....
Returning Officer

*If you do not request a hearing but wish the Board to consider your representations without a hearing, your statement of desire must contain all the representations you desire the Board to consider.

O. Reg. 264/66, Form 43.

FILE NO.....

Form 44

The Labour Relations Act

NOTICE OF REPORT OF RETURNING OFFICER
WHERE PRE-HEARING REPRESENTATION VOTE HAS BEEN HELD
BEFORE THE ONTARIO LABOUR RELATIONS BOARD

Between:

Applicant,

— and —

Respondent,

— and —

Intervener.

TO:

1. Attached hereto is a copy of my report upon the representation vote herein held on the.....day of....., 19....., under the direction of the Board dated the.....day of....., 19.....

2. TAKE NOTICE that if you desire to make representations in connection with the application or as to any matter relating to the representation vote, or as to the accuracy of the report, or as to the conclusions the Board should reach in view of the report, you shall send to the Board a statement of desire to make representations which shall,

(*a*) be in writing signed by the person making the statement or his representative;

(*b*) contain the names of the parties to the application;

(*c*) contain a return mailing address; and

(*d*) contain a statement as to whether you desire a hearing before the Board in connection with the report.

If you desire to make representations in connection with the application or as to any matter relating to the representation vote, or as to the accuracy of the report, your statement of desire must contain a concise statement of your allegations concerning the application or the representation vote or as to errors in or omissions from the report.

If you wish to make representations as to the conclusions the Board should reach in view of the report, your statement should contain a summary of the representations you wish the Board to consider in connection with the report.

3. A statement referred to in paragraph 2 shall be sent to the Board so that,

(*a*) it is received by the Board not later than the.....day of....., 19....;

(*b*) if it is mailed by registered mail addressed to the Board at its office, 8 York Street, Toronto 1,

it is mailed not later than the.....day of....., 19.....

*4. IF NO STATEMENT OF DESIRE TO MAKE REPRESENTATIONS IS SENT TO THE BOARD IN ACCORDANCE WITH PARAGRAPHS 2 AND 3, THE BOARD MAY DISPOSE OF THE APPLICATION UPON THE MATERIAL BEFORE IT WITHOUT FURTHER NOTICE TO THE PARTIES OR THE EMPLOYEES.

DATED at....., this.....day of....., 19.....

.....
Returning Officer

*If you do not request a hearing but wish the Board to consider your representations without a hearing, your statement of desire must contain all the representations you desire the Board to consider.

O. Reg. 264/66, Form 44.

FILE NO.....

Form 45

The Labour Relations Act

NOTICE OF REPORT OF RETURNING OFFICER
WHERE BOARD HAS DIRECTED THAT BALLOT BOX BE SEALED
BEFORE THE ONTARIO LABOUR RELATIONS BOARD

Between:

Applicant,

— and —

Respondent,

— and —

Intervener.

TO:

1. Attached hereto is a copy of my report upon the representation vote herein held on the.....day of....., 19...., under the direction of the Board dated the.....day of....., 19....

2. The Board has directed that the ballot box containing the ballots cast in the representation vote be sealed and that the ballots shall not be counted at this time.

3. TAKE NOTICE that if you desire to make representations,

(*a*) as to any matter relating to the representation vote; or

(*b*) (where a pre-hearing representation vote has been held) in connection with the application;

you shall send to the Board a statement of desire to make representations which shall,

i. be in writing signed by the person making the statement or his representative,

ii. contain the names of the parties to the application,

iii. contain a return mailing address, and

iv. contain a statement as to whether you desire a hearing before the Board.

Your statement of desire must contain a summary of the representations you wish the Board to consider.

4. A statement referred to in paragraph 3 shall be sent to the Board so that,

(*a*) it is received by the Board not later than the.....day of....., 19....;

(*b*) if it is mailed by registered mail addressed to the Board at its office, 8 York Street, Toronto 1,

it is mailed not later than the.....day of....., 19.....

*5. IF NO STATEMENT OF DESIRE TO MAKE REPRESENTATIONS IS SENT TO THE BOARD IN ACCORDANCE WITH PARAGRAPHS 3 AND 4, THE BOARD MAY DISPOSE OF THE APPLICATION UPON THE MATERIAL BEFORE IT ON ALL MATTERS EXCEPT AS TO THE RESULT OF THE VOTE WITHOUT FURTHER NOTICE TO THE PARTIES OR THE EMPLOYEES.

DATED at....., this.....day of....., 19.....

.....
Returning Officer

*If you do not request a hearing but wish the Board to consider your representations without a hearing, your statement of desire must contain all the representations you desire the Board to consider.

O. Reg. 264/66, Form 45.

FILE NO.....

Form 46

The Labour Relations Act

NOTICE OF REPORT OF RETURNING OFFICER
ON COUNTING OF BALLOTS
BEFORE THE ONTARIO LABOUR RELATIONS BOARD

Between:

Applicant,

— and —

Respondent,

— and —

Intervener.

TO:

1. Attached hereto is a copy of my report upon the counting of the ballots in the representation vote herein held on the.....day of....., 19...., under the direction of the Board dated the.....day of....., 19.....

2. TAKE NOTICE that if you desire to make representations as to the accuracy of the report, or as to the conclusions the Board should reach in view of the report, you shall send to the Board a statement of desire to make representations which shall,

(*a*) be in writing signed by the person making the statement or his representative;

(*b*) contain the names of the parties to the application;

(*c*) contain a return mailing address; and

(*d*) contain a statement as to whether you desire a hearing before the Board in connection with the report.

If you desire to make representations as to the accuracy of the report, your statement of desire must contain a concise statement of your allegations concerning the errors in or omissions from the report.

If you wish to make representations as to the conclusions the Board should reach in view of the report, your statement should contain a summary of the representations you wish the Board to consider in connection with the report.

3. A statement referred to in paragraph 2 shall be sent to the Board so that,

(*a*) it is received by the Board not later than the.....day of....., 19....;

(*b*) if it is mailed by registered mail addressed to the Board at its office, 8 York Street, Toronto 1,

it is mailed not later than the.....day of....., 19.....

*4. IF NO STATEMENT OF DESIRE TO MAKE REPRESENTATIONS IS SENT TO THE BOARD IN ACCORDANCE WITH PARAGRAPHS 2 AND 3, THE BOARD MAY IDSPOSE OF THE APPLICATION UPON THE MATERIAL BEFORE IT WITHOUT FURTHER NOTICE TO THE PARTIES OR THE EMPLOYEES.

DATED at....., this.....day of....., 19.....

.....
Returning Officer

*If you do not request a hearing but wish the Board to consider your representations without a hearing, your statement of desire must contain all the representations you desire the Board to consider.

O. Reg. 264/66, Form 46.

FILE NO.....

Form 47

The Labour Relations Act

RETURN OF POSTING
BEFORE THE ONTARIO LABOUR RELATIONS BOARD

Between:

Applicant,

— and —

Respondent.

I, ..., hereby declare that:
(name)

(1) I am the.....of the respondent.
(office or position)

(2) I did, on the.....day of....., 19...., post upon the premises of the respondent.....in this matter, in conspicuous places where they are most likely
(number)
to come to the attention of all employees who may be affected by the application.

DATED at....., this.....day of....., 19.....

.....
signature

O. Reg. 264/66, Form 47.

Form 48

The Labour Relations Act

SUMMONS TO WITNESS
BEFORE THE ONTARIO LABOUR RELATIONS BOARD

Between:

Applicant,

— and —

Respondent,

— and —

Intervener.

You are summoned and required to attend before the Ontario Labour Relations Board at a hearing to be held at the Board Room, 8 York Street, in the City of Toronto, on.....day, the.....day of....., 19...., at the hour of.....o'clock in the.....noon, and so from day to day until the hearing is concluded, to give evidence on oath touching the matters in question in the proceeding, and to being with you and produce at that time and place.....

DATED this.....day of....., 19.....

.....
Chairman

O. Reg. 264/66, Form 48.

Form 49

The Labour Relations Act

APPLICATION FOR CERTIFICATION, CONSTRUCTION INDUSTRY
BEFORE THE ONTARIO LABOUR RELATIONS BOARD

Between:

Applicant,

— and —

Respondent.

The applicant applies to the Ontario Labour Relations Board for certification as bargaining agent of the employees of the respondent in a unit that it claims to be appropriate for collective bargaining.

The applicant states:

1. (*a*) address of applicant:

   (*b*) address of applicant for service:

   (*c*) address of respondent:

*Strike out if not applicable.

*2. (Where the applicant is a council of trade unions) The name and address of each constituent union of the council of trade unions that is the applicant:

3. General nature of the respondent's business:

4. Specific nature of the respondent's business affected by the application:

5. Nature of the work performed by the employees in the bargaining unit that the applicant claims to be appropriate for collective bargaining:

6. Description and site or sites of the jobs at which the work referred to in paragraph 5 is being performed:

7. Detailed description of the unit of employees of the respondent that the applicant claims to be appropriate for collective bargaining, including the municipality or other geographic area affected:

8. Approximate number of employees in the unit described in paragraph 7:

9. The name and address of any trade union or council of trade unions known to the applicant as claiming to be the bargaining agent of, or as claiming to represent, any employees who may be affected by this application:

10. Other relevant statements (attach additional pages if necessary):

*Strike out if not applicable.

11. *(1) The applicant consents to the application being disposed of by the Board without a hearing by the Board:

OR

*(2) The applicant consents to the application being disposed of by the Board without a hearing by the Board and makes the following representations thereon (use additional pages if necessary):

OR

*(3) The applicant requests a hearing of the application by the Board and undertakes to attend a hearing of the Board for this purpose. The applicant states in support of this request as follows (use additional pages if necessary):

DATED at....., this.....day of....., 19.....

.....
signature for the applicant

DECLARATION

*Strike out word not applicable.

I,.....the.....
(name) (office)
of the *applicant *intervener herein, declare that:

*Strike out word not applicable.

1. I have knowledge of the affairs of the *applicant; *intervener;
2. The *applicant *intervener is a *trade union *council of trade unions that according to established trade union practice pertains to the construction industry.

DATED at....., this.....day of....., 19.....

.....
signature for the *applicant *intervener

O. Reg. 264/66, Form 49.

FILE NO.....

Form 50

The Labour Relations Act

NOTICE OF FIXING TERMINAL DATE, CONSTRUCTION INDUSTRY BEFORE THE ONTARIO LABOUR RELATIONS BOARD

Between:

Applicant,

— and —

Respondent.

TO THE APPLICANT,

1. TAKE NOTICE that, in accordance with the Board's direction, I have fixed the.....day of ....., 19...., as the terminal date for this application.

2. Your attention is directed to subsections 1 and 2 of section 48 of the Board's Rules, which reads as follows:

48. (1) Evidence of membership in a trade union or of objection by employees to certification of a trade union or of signification by employees that they no longer with to be represented by a trade union shall not be accepted by the Board on an application for certification or for a declaration terminating bargaining rights unless the evidence is in writing, signed by the employee or each member of a group of employees, as the case may be, and

(*a*) is accompanied by,

(i) the return mailing address of the person who files the evidence, objection or signification, and,

(ii) the name of the employer; and

(*b*) is filed not later than the terminal date for the application.

(2) No oral evidence of membership in a trade union or of objection by employees to certification of a trade union or of signification by employees that they no longer wish to be represented by a trade union shall be accepted by the Board except to identify and substantiate the written evidence referred to in subsection 1.

3. If the Board determines that a hearing of this application is to be held, the hearing will take place at the Board Room, 8 York Street, Toronto 1, Ontario, on.....day, the.....day of ....., 19...., at.....o'clock in the.....noon.

If the Board determines that such hearing take place, the applicant will be served with a Notice of Hearing in Form 53.

DATED this.....day of....., 19.....

.....
Registrar

O. Reg. 264/66, Form 50.

FILE NO.....

Form 51

The Labour Relations Act

NOTICE OF APPLICATION FOR CERTIFICATION, CONSTRUCTION INDUSTRY BEFORE THE ONTARIO LABOUR RELATIONS BOARD

Between:

Applicant,

— and —

Respondent.

TO THE RESPONDENT,

1. TAKE NOTICE that the applicant, on....., 19...., made an application to the Ontario Labour Relations Board for certification as bargaining agent of your employees in a bargaining unit described in the attached copy of the application.

2. You are required to post the enclosed Notice to Employees of Application (Form 52), immediately. These notices are to be posted in conspicuous places where they are most likely to come to the attention of all employees who may be affected by the application. You shall keep them posted upon your premises until the close of business on the terminal date shown in paragraph 4.

3. You shall complete and send to the Board immediately the Return of Posting (Form 47), which is attached hereto.

4. The terminal date fixed for this application as directed by the Board is the.....day of ....., 19.....

5. You shall send to the Board your reply as well as the material listed below so that:

(*a*) it is received by the Board not later than the terminal date shown in paragraph 4; or

(*b*) if it is mailed by registered mail addressed to the Board at its office, 8 York Street, Toronto 1, Ontario, it is mailed not later than the terminal date shown in paragraph 4:

1. A list arranged as in the attached Schedule of all employees in the bargaining unit described in the application as at....., the date when the applicant's application was made.

2. Documents from among existing employment records containing signatures of the employees whose names appear on the list referred to above arranged in alphabetical order.

6. If, in your reply, you propose a bargaining unit different from the one proposed by the applicant, you shall indicate on the list of employees referred to in paragraph 5 the name and classification of any person you propose should be excluded from, as well as the name and classification of any person you propose should be added to, the bargaining unit proposed by the applicant and you shall forward to the Board appropriate documents containing the signatures of additional persons, if any.

7. You shall verify the list of employees by adding thereto the following statement:

"This list has been prepared by me or under my instruction and I hereby confirm the accuracy thereof."

.....
signature

8. If you fail to file a reply or the list of employees and documents containing signatures as set out above within the time fixed by paragraph 5 of this notice or if your reply is incomplete, the Board may proceed to dispose of the application on the evidence and representations before it without further notice to you and without a hearing.

9. If the Board determines that a hearing of this application is to be held, the hearing will take place at the Board Room, 8 York Street, Toronto 1, Ontario, on.....day, the.....day of ....., 19...., at.....o'clock in the.....noon.

If the Board determines that such hearing take place, the respondent will be served with a Notice of Hearing in Form 53.

10. (Where the applicant is a council of trade unions) AND FURTHER TAKE NOTICE that the applicant has filed with the Registrar certain documents upon which it intends to rely to satisfy the Board that each of the trade unions that is a constituent union of the council has vested appropriate authority in the council to enable it to discharge the responsibilities of a bargaining agent. These documents are available for inspection at the office of the Board, 8 York Street, Toronto 1, Ontario, during business hours.

DATED this.....day of....., 19.....

.....
Registrar

SCHEDULE

A. List (alphabetically arranged) of all employees in the bargaining unit described in the application of the applicant as at the.....day of....., 19.... (Do not include the names of employees that appear in B, C or D.)

Name	Occupational Classification
1.	
2.	
3.	
4.	
5.	

B. List (alphabetically arranged) of all employees regularly employed for not more than twenty-four hours per week in the bargaining unit described in the application of the applicant as at the..... day of....., 19.....

Name	Occupational Classification
1.	
2.	
3.	
4.	
5.	

C. List (alphabetically arranged) of all employees who were not actually at work on the.....day of....., 19...., by reason of lay-off, in the bargaining unit described in the application of the applicant as at the.....day of....., 19.....

Name	Occupational Classification	Date of Lay-off	Expected Date of Recall
1.			
2.			
3.			
4.			
5.			

D. List (alphabetically arranged) of all employees not previously shown who were not at work on the.....day of....., 19...., in the bargaining unit described in the application of the applicant as at the.....day of....., 19.....

Name	Occupational Classification	Last Day Worked	Reason for Absence	Expected Date of Return
1.				
2.				
3.				
4.				
5.				

O. Reg. 264/66, Form 51.

FILE NO.....

Form 52

The Labour Relations Act

NOTICE TO EMPLOYEES OF APPLICATION FOR CERTIFICATION, CONSTRUCTION INDUSTRY BEFORE THE ONTARIO LABOUR RELATIONS BOARD

Between:

Applicant,

— and —

Respondent.

TO THE EMPLOYEES OF

1. TAKE NOTICE that the applicant, on....., 19...., made an application to the Ontario Labour Relations Board for certification as bargaining agent of..... in the following bargaining unit:

2. Your attention is directed to the following information contained in the application:

3. The terminal date fixed for this application as directed by the Board is the.....day of ....., 19.....

4. Any employees or group of employees affected by the application and desiring to make representations to the Board in opposition to this application must send to the Board a statement in writing of such desire, which shall,

(*a*) contain the return mailing address of the employee or representative of a group of employees;

(*b*) contain the name of the employer concerned; and

(*c*) be signed by the employee or each member of a group of employees.

5. The statement of desire must be,

(*a*) received by the Board not later than the terminal date shown in paragraph 3; or

(*b*) if it is mailed by registered mail addressed to the Board at its office, 8 York Street, Toronto 1, Ontario, mailed not later than the terminal date shown in paragraph 3.

6. A statement of desire that does not comply with paragraphs 4 and 5 will not be accepted by the Board.

7. Should the Board direct that a hearing of the application take place before the Board, any employee, or group of employees, who has informed the Board in writing of his or their desire in accordance with paragraphs 4 and 5 may attend and be heard at the hearing in person or by a representative. Any employee or representative who appears at the hearing will be required to testify, or produce a witness or witnesses who will be able to testify from his or their personal knowledge and observation, as to (*a*) the circumstances concerning the origination of the material filed, and (*b*) the manner in which each of the signatures was obtained.

THE BOARD MAY DISPOSE OF THE APPLICATION WITHOUT FURTHER NOTICE TO AND WITHOUT CONSIDERING THE STATEMENT OF DESIRE OF ANY PERSON WHO FAILS TO ATTEND.*

8. No oral evidence of membership in a trade union, or of objection by employees to certification of the applicant, will be accepted by the Board except to identify and substantiate such written evidence.

9. If the Board determines that a hearing of this application is to be held, the hearing will take place at the Board Room, 8 York Street, Toronto 1, Ontario, on.....day, the.....day of....., 19...., at.....o'clock in the.....noon.

If the Board determines that such hearing take place, any employee or group of employees, who has informed the Board in writing of his or their desire in accordance with paragraphs 4 and 5, will be served with a Notice of Hearing in Form 53.

10. (Where the applicant is a council of trade unions) AND FURTHER TAKE NOTICE that the applicant has filed with the Registrar certain documents upon which it intends to rely to satisfy the Board that each of the trade unions that is a constituent union of the council has vested appropriate authority in the council to enable it to discharge the responsibilities of a bargaining agent. These documents are available for inspection at the offices of the Board, 8 York Street, Toronto 1, Ontario, during business hours.

DATED this.....day of....., 19.....

.....
Registrar

(Note: All communications should be addressed to:

The Registrar,
Ontario Labour Relations Board,
8 York Street,
Toronto 1, Ontario.)

*EXPLANATORY NOTE: Where employees fail to attend in person or by a representative or to testify or produce witnesses to testify as provided in paragraph 8 above, the Board normally does not accept the statement of desire as casting doubt on the evidence of membership filed by the applicant.

O. Reg. 264/66, Form 52.

FILE NO.....

Form 53

The Labour Relations Act

NOTICE OF HEARING, CONSTRUCTION INDUSTRY
BEFORE THE ONTARIO LABOUR RELATIONS BOARD

Between:

Applicant,

— and —

Respondent,

— and —

Intervener.

TO:

1. TAKE NOTICE that the Board has directed a hearing of the application for certification of the applicant.

2. The hearing will take place at the Board Room, 8 York Street, Toronto 1, Ontario, on.....day, the.....day of....., 19...., at.....o'clock in the.....noon.

3. The purpose of this hearing is:

DATED this.....day of....., 19.....

.....
Registrar

O. Reg. 264/66, Form 53.

FILE NO.....

Form 54

The Labour Relations Act

DECLARATION CONCERNING MEMBERSHIP DOCUMENTS,
CONSTRUCTION INDUSTRY
BEFORE THE ONTARIO LABOUR RELATIONS BOARD

Between:

Applicant,

— and —

Respondent,

— and —

Intervener.

*Strike out word not applicable.

I,....., the.....of the
(name) (office)
*applicant
*intervener herein, declare that, to the best of my knowledge, information and belief:

1. The documents submitted in support of the application represent documentary evidence of membership on behalf of.....persons who were employees
(number)
of the respondent in the bargaining unit that the *applicant *intervener herein claims to be appropriate for collective bargaining, on the date of the making of the application.

2. There were.....persons who were employees of the respondent in the
(number)
bargaining unit that the *applicant *intervener herein claims to be appropriate for collective bargaining, on the date of the making of the application.

3. (Where the documentary evidence consists in part of receipts or other acknowledgments of the payment on account of dues or initiation fees) On the basis of my personal knowledge and inquiries that I have made, I state that the persons whose names appear on the receipts or other acknowledgments of payment on account of dues or initiation fees are the persons who actually collected the moneys paid on account of dues or initiation fees and that each member, on whose behalf a receipt or an acknowledgment of payment is submitted has personally paid in money the amount shown thereon on his own behalf to the person whose name appears on his receipt or acknowledgment of payment as collector, EXCEPT IN THE FOLLOWING INSTANCES:

DATED at....., this.....day of....., 19.....

.....
signature

O. Reg. 264/66, Form 54.

FILE NO.....

Form 55

The Labour Relations Act

REPLY TO APPLICATION FOR CERTIFICATION, CONSTRUCTION INDUSTRY BEFORE THE ONTARIO LABOUR RELATIONS BOARD

Between:

Applicant,

— and —

Respondent.

The respondent replies to the application for certification as follows:

The respondent states:

1. (*a*) correct name of respondent:

   (*b*) address of respondent:

   (*c*) address of respondent for service:

2. General nature of the respondent's business:

3. Specific nature of the respondent's business affected by the application:

4. Nature of the work performed by the employees in the bargaining unit that the applicant claims to be appropriate for collective bargaining:

5. Description and site or sites of the job or jobs at which the work referred to in paragraph 4 is being performed:

6. Total number of employees of the respondent on the job or jobs in respect of which the application for certification has been made:

7. Number of employees in the unit described by the applicant as being appropriate for collective bargaining as of the date the application was made:

8. Detailed description of the unit of employees claimed by the respondent to be appropriate for collective bargaining, including the municipality or other geographic area affected:

9. Number of employees in the unit claimed by the respondent to be appropriate for collective bargaining as of the date the application was made:

10. The name and address of any trade union known to the respondent as claiming to be the bargaining agent of or to represent any employees who may be affected by the application:

11. The date of any certification of a bargaining agent of any employees who may be affected by the application:

*Strike out if not applicable.

*12. The respondent is or was a party to or bound by collective agreement, a copy of which is enclosed, with a trade union or council of trade unions that,

   (*a*) was signed on the.....day of....., 19....;

   (*b*) became effective on the.....day of....., 19....; and

(*c*) contains the following provision relating to its termination or renewal:

13. Other relevant statements (use additional pages if necessary):

*Strike out if not applicable.

14. *(1) The respondent consents to the application being disposed of by the Board without a hearing by the Board:

OR

*(2) The respondent consents to the application being disposed of by the Board without a hearing by the Board and makes the following representations thereon (use additional pages if necessary):

OR

*(3) The respondent requests a hearing of the application by the Board and undertakes to attend a hearing of the Board for this purpose. The respondent states in support of this request as follows (use additional pages if necessary):

DATED at....., this.....day of....., 19.....

.....
signature for the respondent

O. Reg. 264/66, Form 55.

FILE NO.....

Form 56

The Labour Relations Act

NOTICE OF APPLICATION, CONSTRUCTION INDUSTRY
BEFORE THE ONTARIO LABOUR RELATIONS BOARD

Between:

Applicant,

— and —

Respondent.

1. TAKE NOTICE that the applicant, on....., 19...., made an application to the Ontario Labour Relations Board for certification as bargaining agent of employees of the respondent in a bargaining unit described in the attached copy of application.

2. AND FURTHER TAKE NOTICE that if you claim to represent any of the employees affected by the application you shall,

(1) if you have not already done so, notify the registrar immediately by telegram of your claim and of your intention to intervene in the proceedings; and

(2) send to the Board your intervention thereon so that,

(*a*) it is received by the Board; or

(*b*) if mailed by registered mail addressed to the Board at its office, 8 York Street, Toronto 1, Ontario, it is mailed,

not later than the terminal date fixed for this application as directed by the Board, which terminal date is the.....day of....., 19.....

3. IF YOU FAIL TO comply with the requirements of paragraph 2 you may be deemed by the Board to have abandoned your claim, if any, to represent any of the employees who may be affected by the application and the Board may proceed to dispose of the application on the evidence and representations before it without further notice to you and without a hearing.

4. If the Board determines that a hearing of this application is to be held, the hearing will take place at the Board Room, 8 York Street, Toronto 1, Ontario, on.....day, the.....day of....., 19...., at.....o'clock in the.....noon.

If the Board determines that such hearing take place, the intervener will be served with a Notice of Hearing in Form 53.

5. (Where the applicant is a council of trade unions) AND FURTHER TAKE NOTICE that the applicant has filed with the registrar certain documents upon which it intends to rely to satisfy the Board that each of the trade unions that is a constituent union of the council has vested appropriate authority in the council to enable it to discharge the responsibilities of a bargaining agent. These documents are available for inspection at the offices of the Board, 8 York Street, Toronto 1, Ontario, during business hours.

DATED this.....day of....., 19.....

.....
Registrar

O. Reg. 264/66, Form 56.

FILE NO.....

Form 57

The Labour Relations Act

INTERVENTION, CONSTRUCTION INDUSTRY
BEFORE THE ONTARIO LABOUR RELATIONS BOARD

Between:

Applicant,

— and —

Respondent.

.....
(name of intervener)

intervenes in this proceeding.

1. The intervener states:

(*a*) address of intervener:

(*b*) address of intervener for service:

*Strike out if not applicable.

2. The intervener is a *trade union / *council of trade unions that,

*Strike out if not applicable.

*(*a*) represents employees; or

*(*b*) is the bargaining agent of employees who may be affected by the application.

3. The intervener submits with this intervention the following documentary evidence:

*Strike out if not applicable.

4. *(1) The intervener consents to the application being disposed of by the Board without a hearing by the Board;

OR

*(2) The intervener consents to the application being disposed of by the Board without a hearing by the Board and makes the following representations thereon (use additional pages if necessary):

OR

*(3) The intervener requests a hearing of the application by the Board and undertakes to attend a hearing of the Board for this purpose. The intervener states in support of this request as follows (use additional pages if necessary):

DATED at....., this.....day of....., 19.....

.....
signature for the intervener

O. Reg. 264/66, Form 57.

FILE NO.....

Form 58

The Labour Relations Act

APPLICATION FOR CERTIFICATION BY INTERVENER, CONSTRUCTION INDUSTRY BEFORE THE ONTARIO LABOUR RELATIONS BOARD

Between:

Applicant,

— and —

Respondent,

— and —

Intervener.

The intervener applies to the Ontario Labour Relations Board for certification as bargaining agent of the employees of the respondent in a unit that it claims to be appropriate for collective bargaining.

The intervener states:

1. (*a*) address of intervener:

(*b*) address of intervener for service:

*Strike out if not applicable.

*2. (Where the intervener is a council of trade unions) The name and address of each constituent union of the council of trade unions that is the intervener:

3. Detailed description of the unit of employees of the respondent that the intervener claims to be appropriate for collective bargaining, including the municipality or other geographic area affected:

4. Approximate number of employees in the unit described in paragraph 3:

5. If the intervener is seeking certification for a bargaining unit of employees of an employer in the construction industry,

(*a*) nature of the work performed by the employees in the bargaining unit that the intervener claims to be appropriate for collective bargaining:

(*b*) description and site or sites of the job or jobs at which the work referred to in sub-paragraph *a* is being performed:

6. Other relevant statements (attach additional pages if necessary):

*Strike out if not applicable.

7. *(1) The intervener consents to the application being disposed of by the Board without a hearing by the Board:

OR

*(2) The intervener consents to the application being disposed of by the Board without a hearing by the Board and makes the following representations thereon (use additional pages if necessary):

OR

*(3) The intervener requests a hearing of the application by the Board and undertakes to attend a hearing of the Board for this purpose. The intervener states in support of this request as follows (use additional pages if necessary):

DATED at....., this.....day of....., 19.....

.....
signature for the intervener

O. Reg. 264/66, Form 58.

REGULATION 552

under The Land Titles Act

CODE OF STANDARDS AND PROCEDURE FOR SURVEYS AND PLANS

INTERPRETATION

1. In this Regulation,

(*a*) "hanging line" means an unclosed traverse in the form of a branch emanating from a main traverse or triangulation;

(*b*) "local examining area" means a county or district or any part thereof in respect of which an assistant examiner of surveys has been appointed;

(*c*) "subdivision unit" means any area of land delineated by a survey and includes,

(i) a township lot, city lot, town lot or village lot, section, block, gore, reserve, common, mining location and mining claim, or

(ii) a lot, block, part or other surveyed unit of land shown on a plan registered or deposited under *The Land Titles Act* or registered under *The Registry Act*;

(*d*) "surveyor" means an Ontario land surveyor, registered under *The Surveyors Act*. O. Reg. 77/63, s. 1.

2. Where a surveyor makes a survey and plan under the Act, he shall make the survey and plan in accordance with this Regulation and *The Surveys Act* and the regulations made thereunder. O. Reg. 77/63, s. 2.

3. No plan, other than a plan of public lands prepared under *The Public Lands Act* or as otherwise excluded by this Regulation, shall be registered or deposited in a land titles office unless it has been approved by the Examiner of Surveys or by such other person as is designated by the director of titles. O. Reg. 420/69, s. 1.

PART I

GENERAL

4. Before undertaking a survey, the surveyor shall refer to all documentary evidence related to the land under survey and the land adjoining the land under survey. O. Reg. 77/63, s. 3.

5.—(1) Where a monument no longer exists, all evidence concerning its original position shall be considered in the re-establishment thereof.

(2) Where a monument is placed on an existing boundary, the monument shall be placed on the boundary at a point which shall be established from evidence of the boundary line on both sides of the monument so placed. O. Reg. 77/63, s. 4.

6.—(1) Upon approval of a plan submitted for registration or deposit, the examiner of surveys, or an assistant examiner of surveys, shall endorse his approval on the plan in Form 3 or, where the plan is a plan of subdivision, in Form 2.

(2) The director of titles may at any time require an examination of a survey on the ground by the examiner of surveys or a surveyor under the supervision of the examiner of surveys.

(3) The director of titles may request additional information from a surveyor regarding any survey examined under subsection 2.

(4) Except where the title to the land shown on a plan is in dispute or comes into dispute, subsections 1, 2 and 3 do not apply to a plan of highways certified by an official of the Department of Transportation and Communications, a plan of public lands signed by the Surveyor General of Ontario or an official authorized by him, or a plan signed by the Surveyor General of Canada Lands under the *Canada Lands Surveys Act*.

(5) The requirements of all statutes and regulations that affect the boundaries of the land shown on a plan shall be ascertained and complied with before the plan is presented for approval. O. Reg. 77/63, s. 5.

7. Before presenting a plan for approval, a surveyor shall submit to the examiner of surveys, or an assistant examiner of surveys, two paper prints thereof together with a copy of any adjacent or underlying plan and, where the land being surveyed does not lie within The Judicial District of York or a local examining area, the surveyor shall submit an up-to-date title search certified by him or a local master of titles as being correct at the time of search, complete in respect of all documents registered in the land titles office that in any way affect the plan being presented for approval. O. Reg. 77/63, s. 6.

8. The examiner of surveys with the concurrence of the director of titles may approve a plan for registration or deposit although not complying strictly with the requirements of this Regulation or *The Surveys Act* and the regulations made thereunder. O. Reg. 77/63, s. 7.

PART II

Standards of Survey

9.—(1) All boundaries of the land being surveyed shall be measured directly or shall be determined by closed traverse or triangulation.

(2) Hanging lines shall be verified by two independent measurements of angle and distance. O. Reg. 77/63, s. 8.

10.—(1) The error of closure in respect of the perimeter of each subdivision unit shall not exceed,

(*a*) for the first 100 feet of perimeter, an error of 0.10 feet;

(*b*) for the next 1000 feet of perimeter, an error of 0.02 feet per 100;

(*c*) for each succeeding 100 feet of perimeter up to a total perimeter of 1900 feet, an error of 0.01 feet; and

(*d*) for a total perimeter of more than 1900 feet, an error of 1 in 5000.

(2) The errors of closure prescribed in subsection 1 apply to hanging lines. O. Reg. 77/63, s. 9.

11. The position of a natural boundary that forms a boundary of the land being surveyed or that governs the position of that boundary shall be determined by,

(*a*) periodic offsets at such intervals as the complexity of the natural boundary demands and to such extent as will enable relocation of the natural boundary, said offset measurements to be of not greater length than 250 feet and at not greater intervals than 200 feet along a controlled traverse;

(*b*) stadia measurements of not more than 1000 feet in length from stations on a controlled traverse, to such points on the natural boundary as are necessary to determine all its irregularities and to enable its relocation, such points to be of not greater intervals than 200 feet along the natural boundary; or

(*c*) controlled photogrammetric methods. O. Reg. 77/63, s. 10.

12. Bearings shall be astronomic. O. Reg. 77/63, s. 11.

PART III

Plans

13.—(1) A plan,

(*a*) shall be drawn on the dull side of durable linen that is not waterproof and is of such quality that opaque or transparent reproductions may be made by either a wet or dry process without damaging the plan;

(*b*) shall be drawn and executed in black india ink only and shall show no colouring of any kind whatsoever;

(*c*) shall be drawn to a professional standard of draughtsmanship and be neat and clear and in fit condition for making legible reproductions; and

(*d*) other than a plan referred to in subsection 4 of section 5, shall show in the upper right-hand corner Form 3 or, where the plan is a plan of subdivision, Form 2.

(2) The only handwriting to appear on the plan shall be the signatures of those persons required to sign the plan, and under each signature shall be legibly printed the name of the person signing.

(3) Where a plan is a plan of Crown Land, a reproducible linen duplicate of the plan may be registered or deposited in lieu thereof. O. Reg. 77/63, s. 12.

14. No part of a plan or of any certificate, approval or other matter required thereon shall be stamped, typewritten, stencilled, lithographed or engraved, but the examiner of surveys may accept a plan notwithstanding that the title, legend, form of the surveyor's certificate or margin is printed, if it is machine printed with metallic overprint ink. O. Reg. 77/63, s. 13.

15. A plan shsll be drawn to a scale or scales sufficient for clarity of all particulars on the plan. O. Reg. 77/63, s. 14.

16. All linear measurements on a plan shall be shown either in feet and decimals of a foot or in feet and inches. O. Reg. 77/63, s. 15.

17. Directions shall be shown on the plan in quadrantal bearings referred to the cardinal points. O. Reg. 77/63, s. 16.

18.—(1) The origin of the bearings shall be stated on the plan in note form.

(2) Bearings may be derived from a line of known astronomic bearing if survey evidence of such line exists on the ground in its original position and is shown on the plan.

(3) Where bearings have been determined by the surveyor by astronomic observations, a note shall be shown on the plan as follows:

Bearings are astronomic, derived from observations on (polaris) (sun) .....
at (point of observation) .....
and referred to the meridian through (point on the ground definable by .....
survey) .....

O. Reg. 77/63, s. 17.

19. There shall be shown on a plan clearly and accurately by broken lines, sufficient information to enable the identification of,

(*a*) the limits of pre-existing subdivision units or limits defined by descriptions of land registered under *The Land Titles Act* or *The Registry Act*, included within the land surveyed and the land adjoining the land being surveyed; and

(*b*) the identifying numbers, letters or words of the land in clause *a*. O. Reg. 77/63, s. 18.

20. Subject to section 36, the limits of subdivision units created by a plan shall be shown on the plan by solid lines of a consistent weight and heavier than the lines referred to in section 19. O. Reg. 77/63, s. 19.

21. The adjoining limits of land adjacent to the land being surveyed shall be shown on the plan and verified with actual measurements. O. Reg. 77/63, s. 20.

22.—(1) A plan shall show the position and form of all survey monuments and other evidence found, conflicting or otherwise.

(2) Monuments and other evidence found shall be distinguished by the abbreviation "Fd". O. Reg. 77/63, s. 21.

23.—(1) The measurements of distances and directions obtained by the surveyor in the course of a survey on the ground shall be reduced to true measurements and shall be shown on the plan.

(2) Where a measurement of distance or direction differs from that shown,

(*a*) in the register or on a registered plan; or

(*b*) in a deed or plan registered under *The Registry Act*,

the measurement shall be followed by the abbreviation "Meas." and the corresponding measurement in the register or on the registered plan, or in the deed or plan registered under *The Registry Act*, shall be noted followed by "Register", "Plan (No.) ....." or "Deed (No.).....", as the case may be.

(3) Sufficient data shall be shown on the plan to permit the calculation of a closure of each subdivision unit on the plan, except in the case of hanging lines, which shall be designated as being verified. O. Reg. 77/63, s. 22.

24.—(1) Every plan shall be certified on the plan by the surveyor in Form 1.

(2) Subject to subsection 3, every plan shall contain a true copy of the field notes of the survey, and the field notes shall be certified on the plan by the surveyor as follows:

Certified a true copy of the field notes of survey.

....
(date) (sgd.) Ontario Land Surveyor

(3) Where the field notes cannot conveniently be shown on the plan, a true thereof shall be submitted with the plan and shall be certified on the plan by the surveyor as follows:

A true copy of field notes of survey is filed under number.....in the office of land titles at .....

....
(date) (sgd.) Ontario Land Surveyor

(4) The field notes taken in the course of a survey shall include,

(*a*) a title including the designation:

"Field Notes of .....";

(*b*) a complete record showing all lines run, and distances and angles measured or bearings determined;

(*c*) a complete record of all evidence found, including descriptions of monuments and post markings;

(*d*) a complete record of all evidence created, including descriptions of monuments and post markings;

(*e*) a complete representation of all information recorded that relates to title or that is of use in a re-survey; and

(*f*) a designation of all assumed data and the source thereof,

and where a true copy of the field notes is filed under subsection 3, it shall be certified by the surveyor as a true copy thereof. O. Reg. 77/63, s. 23.

25.—(1) A plan shall show,

(*a*) the bearing and length of each straight line forming any surveyed limit or part of any surveyed limit, except that, in the case of a tier of lots that is shown by dimensions to be a series of parallelograms, the direction of each of the side lines of the lots may be indicated by the bearings at both ends of the tier;

(*b*) the radius, arc length, chord length and bearing of each curved line forming any surveyed limit or part of any surveyed limit;

(*c*) the perpendicular or radial widths of all streets, lanes and public passages of which the limits are parallel or concentric;

(*d*) the straight line distances and bearings between the points of street intersections on the same side of the street and, where all or part of an intersection is on a curve, the radius, arc length, chord length and bearing of the curved portion; and

(*e*) the location of the radial centre of an arc that forms the end of a cul-de-sac, clearly defined with reference to the street or streets approaching the cul-de-sac.

(2) Where the arc of a simple curve joins a line that is not tangent to the curve, the junction of curve shall be shown as "not tangential".

(3) Where space does not permit the showing of the chord length and bearing in their normal position in respect of the curve, they may be shown in schedule form in some other convenient place on the plan. O. Reg. 77/63, s. 24.

26.—(1) Subject to subsection 2, there shall be shown on a plan all roads, streets, lanes, railway lands, rivers, canals, streams, lakes, mill ponds and marshes lying within or abutting the surveyed land.

(2) Topographical information that does not relate to the definition of limits of subdivision units shall not be shown on a plan.

(3) Natural boundaries shall be accurately plotted on a plan.

(4) Where traverse lines are shown from which natural boundaries have been defined on the ground, complete particulars shall be shown on a plan, including,

(*a*) bearings, distances and lengths of offsets and the angles that they make with the respective traverse lines;

(*b*) bearings and distances of stadia measurements;

(*c*) information relevant to any other method by which a natural boundary is determined; and

(*d*) information relating to the boundaries and ties with other surveys and land boundaries.

(5) The particulars required by subsection 4 shall be shown along the appropriate course on the plan, but where this is not practicable they may be shown in a schedule if they are identified and related to the appropriate course on the plan. O. Reg. 77/63, s. 25.

27.—(1) Each subdivision unit into which an area of land is subdivided shall be designated on the plan by a number or letter or by words and if a designation is by numbers or letters these shall follow consecutively and there shall not be more than one subdivision unit designated on the plan by the same number, letter or words.

(2) Vincula shall not be used in the designation of a subdivision unit. O. Reg. 77/63, s. 26.

28. A subdivision unit on a plan shall not be designated as a "parcel". O. Reg. 77/63, s. 27.

29. Subject to section 30, a plan shall not contain information describing the purpose for which any portion of the land on the plan is intended to be used. O. Reg. 77/63, s. 28.

30. Roads, streets, highways, lanes, commons and reserves shall be so designated on the plan. O. Reg. 77/63, s. 29.

31. An easement or other right of way existing at the time of the survey shall be shown on the plan. O. Reg. 77/63, s. 30.

32. Each plan shall bear a title showing the designation of every original subdivision unit the whole or a portion of which is being surveyed and, in the case of a re-division, shall show the number of the last plan thereof registered under *The Land Titles Act* or *The Registry Act*. O. Reg. 77/63, s. 31.

33. Each plan shall show under the title the scale to which the plan is drawn, the name of the surveyor and the year in which the survey was completed. O. Reg. 77/63, s. 32.

34. A simple north point accurately plotted shall be placed in a conspicuous position on each plan. O. Reg. 77/63, s. 33.

PART IV

Registered Plans of Subdivision

35.—(1) A registered plan of subdivision shall not exceed twenty-four inches in width or thirty inches in length, including a margin not exceeding one-half of an inch.

(2) A certificate of the owner in Form 4 shall be endorsed on every plan of subdivision. O. Reg. 77/63, s. 34.

36. The outer limits of the area of land dealt with on a plan of subdivision shall be shown by a line heavier than the lines of survey or delineation either within or outside the area. O. Reg. 77/63, s. 35.

37. Except in the case of a plan of subdivision of public lands under *The Public Lands Act*, every plan of subdivision submitted for registration under section 161 of the Act shall be accompanied by a Plan Document which shall consist of an application in Form 5, an owner's certificate in Form 6 supported by an affidavit of execution in Form 7 or Form 8, as the case may be and, where there is a charge or mortgage on the land, a consent of the chargee or mortgagee in Form 9 supported by an affidavit of execution in Form 7 or Form 8, as the case may be. O. Reg. 77/63, s. 36.

38. Except in the case of a plan of subdivision of public lands under *The Public Lands Act*, the surveyor of a plan of subdivision shall endorse on the plan the following notation:

"Certificates, consents and dedications,

are filed under No....."

O. Reg. 77/63, s. 37.

39. Upon registration of a plan, the proper master of titles or his deputy shall endorse the plan with the particulars of registration in Form 2. O. Reg. 77/63, s. 38.

40. A duplicate plan shall be a mechanically reproduced copy of the plan of which it is the duplicate, on such linen and by such process as the director of titles approves. O. Reg. 77/63, s. 39.

41.—(1) A mounted duplicate plan shall be mounted with reinforced square corners on stiff pasteboard of good quality, or other backing approved by the director of titles, and shall be twenty-four inches in width by thirty inches in length.

(2) A mounted duplicate plan shall be mechanically reproduced from the plan of which it is the duplicate, on opaque white linen, or on such other linen or by such other process as the director of titles approves. O. Reg. 77/63, s. 40.

42. The land shown on a mounted duplicate plan shall be coloured a light shade of pink to designate lots and blocks, brown to designate streets, lanes and street widenings and green to designate reserves, and the colouring of the plan shall be executed in a neat and workman-like manner and shall not obliterate underlying details. O. Reg. 77/63, s. 41.

43. Where the title to part of the land shown on a plan is subject to a mortgage or charge registered prior to the plan, the proper master of titles may require a paper print of the plan showing the areas affected by the mortgage or charge to be affixed to the reverse side of the mounted duplicate plan. O. Reg. 77/63, s. 42.

44. Except with the approval of the examiner of surveys, no correction, amendment or other alteration shall be made to any plan that has been approved by the examiner of surveys. O. Reg. 77/63, s. 43.

Form 1

The Land Titles Act

SURVEYOR'S CERTIFICATE ON PLAN

I Hereby Certify:

1. That this survey and plan are correct and in accordance with *The Surveys Act* and *The Land Titles Act* and the regulations made thereunder;

2. That I was present at and did personally supervise the survey represented by this plan;

3. That the survey was completed on the

.....day of....., 19....

....
(date) (signature)

.....
(name in print)

Ontario Land Surveyor

O. Reg. 77/63, Form 1.

Form 2

The Land Titles Act

M-

Approved for registration

.....

.....
Examiner of Surveys

Plan M.... registered.....

and entered on Parcel.....

.....Section.....

.....
Master of Titles

O. Reg. 77/63, Form 2.

Form 3

The Land Titles Act

PLAN.....

Approved.....

.....
Examiner of Surveys

O. Reg. 77/63, Form 3.

Form 4

The Land Titles Act

OWNER'S CERTIFICATE ON PLAN

Lots.....to....., both inclusive,
(No.) (No.)

Blocks.....to....., both inclusive, the
(letter) (letter)

streets, namely.....

.....

.....

street widenings, lanes and reserves, as designated within the area of survey outlined have been laid out in accordance with (my) (our) instructions and the streets and street widenings and lanes are hereby dedicated as public highways.

.....
(signature)

.....
(name in print)

O. Reg. 77/63, Form 4.

Form 5

The Land Titles Act

APPLICATION

.....

the registered owner of the land in parcel.....

in the Register for.....

hereby make....application to have registered a plan of subidvision dated the.....day of.....,

19.... prepared by.....O.L.S. laying out (all *or* those parts) of the said land hereinafter described namely:

(*Where plan lays out whole parcel(s), parcel number(s) and section(s) will be sufficient description.*)

In support of this application:

A. The following item is endorsed on the plan.

1. The approval of the Minister of Municipal Affairs.

B. The following material is attached hereto:

1. The owner's certificate in Form 6.

2. The consent of the chargee or mortgagee in Form 9.

Dated at.....this....day of.....,

19....

.....
(signature of applicant or of his solicitor)

O. Reg. 77/63, Form 5.

Form 6

The Land Titles Act

OWNER'S CERTIFICATE

.....
hereby certify that:

1. .....(am) (is) (are) the registered owner(s) of the land laid out by the plan of subdivision (referred to in the applition to which this certificate is attached)

   dated the.....day of....., 19....

   prepared by..... O.L.S.

2. Lots.....to....., both inclusive,
   (No.) (No.)

   Blocks.....to....., both inclusive,
   (letter) (letter)

   the streets, namely.....

   .....

   .....

   street widenings, lanes and reserves, as designated within the area of survey outlined have been laid out in accordance with (my) (our) instructions and the streets and street widenings and lanes are hereby dedicated as public highways.

Dated the.....day of....., 19....

....
(witness) (signature)

O. Reg. 77/63, Form 6.

Form 7

The Land Titles Act

CORPORATE AFFIDAVIT OF EXECUTION

I,.....,

of the.....of.....in the.....

of.....make oath and say:

That I am.....of.....

.....

That.....whose signature is affixed to the attached owner's certificate and plan to which it refers (*or* to the attached chargee's or mortgagee's consent) is ..... of the said corporation, and

.....

whose signature is also affixed thereto is the.....

thereof, and the seal affixed to the said (certificate *or* consent) is the corporate seal of the said corporation.

That under the by-laws of the said corporation the

.....and.....
are empowered to execute on behalf of the corporation all deeds and other instruments requiring the seal of the said corporation.

That the said corporation is, I verily believe, (the owner or a chargee or mortgagee) of the land laid out by the said plan.

Sworn before me

at the.....

of.....

this.....

day of.....,

19....

A Commissioner, etc.

O. Reg. 77/63, Form 7.

Form 8

The Land Titles Act

AFFIDAVIT OF EXECUTION

I,.....

of the.....of.....in the.....

of.....make oath and say:

1. That I was personally present and did see the attached owner's certificate and the plan to which it refers (*or* the attached chargee's or mortgagee's consent)

   signed by.....

   .....

   .....

2. That the said certificate and plan were (*or* consent was) signed by the said party at

.....

3. That I know the said party.

4. That I am a subscribing witness to the signing of the said certificate and plan (*or* consent)

Sworn before me

at the.....

of.....

this.....

day of.....,

19....

.....
(signature)

A Commissioner, etc.

O. Reg. 77/63, Form 8.

Form 9

The Land Titles Act

CONSENT OF CHARGEE OR MORTGAGEE

.....

.....

the registered owner.....of a (charge or mortgage) registered as No.....in the.....

Office.....

hereby consent to the registration of a plan of subdivision of land affected by the said (charge or mortgage) dated the.....of....., 19....,

prepared by.....O.L.S. and to the dedication as public highways of the streets, street widenings and lanes shown thereon.

Dated the.....day of....., 19....

....
(witness) (signature of chargee or mortgagee)

O. Reg. 77/63, Form 9.

Form 10

The Land Titles Act

CERTIFICATE OF CORRECTION OF A PLAN

Corrected by order of the (director of titles *or* master of titles).

Document No..... date.....

Re-examined (date).....

APPROVED: .....
Examiner of Surveys

O. Reg. 77/63, Form 10.

REGULATION 553

under The Land Titles Act

GENERAL

First Registrations

APPLICATION

1.—(1) The application for a first registration of land under the Act shall be in Form 1.

(2) Where the application is for the registration of,

(*a*) a nominee, under subsection 1 of section 33 of the Act; or

(*b*) a person referred to in subsection 2 of section 33 of the Act,

the consent in writing of the nominee or his solicitor, or of the vendor or his solicitor, shall be filed with the application.

(3) Where the application is made under subsection 3 of section 33 of the Act, the consent in writing of the persons, if any, whose consent is required shall be filed with the application.

(4) Every application for first registration shall be accompanied by a deposit on account of fees of the amount of the fees, or of $50, whichever is the lesser. R.R.O. 1960, Reg. 403, s. 1.

POSSESSORY TITLE

2.—(1) Where the application is for registration with a possessory title only, there shall be filed with the application an affidavit made by,

(*a*) (i) the applicant,

(ii) one of the applicants, if more than one, or

(iii) some person whose consent is required to the application; and

(*b*) the solicitor where the application is made through a solicitor,

verifying the description to the best of their knowledge, information and belief.

(2) The affidavit shall be to the effect that,

(*a*) the applicant, either alone or with the person, if any, consenting to the application and subject to certain encumbrances, if any, is well entitled to an estate in fee simple, or the power of disposing by way of sale of an estate in fee simple in the land for his or their own benefit, or as holding the land on trust for sale, or as a trustee, or otherwise having a power of selling the land, as the case may be;

(*b*) the actual possession or receipt of the rents and profits of the land is in accordance with the applicant's title, stating who is in actual occupation of the land and, if a tenant of the applicant is in occupation, for what term he claims to be entitled;

(*c*) the applicant or his nominee is entitled under the Act to be registered as the owner of the land; and

(*d*) the documents of title, if any, mentioned in the schedule to the affidavit comprise amongst others, if the fact be so, the last conveyance or other document under which the applicant's title is derived.

(3) The affidavit shall give,

(*a*) the particulars of any mortgage or charge on the land; and

(*b*) where the mortgage or charge is registered in the registry office, the registration number. R.R.O. 1960, Reg. 403, s. 2.

3. The entry of the first registration shall state that the title of the applicant is subject to the encumbrances mentioned or so many of them as exist at the time the entry is made. R.R.O. 1960, Reg. 403, s. 3.

ABSOLUTE OR QUALIFIED TITLE

4. Where the application is for a first registration with absolute or qualified title, it shall be supported by the following particulars except those that are dispensed with by the master of titles at Toronto:

1. The title deeds, if any, and all evidence of title relating to the land that is in the possession or power of the applicant.

2. Certified copies of,

(*a*) all other registered instruments affecting the land or of the memorials thereof; or

(*b*) all registered instruments since the last judicial certificate, if any, under *The Quieting Titles Act* was given.

3. The certificate of the registrar of deeds of the registry division in which the land lies, showing what instruments are registered affecting the land and briefly giving the particulars thereof.

4. Proof of any facts that are required to be proved in order to make out the title and that are not established by the other documents produced, unless dispensed with by the proper master of titles until a future stage of the investigation.

5. An affidavit in Form 2 of the person whose title is to be investigated. R.R.O. 1960, Reg. 403, s. 5.

5. The affidavit may be made by some person other than the person whose title is to be investigated, or may be made by one person as to one part and by another person as to the other part. R.R.O. 1960, Reg. 403, s. 6.

6. The proofs required may be,

(*a*) by affidavit or certificate;

(*b*) given *viva voce;* or

(*c*) given in any other manner or form satisfactory to the proper master of titles. R.R.O. 1960, Reg. 403, s. 7.

7. Before the application is granted, the certificate of the proper sheriff showing what writs are in his hands affecting the land shall be filed. R.R.O. 1960, Reg. 403, s. 8.

8. Before the application is granted, where an examination of title is required, satisfactory evidence shall be given by certificate, affidavit or otherwise, that all taxes, rates and assessments, for which the land is liable, prior to the date up to which it is desired that the land be declared free from taxes, have been paid or as the fact may be. R.R.O. 1960, Reg. 403, s. 9.

9. Where the proper master of titles is not satisfied with the evidence of title produced in the first instance, he shall give a reasonable opportunity of producing further evidence or of removing defects in the evidence produced. R.R.O. 1960, Reg. 403, s. 10.

10.—(1) Except where the applicant is the original grantee from the Crown, before the completion of a first registration, the proper master of titles shall cause a notice thereof to be,

(*a*) registered in the registry office of the registry division in which the land is situate; and

(*b*) published in a newspaper having general circulation in the locality in which the land is situate or served on owners and mortgagees of lands adjoining the land of the applicant; and

(*c*) given in such other manner, if any, as he considers proper.

(2) A notice under subsection 1 shall be in Form 3.

(3) Where the application is for registration of a possessory or qualified title or as owner of leasehold land, the notice under subsection 1 shall be in Form 3, suitably adapted. O. Reg. 347/65, s. 2.

11.—(1) The applicant may withdraw his application at any time upon payment of such costs and subject to such terms as the proper master of titles considers just.

(2) Where an application is withdrawn after the registration of a notice of the application, the proper master of titles shall register a notice of the withdrawal in Form 4. O. Reg. 347/65, s. 2.

12. The certificate of first registration registered under subsection 1 of section 59 of the Act shall be in Form 5. O. Reg. 347/65, s. 2.

13.—(1) A person having an adverse claim or a claim not recognized in the application may, at any time before the registration is completed, file and serve upon the applicant, his solicitor or agent a short statement of his claim.

(2) The claim shall be verified by an affidavit to be filed therewith and shall contain an address in Ontario at which service upon the objector may be made. R.R.O. 1960, Reg. 403, s. 14.

14.—(1) The applicant or his solicitor shall obtain an appointment before the proper master of titles for hearing any objection that has been duly filed in the office.

(2) Service of the appointment shall be made on the objector or his solicitor seven clear days before it is returnable.

(3) The parties may be heard in person or by counsel. R.R.O. 1960, Reg. 403, s. 15.

15.—(1) The proper master of titles may fix costs or order costs to be paid by any person after taxation by a taxing officer of the court.

(2) Upon taxation the same fees are payable to the taxing officer as are payable upon a taxation under an order of a judge of the court, and the practice and rules applicable to a taxation under a judge's order apply. R.R.O. 1960, Reg. 403, s. 16.

16.—(1) In case of death or change of interest pending registration, the proceedings shall, subject to the provisions of the Act, be available to such person as the proper master of titles on application, having regard to the rights of the several persons interested in the land, directs.

(2) The court or the proper master of titles may,

(*a*) require notices to be given to persons becoming interested; or

(*b*) make an order for discontinuing or suspending or carrying on the proceedings, or otherwise in relation thereto, as under the circumstances may be just. R.R.O. 1960, Reg. 403, s. 17.

17.—(1) A caution to be registered against first registration shall be in Form 6 and an affidavit in Form 7 in support shall be registered therewith.

(2) The period to be limited by the notice in Form 8 to be served on the cautioner shall be seven days, or such other period of not less than four days as the proper master of titles directs.

(3) The notice may be served either personally or by mail as the proper master of titles directs. R.R.O. 1960, Reg. 403, s. 18.

Dealings after Registration

Notice by master to sheriff

18. The notice to be given under subsection 1 of section 37 of the Act shall be in Form 9. R.R.O. 1960, Reg. 403, s. 19.

Caution against dealing with land

19.—(1) A caution to be registered under section 143 of the Act shall be in Form 10, and an affidavit in Form 11 in support of the caution shall be filed with the caution.

(2) The period to be limited by the notice in Form 12 to be served on a cautioner under section 144 of the Act shall be seven days or such other period, not less than four days, as the proper master of titles directs. R.R.O. 1960, Reg. 403, s. 20.

20.—(1) The proper master of titles may withdraw or cancel the entry of any caution upon receiving the consent in Form 13 of the cautioner or his solicitor.

(2) The consent shall be attested and verified by an affidavit in Form 14.

(3) The application to terminate a caution shall be in Form 15.

(4) At any time before the expiration of the period limited by the notice given under section 19 or given on account of any dealing submitted for registration, or any extension thereof that is granted by the master, the cautioner may show cause why the caution should be continued or why the dealing should not be registered. R.R.O. 1960, Reg. 403, s. 21.

Inhibitions

21.—(1) An application to the proper master of titles for an inhibiting order under section 26 of the Act shall be in Form 16.

(2) Where the application is to the court, it shall be entitled "In the Supreme Court of Ontario". R.R.O. 1960, Reg. 403, s. 22.

Restrictions

22.—(1) An application under section 128 of the Act shall state the particulars of the directions or restrictions required to be entered on the register.

(2) An application to withdraw or modify a direction or restriction shall be attested and verified. R.R.O. 1960, Reg. 403, s. 23.

23. Before an entry is made upon the register under subsection 2 of section 73 of the Act, the consent in writing of the persons to be entered as the registered owners of the land or charge, stating the particulars of the entry required, shall be filed in the office. R.R.O. 1960, Reg. 403, s. 24.

Charges

24.—(1) The instrument by which any charge of freehold or leasehold land in Form 17 is made under section 98 of the Act shall be registered, and the execution by the registered owner of the land shall be attested and verified.

(2) Where it is desired that an entry be made on the register,

(*a*) negativing the implied covenants referred to in sections 99 and 100 of the Act;

(*b*) contrary to the powers given to a registered owner of a registered charge by sections 101, 102 and 103 of the Act; or

(*c*) contrary to subsection 6 of section 85 of the Act,

a separate written application in that behalf shall be filed giving the particulars of the entry required to be made, and shall be signed, attested and verified.

(3) The verification may where practicable be made by the same affidavit as that verifying the charge.

(4) Where a foreclosure or sale has been enforced by the registered owner of the charge, the proper master of titles shall, upon the application of the person entitled to the benefit of the foreclosure or sale, and upon proper proof, make all necessary entries in the register.

(5) The applicant shall file a draft of the entry to which he considers himself entitled. R.R.O. 1960, Reg. 403, s. 25.

25. A transfer of charge in Form 18 shall be attested and verified. R.R.O. 1960, Reg. 403, s. 26.

26. A postponement of charge shall be in Form 19 and shall be attested and verified. R.R.O. 1960, Reg. 403, s. 27.

27. Where a charge is created after the first registration of the land, the cessation thereof shall be in Form 20 and shall be attested and verified. R.R.O. 1960, Reg. 403, s. 28.

28. Where the cessation of a charge entered on the register is required to be noted under section 106 of the Act, and the application in Form 21 is not made or concurred in by the registered owner of the charge, proof of the satisfaction of the charge shall be filed with the application. R.R.O. 1960, Reg. 403, s. 29.

CANCELLATION OF ENTRIES IN EXECUTION BOOK

29. Where a copy of a writ of execution affecting the land of the registered owner has been received by the proper master of titles and there is afterwards filed by or on behalf of the owner or any person interested in the land,

(*a*) a subsequent certificate of the sheriff showing,

(i) that at the date thereof there is no execution in his hands against the lands of the owner and that none is outstanding for renewal or outstanding with a return of lands on hand for want of buyers or to the like effect, and

(ii) that no lands have been sold by the sheriff under an execution against the owner within six months preceding the date thereof; or

(*b*) any other certificate of the sheriff showing that the executions previously entered in the execution book have ceased to affect the land of the owner,

the master may cancel in the execution book all previous entries of writs against the owner. R.R.O. 1960, Reg. 403, s. 30.

TRANSFERS OF LAND

30. A transfer of land shall be in Form 22 and shall be attested and verified, with an additional affidavit as to the identification of parties and marriage status in Form 23. R.R.O. 1960, Reg. 403, s. 31.

31.—(1) Where a transfer or charge affects land or a charge of which the transferor or chargor is the registered owner, and also land or a charge of which he is not then the registered owner, the proper master of titles may register the instrument in respect of the land or charge of which the transferor or chargor is the owner.

(2) Where the transferor or chargor subsequently becomes the registered owner of other land, or of another charge, included in the transfer or charge, the master may register the transfer or charge as to the other land or charge. R.R.O. 1960, Reg. 403, s. 32.

32. An application requiring an entry to be made on the register negativing the implied covenants under section 114 of the Act shall be in Form 24, and shall be signed, attested and verified. R.R.O. 1960, Reg. 403, s. 33.

33. Where it is required to prove that a person has become entitled to any land or charge, in consequence of the death of a registered owner, the application shall be in Form 25 or 26. R.R.O. 1960, Reg. 403, s. 34.

34. Where an alphabetical index of owners is maintained and an application for the entry of a transmission upon the death of a registered owner has been granted, and a copy of the will of the owner, or of letters of administration to his estate, has been filed upon the application, the name of the deceased owner shall be entered in the alphabetical index of owners in the column headed "owner" with the word "deceased" appended thereto, and in the column headed "no. of instrument" the number in the receiving book of the application for transmission shall be inserted. R.R.O. 1960, Reg. 403, s. 35.

35.—(1) An application in Form 25, 26 or 27 under section 133, 134, 135 or 136 of the Act shall be supported by the affidavit of the applicant, showing the existing rights of the persons interested in the land or charge, as the case may be.

(2) Where there is an intestacy, the affidavit shall be in Form 28.

(3) An application in Form 29 under section 137 of the Act shall be supported by the affidavit of the survivor or survivors of the deceased joint tenant in Form 30. R.R.O. 1960, Reg. 403, s. 36.

LEASES

36.—(1) Where a notice of a lease or agreement for a lease is to be registered under section 115 of the Act, the lease or agreement, when verified and deposited with the application in Form 31, shall be entered in full in a book to be kept for the entry of leases.

(2) Notice of the lease shall be entered in the register of the land by a short memorandum stating the fact of the lease and the length of the term and referring to the entry in the book kept for the entry of leases.

(3) Where the registered owner of the land concurs, he shall be a party to and sign the application or consent in writing thereto, and his signature shall be attested and verified.

(4) Where the registered owner does not concur, such notice shall be given him under section 115 of the Act as the proper master of titles considers reasonable. R.R.O. 1960, Reg. 403, s. 37.

37. A transfer of leasehold land shall be in Form 32 and shall be signed, attested and verified. R.R.O. 1960, Reg. 403, s. 38.

ENTRY AS TO EXCEPTIONS UNDER SECTION 47 OF THE ACT

38.—(1) An application requiring an entry to be made on the register under section 47 of the Act shall state the particulars of the entry required.

(2) The evidence in support of the application shall be filed therewith, and the application shall be proceeded with in such manner as the proper master of titles directs. R.R.O. 1960, Reg. 403, s. 39.

CONDITIONS AND COVENANTS ANNEXED TO LANDS

39. An application under section 129 of the Act may be in Form 33. R.R.O. 1960, Reg. 403, s. 40.

LAND CERTIFICATE

40. A land certificate in Form 34 shall,

(*a*) be under the seal of the office;

(*b*) contain a copy of the registered description of the land;

(*c*) contain the name and place of residence of the registered owner; and

(*d*) contain a short statement of such other matters as are for the time being entered on the register as affecting the land. R.R.O. 1960, Reg. 403, s. 41.

CERTIFICATE OF CHARGE

41. A certificate of charge shall be under the seal of the office, and may at the option of the applicant contain a copy of the entry on the register of the charge with a reference to or a copy of the registered description of the land or the like particulars as in a land certificate. R.R.O. 1960, Reg. 403, s. 42.

REGISTRATIONS

42. Abstracts and copies of documents and documents submitted for registration shall be retained pending completion of the registration to which they relate, and afterwards shall be dealt with as the proper master of titles directs. R.R.O. 1960, Reg. 403, s. 43.

43. Applications under the Act and material in support and transfers, charges, cautions and other documents submitted for registration shall be written on one side of foolscap paper of good quality, and shall be folded twice across and neatly endorsed. R.R.O. 1960, Reg. 403, s. 44.

44. Section 43 does not apply to any instrument issued by a court. O. Reg. 150/66, s. 1.

45. Where a document submitted for registration has been executed under a power of attorney, the power of attorney in Form 35 shall be produced and verified. R.R.O. 1960, Reg. 403, s. 45, *amended*.

46.—(1) A power of attorney or specific release of dower with proof of the execution, or a copy certified by,

(*a*) a registrar of deeds under *The Registry Act*;

(*b*) a master of titles;

(*c*) the Provincial Secretary and Minister of Citizenship or his deputy or assistant; or

(*d*) the Registrar under *The Loan and Trust Corporations Act* where the instrument is filed in his office,

that is registered with the proper master of titles shall be copied into a book for that purpose. R.R.O. 1960, Reg. 403, s. 46 (1), *amended*.

(2) The proper master of titles may use the same book for the entry of leases under section 36, powers of attorney and specific releases of dower under this section, except where the Director of Land Registration otherwise directs. R.R.O. 1960, Reg. 403, s. 46 (2), *amended*.

47. Where a document is executed by or on behalf of a corporation, an affidavit in Form 36 shall be registered. R.R.O. 1960, Reg. 403, s. 47.

TRANSFER BY SHERIFF

48. A transfer by a sheriff under section 156 of the Act shall be in Form 37. R.R.O. 1960, Reg. 403, s. 48.

DESTRUCTION OF INSTRUMENTS

49. A proper master of titles may direct the destruction of any instrument in his possession or custody that has been superseded by entries in the register or has ceased to have any effect. R.R.O. 1960, Reg. 403, s. 49.

STATIONERY CHARGES

50. All copies, entries or engrossments or other writings and all stationery and forms supplied by the office in the course of registration shall be paid for by the applicant. R.R.O. 1960, Reg. 403, s. 50.

VERIFICATION OF DOCUMENTS

51. Where the signing or execution of any document is required to be verified, the signing or execution shall be attested and the verification shall be by affidavit,

(*a*) in Form 38 in the case of a transfer of land where the transferor is unmarried; and

(*b*) in Form 39 in the case of execution of documents with bar of dower. R.R.O. 1960, Reg. 403, s. 51.

REGISTERS

52.—(1) The register shall be made in such a manner that where there is a registered owner of any parcel of land, that land and any transactions relating thereto authorized to be entered on the register shall be entered on a page or succession of pages so as to form a separate record in the register, referred to in this section as the register of the parcel.

(2) Each parcel of land separately entered on the register shall be identified by a separate number and, where the land originally registered is dealt with in separate parcels, each new separate parcel shall refer to the number of the original parcel.

(3) The proper master of titles shall note upon the register of the parcel of the transferor the number of the parcel of the transferee's title, and upon that of the transferee the number of the parcel of the transferor.

(4) The proper master of titles may enter the whole or any part of a parcel of land as a new parcel either alone or with other land and may call in the outstanding land certificate for the purpose of making thereon all proper entries or memoranda or for cancellation, and upon making entries shall note in the register of the old parcel the fact of the entries, showing in the note the land so entered, and thereafter the page on which the land is newly entered and the page or pages succeeding it, set apart for the entry of dealings in respect thereto, shall be deemed to be the register of the title of the land.

(5) The proper master of titles may withdraw from the register, by cancellation or otherwise, any notice or entry that he is satisfied no longer affects the registered land. R.R.O. 1960, Reg. 403, s. 52.

53.—(1) There shall be kept in every land titles office a register to be called the companies register.

(2) There shall be entered in the companies register short particulars of the powers of companies in respect of land, of the amalgamation or absorption of companies or of changes in the names of companies or copies of or extracts from the instruments by which the amalgamation, absorption or changes are effected, where a company affected by any such instrument desires the registration thereof, or where any person interested requires the registration of an instrument.

(3) The proper master of titles shall copy into the companies register any instruments produced under this section, or shall enter into the register extracts therefrom, with such particulars as are required to show the powers of the company to hold, transfer or mortgage land.

(4) In the offices at St. Thomas and Ottawa the entries authorized or required by this section may be made in the same book as powers of attorney until the Director of Land Registration otherwise directs. R.R.O. 1960, Reg. 403, s. 53, *amended*.

54.—(1) There shall be kept in every land titles office a register to be called the Department of Highways register.

(2) The proper master of titles shall record in the Department of Highways register each plan deposited, filed or registered in his office by the Minister of Transportation and Communications under *The Public Transportation and Highway Improvement Act*. R.R.O. 1960, Reg. 403, s. 54.

55.—(1) The master of titles of a division through which,

(*a*) the Northern Ontario section of the trans-Canada pipe line, as referred to in the *Northern Ontario Pipe Line Crown Corporation Act* (Canada); or

(*b*) any pipe line constructed by Trans-Canada Pipe Lines Limited,

passes shall keep a register to be called the Trans-Canada Pipe Line Register. R.R.O. 1960, Reg. 403, s. 55 (1), *amended*.

(2) All route plans defining the location of easements registered by Northern Ontario Pipe Line Crown Corporation, or Trans-Canada Pipe Lines Limited, shall be entered in the Trans-Canada Pipe Line Register. R.R.O. 1960, Reg. 403, s. 55 (2).

(3) Notwithstanding section 97 of the Act, a master of titles to whom this section applies shall not call for the production of the charter of Trans-Canada Pipe Lines Limited or Northern Ontario Pipe Lines Crown Corporation, or any evidence as to their compliance with *The Mortmain and Charitable Uses Act*. R.R.O. 1960, Reg. 403, s. 55 (3), *amended*.

DESCRIPTIONS

56. Where land is described by courses that are not stated to be astronomic, the proper master of titles may require the governing line for the courses to be stated. R.R.O. 1960, Reg. 403, s. 56.

57.—(1) Where the registered owner of any land requests that a revised description be substituted for the registered description, the proper master of titles may cause a revision of the description, and the revised description is thenceforth the registered description of the land. R.R.O. 1960, Reg. 403, s. 57.

(2) Land in unsurveyed territory shall not be registered unless the land is so described that the proper master of titles can delineate it on a map of the district in which it is situated. R.R.O. 1960, Reg. 403, s. 75, *amended*.

WITHDRAWAL OF LAND

58. An application for the withdrawal of land from the operation of the Act shall be in writing, shall describe and identify the land proposed to be withdrawn, and shall set out the circumstances that render the withdrawal expedient. R.R.O. 1960, Reg. 403, s. 58.

NOTICES

59.—(1) All notices and summonses required to be given or served shall be prepared by the applicant, and shall be legibly written.

(2) Copies of notices shall be under the seal of the office.

(3) If the service of a notice or summons is personal, it shall be proved by affidavit.

(4) Every notice required to be given shall, if sent by post and not returned, be deemed to have been received within seven days exclusive of the day of posting.

(5) On the return of a letter containing a notice, the proper master of titles shall direct service of the notice,

(*a*) personally;

(*b*) substitutionally; or

(*c*) by publication.

(6) Service on the solicitor or the solicitor's agent of any person shall be deemed to be good service on that person. R.R.O. 1960, Reg. 403, s. 59.

60. Where in any proceeding a notice is required to be given, the applicant shall pay the proper fees for preparing the notice, and shall prepare the requisite copies, and see that the notice is served. R.R.O. 1960, Reg. 403, s. 60.

SERVICE WHERE A SOLICITOR ACTS

61.—(1) Where a party is represented in the office of a master by a solicitor, all notices, orders, appointments and other documents that do not require personal service may be served,

(*a*) upon the solicitor; or

(*b*) where the solicitor does not reside in the county or district where proceedings are conducted, upon his agent named in "The County Solicitors' and Agents' Book" under the rules of practice and procedure of the Supreme Court, or upon his Toronto agent named in "The Toronto Solicitors' and Agents' Book" under the rules of practice of the Supreme Court.

(2) Where a solicitor has not named an agent in either of the books mentioned in subsection 1, the mailing of any notice, order, appointment or other document, addressed to the office of the solicitor, postpaid and registered, shall be deemed to be sufficient service as of the date of mailing. R.R.O. 1960, Reg. 403, s. 61.

ADDRESS BOOK

62. The addresses furnished under section 185 of the Act may be entered in an address book kept in each land titles office for that purpose. R.R.O. 1960, Reg. 403, s. 62.

DISCRETION OF MASTER

63. Where the signing or execution of any document or instrument or any act is required by these Rules to be attested, verified or done by a solicitor, the proper master of titles if he thinks fit may accept the document or instrument though not so attested or verified, or may give directions in respect of the act though not so done, and he may,

(*a*) accept an instrument though not verified by an affidavit of a subscribing witness if satisfied of the execution thereof;

(*b*) accept a covenant or other indemnity to protect the Assurance Fund in respect of any matter as to which a question may arise; and

(*c*) accept and register documents that are irregular or deficient in form. R.R.O. 1960, Reg. 403, s. 63.

INDEXES

64.—(1) The proper master of titles may keep alphabetical indexes corresponding as nearly as may be to the indexes provided under *The Registry Act*.

(2) Any person may inspect the indexes.

(3) Subsection 1 does not apply to,

(*a*) a transferor of land or the maker of a charge or document by virtue of which cessation of encumbrances or leases is noted;

(*b*) a claimant of a mechanics' lien; or

(*c*) a claimant under *The Conditional Sales Act*. R.R.O. 1960, Reg. 403, s. 64.

CERTIFICATE OF SEARCH

65. The proper master of titles may issue a certificate of search in such form as he thinks fit, and may endorse thereon whether or not a certificate of ownership is outstanding. R.R.O. 1960, Reg. 403, s. 65.

BOOKS

66.—(1) The master of titles at Toronto and each local master shall keep books to be called the receiving and fee book, and the suspense book, in the form used in the office of land titles at Toronto.

(2) There shall be entered in the receiving and fee book forthwith upon receipt,

(*a*) all instruments submitted for registration; and

(*b*) all fees, whether payable in money or stamps, showing the separate items of service.

(3) Where the Director of Land Registration so directs, the particulars of searches shall be entered in a separate book, and only the daily total of fees for searches shall be entered in the receiving and fee book.

(4) Upon the completion of the entry of an instrument in the register, a note thereof shall be entered in the receiving and fee book, and from time to time the proper master of titles shall enter from that book into the suspense book, or other form of record, all instruments of which registration is delayed.

(5) As the registration of instruments entered on a page of the receiving and fee book or their transfer to the suspense book or other form of record is completed, the master shall rule a diagonal line across the page of the receiving and fee book so as to indicate that all instruments previously entered therein have been registered, rejected or entered in the suspense book or other form of record.

(6) The pages of the suspense book shall be dealt with in the same manner as the receiving and fee book as the instruments entered are disposed of. R.R.O. 1960, Reg. 403, s. 66.

67.—(1) In each land titles office there shall be kept a book called the Executors and Administrators Caution Book, in which shall be entered all cautions registered by executors and administrators under sections 14, 15 and 16 of *The Devolution of Estates Act*, and the caution need not be entered on the register of any particular parcel of land.

(2) The entries in the book shall be indexed under the name of the testator or the intestate. R.R.O. 1960, Reg. 403, s. 67.

FEES

68.—(1) The fees set forth in Schedule 1 are payable to the proper master of titles, and the fees set forth in Schedule 2 are payable to the director of titles.

(2) Fees shall be paid by cash, money order or cheque payable at par and certified or not as the director of titles or the proper master of titles requires. R.R.O. 1960, Reg. 403, s. 68.

69.—(1) A proper master of titles may as a convenience establish a system of deposit accounts and receive from a person or firm regularly transacting business in the land titles office an amount of money not exceeding the total fees normally paid by that person or firm during a three-month period.

(2) Fees payable by a person or firm in whose name a deposit account is maintained shall be deducted from the amount on deposit in that account.

(3) No interest shall be allowed on money deposited under subsection 1. R.R.O. 1960, Reg. 403, s. 69.

70.—(1) The day, hour and minute of receipt of an instrument presented for registration by a person other than the Government of Ontario shall not be noted thereon until the fees for the registration are paid.

(2) Where the fees for the registration of an instrument are not paid within fifteen days after the receipt of the instrument, the proper master of titles shall return the instrument to the person who presented it. R.R.O. 1960, Reg. 403, s. 70.

71. Fees received in respect of applications for first registration and other matters entered in the procedure books shall, upon the application or other matter being disposed of, be entered in the receiving and fee book, and a note made in the procedure book. R.R.O. 1960, Reg. 403, s. 71.

APPLICATIONS TO COURT AND APPEALS

72.—(1) Applications to the court and appeals from the proper master of titles shall be in the same manner and subject to the same rules as appeals from the master of the Supreme Court, except that the notice of appeal shall be served within seven days after the decision complained of, or within such further time as is allowed by a judge of the court or by the director of titles, and the motion is returnable within fourteen days after the decision, or within such other time as is allowed.

(2) No appeal from a decision or order of the proper master of titles or of the court affects any registered dealing for valuable consideration before a notice in writing of the appeal has been deposited and a note thereof made in the register. R.R.O. 1960, Reg. 403, s. 73 (2, 3).

73. An application for financial assistance out of The Land Titles Survey Fund under subsection 2 of section 63 of the Act shall be in Form 40. O. Reg. 248/67, s. 1, *part.*

74. A direction of the Minister of Justice and Attorney General under subsection 2 of section 63 of the Act shall be in Form 41. O. Reg. 248/67, s. 1, *part, amended.*

75. An application for payment of compensation out of The Land Titles Assurance Fund under subsection 4 of section 64 of the Act shall be in Form 42 and shall be accompanied by a declaration in Form 43. O. Reg. 248/67, s. 1, *part.*

76. A notice of determination of the Director of Land Registration under subsection 5 of section 64 of the Act shall be in Form 44. O. Reg. 248/67, s. 1, *part; amended.*

77. A certificate of the Director of Land Registration under subsection 8 of section 64 of the Act shall be in Form 45. O. Reg. 248/67, s. 1; *part, amended.*

OATHS OF OFFICE

78.—(1) An oath of office under section 17 of the Act shall be in Form 46.

(2) An oath of office referred to in subsection 1 shall be sworn before the local Crown Attorney or such other person having authority to administer an oath as may be approved by the Director of Land Registration. O. Reg. 419/69, s. 2.

Schedule 1

FEES PAYABLE TO THE PROPER MASTER OF TITLES

FIRST REGISTRATION

1. On application for first registration, the fees computed to the nearest dollar, as follows:

Combined Value of Land and Buildings	Master's Fees (Absolute, Qualified or Possessory Titles)
(*a*) Not exceeding $20,000.	$50
(*b*) Exceeding $20,000, but not exceeding $100,000	$50 and 1/10 of 1 per cent of the excess over $20,000
(*c*) Exceeding $100,000, but not exceeding $200,000	$130 and 1/20 of 1 per cent of the excess over $100,000
(*d*) Exceeding $200,000	$180
(*e*) On newly patented land irrespective of value	$10

2.—(1) Where more than one property is included in one application for first registration, or where the titles of parts of the land included in an application are substantially different, the fees in item 1 are payable, upon an order to that effect by the director of titles, as if registration of each property or each part had been applied for separately.

(2) Where the fees chargeable under item 1 are in the opinion of the proper master of titles, having regard to the value of the land and to the nature of the applicant's title, unduly excessive, the director of titles may fix a smaller fee, but in no case less than $15.

(3) Where an application is made on behalf of the Crown in respect of the title of the Crown to any land where the land was acquired by the Crown by an act of an expropriatory nature, the proper master of titles may fix a smaller fee than the fee otherwise chargeable under item 1, but in no case less than $10.

3. Where an application is withdrawn, refused or abandoned, such amount not exceeding the fees in item 1 as the proper master of titles considers appropriate having regard to the stage the application has reached.

4. For preparation of a notice for service, publication or registration, each notice or copy $1.00

5. Where the interest of the applicant is assigned before first registration is completed 5.00

6. For each party joining in or consenting to an application, other than a municipality joining in or consenting to an application as to public highways 5.00

7. Actual amounts referrable to an application disbursed by the proper master of titles, including but not restricted to,

(*a*) fees paid to a registrar of deeds on production of instruments, plans or abstract indexes or copies thereof and on any registration;

(*b*) long-distance telephone charges;

(*c*) postage or express charges for transmission or return of application papers, documents or plans;

(*d*) search fees payable to the Provincial Secretary in connection with corporate applicants or prior corporate owners;

(*e*) cost of publication of notice of application;

(*f*) cost of service of notice of application.

8. For a proceeding upon an application for first registration, the same fee as is payable for a similar proceeding after first registration.

DEALINGS AFTER FIRST REGISTRATION

9.—(1) Except where otherwise specified in this Schedule or by any Act, for registration of any instrument, including but not restricted to a caution, charge, foreclosure, letters patent of incorporation, notice of lease or other interest, postponement, power of attorney, sale papers, specific release of dower, transfer, transfer of charge and transmission of land or charge $7.50

(2) Where the instrument affects more parcels or registered charges or other interests, for each parcel, charge or interest after the first $3.00

(3) Where two or more instruments to which sub-item 1 applies are combined in one, the fee prescribed by this item is payable as if they were separate.

10.—(1) For an application to remove the name of a deceased joint tenant or a deceased owner of a charge held on joint account... 7.50

(2) Where the application refers to more than one parcel or charge, for each parcel or charge after the first 3.00

11.—(1) For registration of a cessation of charge, discharge of caution, cancellation of forfeiture, release of reservation, determination of lease, discharge of notice under section 78 of the Act or similar instrument. 3.00

(2) Where a caution is superseded by a transfer of land to the cautioner, a charge is merged by a transfer of land to the chargee, a lease is determined by an assignment of the freehold to the lessee or assignment of the lease to the lessor, or in other cases where there is a merger of interests in a parcel in one person, the same fee as if the lesser interest had been discharged or terminated by a separate instrument.

(3) Where more than one charge, caution, forfeiture, execution, reservation, lease or notice is discharged, cancelled, released or determined by one instrument, the same fees as for separate instruments.

12.—(1) For registration of a claim for or an assignment or discharge of a lien under *The Mechanics' Lien Act*, or a vacating order or certificate of action 3.00

(2) Where a claim for a lien and an assignment of the lien are contained in one instrument, the fee for registration shall be computed and is payable as though the claim and assignment were contained in separate instruments.

13.—(1) For registration of a notice of conditional sale contract under *The Conditional Sales Act*, or a renewal, assignment or discharge thereof 3.00

(2) Where a notice of conditional sale contract and an assignment of the contract are contained in one instrument, the fee for registration shall be computed and is payable as though the notice and assignment were contained in separate instruments.

14. For registration of a sheriff's notice of seizure of a charge under section 21 of *The Execution Act*, or a certificate under section 24 of that Act $3.00

15. For registration of a notice of sale under subsection 5 of section 583 of *The Municipal Act* 3.00

16. For registration of a certified copy of a receipt of redemption under subsection 9 of section 583 of *The Municipal Act* 3.00

17. For registration of a statutory declaration under subsection 6 of section 47 of *The Department of Municipal Affairs Act* 3.00

18. For registration of a tax arrears certificate under section 47 of *The Department of Municipal Affairs Act* 3.00

19.—(1) For registration of a redemption certificate under section 49 or a vacating certificate under section 52 of *The Department of Municipal Affairs Act* 3.00

(2) For an application to register a municipality as owner, where the period for redemption has expired and the land has not been redeemed 3.00

20.—(1) For registration of an order under subsection 1 of section 18 of *The Dower Act* .. 3.00

(2) Where the order is endorsed on the instrument to which the order refers ..... no fee

21. For registration of a direction of the Director of Titles under the Act ..... no fee

22. For registering a notice of liability to taxation and forfeiture under section 664 of *The Mining Act* or a caution under *The Provincial Land Tax Act* 3.00

23. For the registration of annulment of forfeiture 3.00

24. For the registration of a caution under *The Local Roads Boards Act* 3.00

25. For the registration of a discharge or withdrawal of caution 3.00

26. For the registration of a certificate of lien under *The Municipal and School Tax Credit Assistance Act* 1.00

27. For the registration of a certificate of the Treasurer of Ontario discharging a lien .. 1.00

28. The fees for registration under items 12 to 27, both inclusive, shall include the endorsement by the Master of Titles of one duplicate.

29.—(1) Subject to sub-item 2, where an instrument referred to in item 11 or in items 12 to 27, both inclusive, mentions more parcels than one, for each parcel mentioned after the first ..... $ .50

(2) Where an instrument referred to in item 11 or in items 12 to 27, both inclusive, mentions more parcels than 100, for each parcel mentioned after the hundredth ..... .10

30. For entry of covenants or conditions that are annexed to land under section 129 of the Act, or of restrictions imposed under section 128 of the Act 3.00

and in addition for each 100 words of covenants, conditions or restrictions entered in register ..... .50

31. Where a transferee joins in a transfer to assume the burden of covenants or conditions already entered on the register 1.00

32. Where a cautioner consents to the registration of an instrument subject to the continuance of the caution 1.00

33. For comparing probate of will, letters of administration, charter, letters patent or other document, with copy to be left in office, if not more than five folios ..... .50

for each folio over five ..... .10

CERTIFICATES

34. For certificate of ownership or certificate of charge 5.00

35. For each entry on a certificate of ownership or on a certificate of charge,

(*a*) at time of registration of the instrument of which entry is required .... no fee

(*b*) at other times, each entry ..... $ .50

36. For a certificate of search of title of any parcel 5.00

37. On re-certifying certificate of search 1.50

for each entry over one ..... .50

38.—(1) For a copy of registered instrument or part thereof,

(*a*) where the copy is made in the land titles office by a photographic process for each foolscap-size sheet required. .50

(*b*) where the copy is written or typewritten in the land titles office, each folio ..... .30

(*c*) where the copy is certified by the proper master of titles or his deputy..... $ .50

(*d*) where the copy is not made in the land titles office, for comparing the copy with the original, each folio.. .10

(2) Where the fees under sub-item 1 do not amount to $1, the fee is..... 1.00

39. For endorsing particulars of registration on a duplicate presented at the time of registration of a charge, postponement, transfer of charge or mechanics' lien..... no fee

40. For endorsing a certificate in the form approved by the director of titles on a duplicate of a registered transfer, where the duplicate is presented at time of registration of the transfer..... 1.00

41. For a certificate as to executions, each name..... 1.00

42. For each certificate by the master, where not otherwise specified..... 3.00

SEARCHES

43. For a search of the plan index, each parcel..... .20

44. For a search of one parcel,

(*a*) at the time of registration of an instrument affecting the parcel.... no fee

(*b*) at other times..... .50

45. For a search of the execution index,

(*a*) at the time of registration of the instrument concerned, or at the time of requisition of a certificate as to executions, or at time of re-certification of a certificate of search.... no fee

(*b*) at other times, each name..... .50

46. Except as otherwise provided in this Schedule, for a search of any special index or register including the registers for leases and powers of attorney, the companies register, the Department of Highways Register, the Trans-Canada Pipe Lines Register, and the first registration, bankruptcy, alphabetical or address index, for each lease, power of attorney, charter, parcel or name..... .50

47. For the production of a plan or instrument, each plan or instrument..... .30

PLANS AND DESCRIPTIONS

48.—(1) For each plan registered.....$10.00

(2) For each lot or block..... .25

(3) For certifying each duplicate plan.... 1.00

(4) Where plan lays out portion of a parcel, for re-entry of portion laid out..... 3.00

(5) Where in consequence of a plan being registered, re-entry of remainder of parcel required, for each parcel re-entered..... 3.00

(6) Where in consequence of a plan being registered, two or more parcels are merged or consolidated, for each parcel merged or consolidated..... 3.00

49.—(1) For each reference plan of survey deposited for record under section 167 of the Act, where entered in not more than two parcels..... 5.00

(2) Where entered in more than two parcels, for each parcel after the second..... 2.00

50. For registration of a copy of the plan and field notes of a municipal or Crown re-survey under Part VIII of *The Surveys Act*. no fee

51. For supplying a paper print of a plan of subdivision after registration, or of a reference plan of survey after having been deposited for record,

(*a*) where the print is prepared in the land titles office by an ammonia process..... 1.00

and in addition for each square foot in excess of 10 square feet..... .10

(*b*) where the print is prepared in the land titles office by a photographic process, for each foolscap-size sheet required..... .50

(*c*) where the print is not prepared in the land titles office, actual cost;

(*d*) for certifying a true copy of a plan. .50

52. On application for re-entry of parcel or part of parcel, or consolidation of two or more parcels, for each parcel re-entered or consolidated..... 3.00

53. Where a revised description of land is applied for, or where the director of titles or the proper master of titles deems a revised description to be necessary,

(*a*) for drafting of a description..... 3.00

(*b*) where the time required to prepare a description exceeds one hour, for each additional half-hour..... $1.50

54. For every appointment for a hearing before the director of titles or proper master of titles..... 1.00

55. For every summons by the proper master of titles..... 3.00

MISCELLANEOUS

56. For each order by the proper master of titles..... 3.00

57. For stated case or certificate to the court..... 7.50

58. For receiving a special application.... 7.50

59. For hearing a special application, or for special proceedings before the proper master of titles, each hour or part thereof. 7.50

60. For a proceeding upon a special application after first registration, the same fee as is payable for a similar proceeding on an application for first registration.

61. For proceedings similar to those herein otherwise provided for, the same fee. Where there is no similar proceeding, the same fee as would be payable for proceedings in the court, but where the proceeding is similar to one under *The Registry Act*, the same fee as under that Act.

O. Reg. 203/61, s. 1; O. Reg. 47/64, s. 1; O. Reg. 160/64, s. 1; O. Reg. 49/68, s. 1; O. Reg. 187/69, s. 1; O. Reg. 419/69, ss. 1-5.

Schedule 2

FEES PAYABLE TO THE DIRECTOR OF TITLES

PROCEEDINGS BEFORE THE DIRECTOR

1. For every appointment..... $1.00

2. For approving and settling form and substance of an application..... 5.00

3. For marking a document acceptable for registration..... 3.00

4. For preparation and service of a notice, each party served..... 1.00

and in addition actual cost of service..

5. For supplying procedural guide for preparation of particular instruments..... 1.00

6.—(1) Hearing before director, each hour or part thereof..... $5.00

(2) Where hearing is not held at Toronto, each mile to place fixed for hearing and return to Toronto..... .10

7. For each order by the director..... 3.00

PLANS AND DESCRIPTIONS

8.—(1) For first examination of a plan of subdivision.....$10.00

(2) Where the number of lots and blocks shown on the plan does not exceed 50, each lot or block..... .75

(3) Where the number of lots and blocks shown on the plan exceeds 50 but does not exceed 100, each lot or block over 50..... .60

(4) Where the number of lots and blocks exceeds 100, each lot or block over 100.. .50

9.—(1) On the examination of a re-submitted plan of subdivision..... 10.00

(2) Each lot or block necessarily examined. .75

10.—(1) For first examination of a reference plan of survey..... 10.00

(2) Each part shown on the plan..... .75

11.—(1) On the examination of a re-submitted reference plan..... 5.00

(2) Each part necessarily examined..... .75

12. For supplying a paper print of a plan of subdivision or of a reference plan of survey after examination and approval,

(*a*) where the print is prepared in the office of the director by an ammonia process..... 1.00

and in addition for each square foot in excess of 10 square feet..... .10

(*b*) where the print is prepared in the office of the director by a photographic process, for each foolscap-size sheet required..... .50

(*c*) where the print is not prepared in the office of the director, actual cost;

(*d*) for supplying a paper print of a plan after approval to the surveyor of the plan, no fee.

13. Where a revised description of land is applied for, or where the director of titles or the proper master of titles deems a revised description to be necessary,

(*a*) for drafting or approval of a description..... $3.00

(*b*) where the time required to prepare or examine a description exceeds one hour, for each additional half-hour. 1.50

14.—(1) Where a survey is verified on the ground by the examiner of surveys or by an assistant examiner of surveys, each day required for the examination..... 50.00

(2) Where the examiner of surveys or assistant examiner of surveys is assisted in his examination by an instrumentman or chainman, each day the instrumentman or chainman is required..... 12.50

(3) Where the examiner of surveys or assistant examiner of surveys is assisted in his examination by an instrumentman and a chainman or by two instrumentmen or chainmen, each day they are required..... 25.00

(4) For the distance necessarily travelled from the proper office of land titles to the land and return, each mile..... .10

(5) For expenses incurred while verifying surveys, actual disbursement.

MISCELLANEOUS

15. For return of documents or plans by postage or express, actual disbursement.

16. For proceedings similar to those before the master of titles, the same fee and, where not similar, the fee that would be payable for proceedings in the Court. O. Reg. 203/61, s. 1.

Form 1

The Land Titles Act

To.....
(name of proper master of titles at.....)

A.B., of....., being entitled for his own benefit

to an estate in fee simple in the land in.....,

containing by estimation....acres and described in the schedule appended applies to be registered (or, where applicable, to have registered in his stead

C.D. of.....) as owner of the land (or leasehold land) with (in the case of freehold land) a possessory title (or with an absolute title or, in the case of leasehold land, with or without a declaration of the lessor's title to grant the lease, as the case may be).

Subject to the following charges and encumbrances (if any):

The address of the said A.B. (and C.D. respectively), for service is at.....(if the application is made through a solicitor, give his office address).

Dated at.....this....day of....., 19..

.....
(signature of the applicant or his solicitor)

C.D. approves this application

.....
(signature of C.D.)

R.R.O. 1960, Reg. 403, Form 1.

Form 2

The Land Titles Act

I,.....of.....make oath and say:

1. I am the absolute owner in fee simple in possession (or as the case may be, repeating the words of the application) of the land mentioned in my application.

2. There is no charge or other encumbrance affecting my title to the land (except, stating any encumbrances).

3. I am not aware of any claim adverse to or inconsistent with my own to any part of the land claimed by me or to any interest therein (except, specifying the adverse claim, giving the name and address of the claimant if known, and stating how the claim arises).

4. The deeds, instruments and evidence of title which I produce in support of my application, set out in Schedule 1, are all the title deeds, instruments and evidence of title relating to the land that are in my possession or power.

5. The title deeds and evidence of title relating to the land, set out in Schedule 2, are in the possession or power of (naming the person and giving his address).

6. I do not know where, or in whose possession or power, are the title deeds and evidence of title set out in Schedule 3. (Here set out the facts showing the searches made for the missing deeds upon which it is intended to rely as sufficient to let in secondary evidence; and where there are no other title deeds, or evidence except as in Schedule 1, so state and omit paragraphs 5 and 6).

7. I am (or A.B. is and show under what claim of title) in possession of the land, and to the best of my knowledge and belief possession has always accompanied the title under which I claim, since

the year.....when one....., through whom I claim, took possession, and before that the land was in a state of nature (if possession has not always accompanied the title under which the petitioner claims, state the facts as to the actual possession).

8. I am now in actual occupation of the land (or if a tenant of the applicant is in accupation, state how he claims to hold and how he in fact holds; and if the tenancy is under an instrument in writing produce it; and if no person is in actual occupation so state).

9. To the best of my knowledge, information and belief this affidavit discloses all facts material to my title.

10. There are no arrears of taxes against the land, (or according to the fact) nor has the land been sold for taxes during the past eighteen months, nor under execution during the past six months, and I do not know of any writ of execution in the hands of the sheriff against me or affecting the land.

11. To the best of my knowledge, information and belief, no person has any right of way, or of entry, or of damming back water or overflowing or of placing or maintaining any erection, or of preventing the placing or maintaining of any erection on, in, to or over the land, (except, giving the names and addresses of any person having easement or right, and stating the particulars and nature thereof); and the land is not subject to any right of way or to any other easement or other dominant right.

12. The land is not worth more than $..... including the buildings and fixtures thereon, and the

buildings and fixtures are worth at least $..... (Where more than one parcel is included in the application, give the value of each parcel.)

13. I am married, and the name of my wife is (or I am not married); and we are each twenty-one years of age or over (as the case may be).

Sworn.....

R.R.O. 1960, Reg. 403, Form 2.

Form 3

The Land Titles Act

NOTICE OF APPLICATION

TAKE NOTICE that..... has (have) made an application to be registered under *The Land Titles Act* as the owner(s) in *fee simple*

with an absolute title to (*identify land*)..... more particularly described in the attached Schedule.

AND TAKE NOTICE that any person claiming to have any title to or interest in the said land or any part thereof (other than an interest protected by

registration) is required, on or before the.....

day of....., 19..., to file a statement of his

claim, verified by affidavit, in my office at.....

.....and to serve a copy thereof on the applicant.

The address of the applicant for service is.....

.....

Dated at....., this....day of....., 19....

.....
(Proper Master of Titles)

O. Reg. 347/65, s. 4.

Form 4

The Land Titles Act

NOTICE OF WITHDRAWAL OF APPLICATION

TAKE NOTICE that..... has (have) withdrawn the application for registration under *The Land Titles Act* of the land more particularly described in the attached Schedule.

And that proceedings under the Act have therefore been discontinued.

Dated at....., this ....day of....., 19....

.....
(Proper Master of Titles)

O. Reg. 347/65, s. 4.

Form 5

The Land Titles Act

CERTIFICATE OF FIRST REGISTRATION AS OWNER

THIS IS TO CERTIFY that on the.....day of ....., 19...., ... was (were) under *The Land Titles Act* registered in the Office of Land Titles at..... as the owner(s) of (*identify land*)..... ..... more particularly described in the attached Schedule.

AND THAT the said land is registered in the said Office of Land Titles as Parcel..... in the Register for.....

IN WITNESS WHEREOF I have hereunto subscribed my name and affixed my Seal, this..... day of....., 19....

.....
(Proper Master of Titles)

O. Reg. 347/65, s. 4.

Form 6

The Land Titles Act

To.....
(the proper master of titles at.....)

I, A.B., of....., have such an interest in the land herein described as entitles me to object to any disposition thereof being made without my consent, and I am entitled to notice of any application that may be made for the registration of the land.

The following is a description of the land:

My address for service is.....

Dated at.....this....day of....., 19....

.....
(signature of cautioner)

R.R.O. 1960, Reg. 403, Form 6.

Form 7

The Land Titles Act

I, A.B., of....., make oath and say as follows:

My interest in the land described in the above (or annexed) caution entitles me to object to any disposition of the land being made without my consent, and the nature of my interest is as follows:

Sworn,.....

R.R.O. 1960, Reg. 403, Form 7.

Form 8

The Land Titles Act

To.....

Take notice that C.D., of....., has applied to be registered (or to have registered in his stead E.E., of.....) as owner of the land in the..... of....., in the....., affected by the caution dated the....day of....., 19..., registered by you in the office of land titles at....., and if you intend to oppose the registration, you are to attend either in person or by your solicitor or counsel for that purpose before me at my office on the ....day of....., 19...., at....o'clock in the....noon.

.....
(signature of proper master)

R.R.O. 1960, Reg. 403, Form 8.

Form 9

The Land Titles Act

To the sheriff of.....

Take notice that I have entered....of.....the patentee as owner of land in your bailiwick.

Dated at.....this....day of....., 19....

.....
(signature of
proper master of titles at
.....)

R.R.O. 1960, Reg. 403, Form 9.

Form 10

The Land Titles Act

To.....
(the proper master of titles at.....)

I, A.B., of....., being interested in the land registered in the name of G. H., as parcel....in the register for.....(or in the charge registered as number....., in the name of E.F., of....., as owner and being on parcel.....) require that no dealing with the land (or charge) be had on the part of the registered owner (or other named person who is shown to have an interest in the land) until notice has been served upon me.

My address for service is.....

Dated at.....this....day of....., 19....

.....
(signature of
cautioner or his solicitor)

R.R.O. 1960, Reg. 403, Form 10.

Form 11

The Land Titles Act

I, A.B., of....., make oath and say as follows:

I am interested in the land (or charge) mentioned in the above (or annexed) caution and the particulars of my interest are as follows:

Sworn,.....

R.R.O. 1960, Reg. 403, Form 11.

Form 12

The Land Titles Act

To.....

Take notice that the caution registered by you in the office of land titles at....., on the....day of ....., 19...., as No....., requiring that no dealing with the land (or charge) registered in the name of.....should be had on the part of the registered owner until notice has been served upon you, will cease to have any effect after the expiration of....days after this notice is served.

And I appoint the....day after service hereof at my office, at 11 o'clock a.m., to hear the parties interested.

And I direct that this notice, with proof of service thereof, be filed with me before the.....day after service, and in case it is not filed, I do order that the caution shall not cease to have effect until the expiration of.....days from the filing of the notice and the proof.

.....
(signature of proper master)

R.R.O. 1960, Reg. 403, Form 12.

Form 13

The Land Titles Act

To.....
(the proper master of titles at.....)

I, A.B., of....., the cautioner, named in a caution No.....in respect of the land registered as parcel.....in the register for....., (or in respect of a charge registered as No....., and being on parcel.....), hereby authorize you to enter in the register a cessation of the caution.

Dated at.....the.....day of....., 19...

Witness:

E.F.

.....
(signature of A.B. or the solicitor)

R.R.O. 1960, Reg. 403, Form 13.

Form 14

The Land Titles Act

I, E.F., of....., a solicitor of the Supreme Court of Ontario, make oath and say:

1. I am well acquainted with A.B., named in the above withdrawal of caution, and saw him sign the document, and the signature purporting to be his signature at the foot of the document is in his handwriting.

2. I believe A.B. to be the person who registered the caution referred to in the document.

3. A.B. is of the age of twenty-one years or over and is of sound mind and signed the document voluntarily.

at.....

I am a subscribing witness to the document.

.....
(signature of solicitor)

R.R.O. 1960, Reg. 403, Form 14.

Form 15

The Land Titles Act

To.....
(the proper master of titles at.....)

A.B., the registered owner (or the transferee of C.D. the registered owner) of the land registered as parcel No.....in the register of land titles for....in the name ofA.B. (or C.D.) applies for a notice to be served.....terminating caution No.....registered by E.G.

This application is made upon the following grounds:

The address of A.B. for service is.....

Dated at.....this....day of....., 19..

.....
(signature of A.B. or his solicitor)

R.R.O. 1960, Reg. 403, Form 15.

Form 16

The Land Titles Act

To.....
(the proper master of titles at.....)

C.D, of....., being interested in the land registered in the office of land titles at....., in the name of.....as parcel No.....in the register for ....., (or in charge number....registered the ....day of....., 19....., in the name of....) hereby requests you to issue an order or make an entry inhibiting any dealing with the land (or charge) under section 26 of the Act.

In support of this application is the affidavit of the applicant or his solicitor filed.

The address of C.D. for service is.....

Dated at.....this....day of....., 19...

.....
(signature of C.D. or his solicitor)

R.R.O. 1960, Reg. 403, Form 16.

Form 17

The Land Titles Act

I, A.B., the registered owner of the land entered in the office of land titles at....., as parcel..... in the register for....., in consideration of..... paid to me, charge the land with the payment to C.D. of....., on the....day of....., 19.., of the principal sum of.....dollars with interest at the rate of...per cent per annum, and with a power of sale to be exercised after default, and.... months' subsequent notice of the intention to sell (as the case may be and add any covenants agreed to and not implied under the Act or otherwise).

I, E.B., wife of A.B., hereby bar my dower in the land.

This charge is made in pursuance of *The Mortgages Act* and *The Short Forms of Mortgages Act* (where it is desired to operate under either or both of those Acts).

Dated at.....the....day of....., 19...

.....
(signatures of A.B. and E.B.)

Witness:
X.Y.

R.R.O. 1960, Reg. 403, Form 17.

Form 18

The Land Titles Act

I, C.D., the registered owner of the charge dated the....day of.....19....., made by A.B., and numbered....charging the land registered as parcel....., in consideration of....., paid to me, transfer that charge to E.F., of.....as owner.

(Where the charge is transferred upon an agreement to re-transfer it upon the payment of a sum of money or upon the performance of any other conditions insert:

E.F. hereby agrees that he will, upon payment to him of the sum of $.....on the.....day of ....., 19...., with interest thereon at....per cent from the....day of....., 19...., re-transfer the charge to C.D.)

Dated at.....the....day of....., 19...

.....
(signature)

Witness:
X.Y.

R.R.O. 1960, Reg. 403, Form 18.

Form 19

The Land Titles Act

I, A.B., the registered owner of charge No..... entered in the register of parcel No.....at....., made by C.D., to me, (or to E.F., and transferred to me) hereby postpone the charge to charge No.... made to C.D., to G.H.

Dated at.....this....day of....., 19....

.....
(signature of
registered owner of charge)

Witness:
X.Y.

R.R.O. 1960, Reg. 403, Form 19.

Form 20

The Land Titles Act

To.....

(the proper master of titles at.....)

I, A.B., of....., the registered owner of the charge made by C.D. to me, (or to E.G. and transferred to me) dated....., and registered as No.....on the land (or part of the land) registered in the office of land titles at.....as parcel.....in the register for....., hereby request you to notify on the register the cessation of the charge.

(or I hereby request you to notify on the register the cessation of the charge as to the following land:)

Dated at.....this....day of....., 19....

.....
(signature)

Witness:
G.H.

R.R.O. 1960, Reg. 403, Form 20.

Form 21

The Land Titles Act

A.B., the registered owner of the land entered in the register for.....as parcel No.....requests the master to notify on the register the cessation of the charge made by the said A.B., dated the.... day of.....and numbered.....and now appearing as an encumbrance upon the land, the charge having been paid off and satisfied, as appears by the receipts and affidavits of C.D. and E.F. filed herewith.

Dated at.....the....day of....., 19...

.....
(signature of A.B. or his solicitor)

R.R.O. 1960, Reg. 403, Form 21.

Form 22

The Land Titles Act

I, A.B., the registered owner of the freehold (or leasehold land) registered as parcel No..... at.....in consideration of....dollars paid to me, transfer to C.D., of....., the land described as follows:

being the whole (or part) of the parcel.

And I, E.B., wife of A.B., hereby bar my dower in the land (where bar of dower is necessary).

Dated at.....the....day of..... 19...

.....
(signatures)

Witness:

R.R.O. 1960, Reg. 403, Form 22.

Form 23

The Land Titles Act

I, A.B., above (or within) named, make oath and say, that I am unmarried, and am of the age of twenty-one years or over (or where applicable: I, A.B., above (or within) named, make oath and say: C.B. who executed the above (or within) instruments is my wife and that we are each of the age of twenty-one years or over).

Sworn.....

R.R.O. 1960, Reg. 403, Form 23.

Form 24

The Land Titles Act

To.....
(the proper master of titles at.....)

A.B., the registered owner of the leasehold land registered as parcel No.....in the register for .....at.....and C.D., of.....the transferee named in the instrument of transfer dated the.....day of....., 19...., and filed herewith, request you to make an entry on the register as in the following: (here state the implied covenants to be negatived).

Dated at.....the....day of....., 19..

.....
(signatures of transferor and transferee)

Witness:

R.R.O. 1960, Reg. 403, Form 24.

Form 25

The Land Titles Act

To.....
(the proper master of titles)

A.B., the registered owner of the land entered in the register for.....as parcel....., died on the.....day of....., 19..

C.D., of.....being interested in the land, applies to be registered (or to have E.F., of....., registered), as owner of the land, as executor, administrator, or devisee (or as the case may be).

(State shortly the facts under which title is claimed, and in case the registered owner died intestate as to these lands, add a clause similar to the following:

1. A.B. died intestate and a widower and left him surviving the following children who are his next of kin: C.B., D.B., and G.F., wife of H.F.

2. No other child of A.B. survived him and no child of A.B. predeceased A.B., leaving issue.)

The evidence in support of this application consists of letters of administration or probate to the estate of A.B., the affidavits of the applicant and his solicitor and

.....
(other evidence, if any, produced)

The address of C.D. is.....
(address)

Dated the.....day of....., 19..

.....
(signature of C.D. or his solicitor)

R.R.O. 1960, Reg. 403, Form 25.

Form 26

The Land Titles Act

A.B., the registered owner of the leasehold land registered as parcel No.....at.....(or charge No.....dated the....day of....., 19....) died on.....day of....., 19....

C.D., of....., is entitled to the leasehold land (or charge) and applies to be registered as the owner thereof.

(State shortly the facts which confer title.)

The evidence in support of this application consists of the affidavit of the applicant and his solicitor and the letters probate (or letters of administration).

The address of C.D. is.....

Dated at.....the....day of....., 19..

.....
(signature of C.D., or his solicitor)

R.R.O. 1960, Reg. 403, Form 26.

Form 27

The Land Titles Act

C.D., of....., being entitled to an estate in dower (or by the curtesy), in the land registered as parcel No.....at.....in the register for ....., of which land A.B. is the registered owner, applies to have notice of the estate entered on the register.

The existing rights of the several persons interested in the land are stated in the affidavits of C.D. and of G.H., the solicitor of C.D., filed herewith, and the other evidence in support of this application left herewith.

The address of C.D., for service is.....

Dated at.....this....day of....., 19..

.....
(signature of C.D. or his solicitor)

R.R.O. 1960, Reg. 403, Form 27.

Form 28

The Land Titles Act

I, A.B., of....., make oath and say:

1. I am the administrator of C.D., formerly of .....

2. That C.D. was the registered owner of parcel No.....at.....and died on or about the .....day of....., 19...., intestate.

3. Here give the name of widow or widower and the name, address, and age of any child or issue of a deceased child who survived the intestate, and if none then of the next of kin.

Sworn,.....

R.R.O. 1960, Reg. 403, Form 28.

Form 29

The Land Titles Act

Application to Remove Name of Deceased Joint Tenant

To.....
(the proper master of titles)

A.B. of.....and C.D. (or C.D. and E.F.), are the registered owners as joint tenants of the land registered as parcel No.....in the register for ....., (or charge No.....dated the ....day of....., 19....).

A.B. died on the....day of....., 19..

C.D. (or C.D. and E.F.), being entitled to the land (or charge) by survivorship, hereby applies (or apply) to have removed from the register the name of A.B., the deceased joint tenant.

The evidence in support of this application consists of

(1) the affidavit of the applicant(s),

(2) the affidavit of the applicant's(s') solicitor,

(3) the consent of the Treasurer under *The Succession Duty Act*, and

(4) the letters probate or of administration of the estate of A.B. or the death certificate issued in respect of the death of A.B.

The address of C.D. (or C.D. and E.F.) is.....

.....

Dated at.....the....day of....., 19..

.....
(signature of C.D. (or C.D. and E.F.) or his (or their) solicitor.)

R.R.O. 1960, Reg. 403, Form 29.

Form 30

The Land Titles Act

I (or We), C.D. (or C.D. and E.F.) of....., make oath and say:

1. That A.B. and I (or We) are the registered owners as joint tenants of the land registered as parcel No.....in the register for.....(or charge No.....dated the....day of....., 19...).

2. That A.B. died on the....day of....., 19..

3. That I (or We) am (or are) entitled by right of survivorship to have the name of A.B., the deceased joint tenant, removed from the register.

Sworn,.....

R.R.O. 1960, Reg. 403, Form 30.

Form 31

The Land Titles Act

To.....
(the proper master of titles at.....)

C.D., of....., being interested in the land entered in the register for.....as parcel No....., of which A.B. is the registered owner, by reason of the lease (or agreement for a lease) produced herewith, applies to you to register notice of the lease (or agreement).

A.B., the registered owner of the land, concurs in this application (when that is the fact).

The address of C.D. for service is.....

Dated at.....the....day of....., 19...

.....

.....
(signatures)

Witness:

R.R.O. 1960, Reg. 403, Form 31.

Form 32

The Land Titles Act

I,....., of the.....of....., the registered owner of the leasehold land registered in the office of land titles at.....as parcel No.....in the register for....., in consideration or the sum of .....dollars paid to me, transfer to.....of...., the land described as follows:

.....
being the whole of the parcel for the residue of the term and all rights of renewal and other privileges contained therein.

Dated at.....this.....day of....., 19..

Witness:

I consent to this transfer

.....
Deputy Minister
(or as the case may be)

R.R.O. 1960, Reg. 403, Form 32.

Form 33

The Land Titles Act

To.....
(the proper master of titles at.....)

A.B., of....., the registered owner of the land entered in the register as parcel No.....at....., requests the proper master of titles to register as annexed to the land the conditions (or covenants), a copy of which is filed herewith.

Dated at.....this....day of....., 19..

.....
(signature of A.B.)

Witness:

R.R.O. 1960, Reg. 403, Form 33.

Form 34

The Land Titles Act

This is to certify that A.B. is the owner (in terms of the entry in the register).

R.R.O. 1960, Reg. 403, Form 34.

Form 35

The Land Titles Act

I, A.B., do appoint C.D., my attorney to transfer to E.F. absolutely (or to charge), all my lands as entered and described in the register in the office of land titles at.....as parcel No.....

Dated at.....this....day of....., 19..

.....
(signature of A.B.)

Witness:

NOTE: Where it is desired to exercise a power under *The Powers of Attorney Act* insert an appropriate clause.

R.R.O. 1960, Reg. 403, Form 35.

Form 36

The Land Titles Act

I, E.F., of....., make oath and say:

1. I am the secretary of (name of company).

.....

2. A.B. whose signature is affixed to the annexed (or within) document is the president of the Company, and C.D. whose signature is also affixed thereto is the manager thereof (as the case may be), and the seal affixed thereto is the corporate seal of the Company.

3. Under the by-laws of the Company the president and manager are empowered to execute on behalf of the Company all deeds and other instruments requiring the seal of the Company.

4. The Company is, I verily believe, the owner of the land (or charge) mentioned in the document.

Sworn,.....

NOTE: (If the officers executing are not authorized by by-law then state how they are authorized.)

R.R.O. 1960, Reg. 403, Form 36.

Form 37

The Land Titles Act

I,....., sheriff of....., under a writ of *fieri facias*, tested the....day of....., and issued out of the (insert name of court) in an action wherein.....is the plaintiff, and..... the defendant, whereby I was required to levy of the lands and tenements of the defendant certain money and who is registered owner of the freehold (or leasehold) land hereinafter described, subject to the exceptions, qualifications, mortgages and encumbrances noted in the parcel register, in consideration of the sum of.....dollars paid to me, by E.F., of.....transfer to E.F. all that parcel of freehold or leasehold land (here insert a sufficient description of the land and refer to the number of the parcel and section under which the property is registered).

Dated at.....the....day of....., 19...

.....
(signature)

Witness:

NOTE: (Where the transfer is of leasehold land add: subject to an entry to be made on the register negativing an implied covenant on the part of the sheriff under section 114 of the Act.)

R.R.O. 1960, Reg. 403, Form 37.

Form 38

The Land Titles Act

I, G.G., of....., solicitor for....., make oath and say:

1. I am well acquainted with A.B. named in the within document and saw him sign the document, and the signature purporting to be his signature at the foot of the document is in his handwriting.

When signed by mark (or by a blind person) substitute for paragraph 1:

I am well acquainted with A.B. named in the within document and saw him sign the document by making his mark thereto in my presence, after the document had first been read over and explained to him who appeared fully to understand the document.

When signed in characters other than roman substitute for paragraph 1:

I am well acquainted with A.B. named in the within document and saw him sign the document in .....(inserting whatever the characters may be), after the document had been read over and fully explained in.....to him who appeared fully to understand the document.

I understand and can read both English and.... languages, and know that the characters subscribed as the signature of A.B. at the foot of the document are equivalent to the name A.B. in English.

When signed by an attorney substitute for paragraph 1:

I am well acquainted with C.D.of....., the attorney for A.B. named in the within document, and saw him sign the within document as attorney, and the signature is in the handwriting of the attorney.

2. A.B. is as I verily believe the owner of the land within mentioned.

3. A.B. is of the age of twenty-one years or over; he is reputed to be, and as I believe is, unmarried; he is of sound mind and signed the document voluntarily at.....

4. I am a subscribing witness to the document.

Sworn.....

R.R.O. 1960, Reg. 403, Form 38.

Form 39

The Land Titles Act

I, G.H., of....., solicitor for.....make oath and say:

1. I am well acquainted with A.B and C.B., named in the within document, and saw them sign the document, and the signatures purporting to be their signatures at the foot of the document are in their respective handwriting. (Use Form 38 for substitutes for this paragraph where applicable.)

2. A.B. is, as I verily believe, the owner of the land within mentioned, and C.B. is reputed to be, and is, as I verily believe, his wife.

3. A.B. and C.B. are each of the age of twenty-one years or over, are each of sound mind and signed the document voluntarily at.....

4. I am a subscribing witness to the document.

Sworn,.....

R.R.O. 1960, Reg. 403, Form 39.

Form 40

The Land Titles Act

APPLICATION FOR FINANCIAL ASSISTANCE UNDER SUBSECTION 2 OF SECTION 63 OF THE ACT

In The Matter of:.....
(give short description of land)

.....

To the Director of Titles:

1. I (We).....

of the.....of.....

in the.....of....., the registered owner, under *The Land Titles Act*, of the above-described land.

or

2. I (We).....

of the.....of.....

in the.....of....., the applicant for first registration, under *The Land Titles Act*, of the above-described land.

or

3. The Council of the.....
(name of municipality)

hereby apply for financial assistance out of The Land Titles Survey Fund in respect of the costs of a survey of the above-described land.

The reason for this application is as follows:

.....
(give full particulars)

The costs, or the estimated costs, of the survey, are $....., as indicated by the attached statement of account or estimate (or copy thereof) of..... an Ontario Land Surveyor.

Dated at..... .....
(signature of owner or
this....day of....., Municipal clerk, as the case may be)
19....

O. Reg. 248/67, s. 2.

Form 41

The Land Titles Act

DIRECTION OF THE MINISTER OF JUSTICE AND ATTORNEY GENERAL UNDER SUBSECTION 2 OF SECTION 63 OF THE ACT

In The Matter of an application by....., for financial assistance out of The Land Titles Survey Fund in respect of a sruvey of:.....
(give short description

.....
of land)

To: The Accountant of
The Supreme Court of Ontario:

Upon the recommendation of the Director of Titles, I hereby direct you to pay to the applicant .....the sum of $.....out of The Land Titles Survey Fund in the following manner and at the following time(s).

Dated at Toronto, this....day of....., 19..

.....
Minister of Justice and
Attorney General

O. Reg. 248/67, s. 2.

Form 42

The Land Titles Act

APPLICATION FOR PAYMENT OF COMPENSATION OUT OF THE LAND TITLES ASSURANCE FUND UNDER SUBSECTION 4 OF SECTION 64 OF THE ACT

In The Matter of the title to land registered in the Office of Land Titles at.....as Parcel.....in the Register for..... in the name(s) of.....

To The Director of Titles:

I, (We).....

of the.....in the.....of.....,

being otherwise unable to recover just compensation for loss, hereby apply for payment of compensation out of The Land Titles Assurance Fund in the amount of $.....in respect of the above-mentioned land.

The reason for this application is as follows:

.....
(give full particulars)

My (Our) address for service is:.....

.....

Dated.....this.....day of....., 19....

.....
(signature of applicant)

O. Reg. 248/67, s. 2.

Form 43

The Land Titles Act

DECLARATION IN SUPPORT OF APPLICATION UNDER SUBSECTION 4 OF SECTION 64 OF THE ACT

In The Matter of the title to land registered in the Office of Land Titles at.....as Parcel .....in the Register for..... in the name(s) of.....

.....

I (We), ..., solemnly declare that the statements made in my (our) application for compensation out of The Land Titles Assurance Fund in respect of the above-mentioned land are true, and I (we) make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath.

Declared before me

at the.....of.....

this...day of....., 19..

A Commissioner, etc.

O. Reg. 248/67, s. 2.

Form 44

The Land Titles Act

NOTICE OF DETERMINATION UNDER SUBSECTION 5 OF SECTION 64 OF THE ACT

In The Matter of title to land registered in the Office of Land Titles at.....as Parcel..... in the Register for.....in the name(s) of.....

.....

And In The Matter of the Application of.....

.....for compensation out of The Land Titles Assurance Fund.

And Upon the recommendation of the Director of Titles, I hereby determine that:

1. The Land Titles Assurance Fund is not liable for payment of compensation to the applicant.

or

2. The applicant be paid the sum of $..... in full satisfaction of his application for compensation. (Where costs of the proceedings are awarded add:

"and the sum of $....., being the costs of the proceedings".)

Dated at Toronto, this....day of....., 19..

.....
(Director of Land Registration)

To: (Name and address of applicant)

O. Reg. 248/67, s. 2.

Form 45

The Land Titles Act

CERTIFICATE UNDER SUBSECTION 8 OF SECTION 64 OF THE ACT

In The Matter of title to land registered in the Office of Land Titles at.....as Parcel.... in the Register for..... in the name(s) of.....

And In The Matter of the Application of..... .....for compensation out of The Land Titles Assurance Fund,

Whereas, it was determined by..... (the court *or* the Director of Land Registration, as the case may be) that the sum of$.....be paid to..... the applicant(s).

And notice of determination having been sent by registered mail to..... the applicant(s) on the day of....., 19..

And Whereas the time for any appeal has expired.

To The Treasurer of Ontario:

This is to certify that the sum of $.....is payable to....., the applicant(s).

Dated at Toronto, this....day of....., 19....

.....
(Director of Land Registration)

O. Reg. 248/67, s. 2.

Form 46

The Land Titles Act

OATH OF OFFICE AND SECRECY TO BE TAKEN BY OFFICERS APPOINTED UNDER THE ACT

I, (name in full) do swear that I will faithfully and to the best of my ability discharge my duties as Master of Titles for the.....of..... (or as the case may be) and will observe and comply with the laws of Canada and Ontario, and, except as I may be legally required, I will not disclose or give to any person any information that comes to my knowledge or possession by reason of my being Master of Titles (or as the case may be).

So help me God.

SWORN before me

at the.....of.....
in the.....of.....
this....day of....., 19...
.....

.....

O. Reg. 419/69, s. 3.

REGULATION 554

under The Land Titles Act

LAND TITLES DIVISIONS

1.—(1) Where part of a land titles division is included in an adjoining land titles division under section 4 of the Act, the master of titles of the land titles division that is reduced by the inclusion shall, within such time as the Director of Land Registration requires, deliver to the master of titles of the land titles division that is enlarged by the inclusion,

(*a*) every registered instrument and plan that relates exclusively to land in the included area;

(*b*) a certified copy of every registered instrument and plan that relates in part to land in the included area;

(*c*) every parcel register for the land in the included area, where all the land mentioned therein is included, or a certified copy of so much of every parcel register as relates to land in the included area;

(*d*) the portion or a certified copy of the portion of the Department of Highways register relating to land in the included area;

(*e*) the portion or a certified copy of the portion of the Trans-Canada Pipe Line register relating to land in the included area;

(*f*) a certified copy of every instrument recorded in the companies register that relates to a present registered owner of land or of a charge affecting land in the included area; and

(*g*) such other records as the Director of Land Registration requires.

(2) Where a certified copy is required to be delivered by this section, the copy shall be certified by the master of titles who is required to deliver the copy.

(3) A master of titles whose land titles division is enlarged shall enter in the appropriate index all plans and certified copies of plans received under clauses *a* and *b* of subsection 1 and instruments of which copies are received under clause *f* of subsection 1. O. Reg. 356/67, s. 1.

2.—(1) The master of titles from whose office records are to be transferred shall cause a search to be made in the index of writs of execution filed in his office as of the last business day preceding the effective date of inclusion in respect of every registered owner of land within the area to be detached from his land titles division and shall make a notation in each of the parcel registers concerned either to the effect that there is no writ of execution against the name of the owner or giving particulars of any writ that may appear to affect the owner, having regard to section 32 of *The Execution Act*.

(2) Where there is on file in the office of the master of titles from whose land titles division land is being detached, a writ of execution appearing to affect the lands of a registered owner within the area, the master of titles shall forward a copy of the writ to the master of titles whose land titles division is being enlarged by the inclusion. O. Reg. 356/67, s. 2.

3. The requirements of sections 1 and 2 may, with the approval of the Director of Land Registration, be varied to apply to special circumstances. O. Reg. 356/67, s. 3.

4. Effective on the 23rd day of October, 1967, all that part of the geographic Township of Gillies Limit in the land titles division of the District of Nipissing is included in the land titles division of the District of Timiskaming. O. Reg. 356/67, s. 4.

5. Effective the 6th day of November, 1967, that part of the land titles division of the District of Algoma, known as the geographic Township of Victoria, is included in the land titles division of the District of Sudbury. O. Reg. 371/67, s. 1.

6. That part of The Regional Municipality of Ottawa-Carleton known as the Township of Cumberland remains included in the land titles division of the County of Russell. O. Reg. 382/68, s. 1.

7. The land described in Schedule 1 is included in the land titles division of the County of Oxford. O. Reg. 318/70, s. 1.

8. Effective on and after the dates set forth in column 3 of the Appendix, the land titles division known immediately prior to such dates by the names set opposite thereto in column 1 shall be respectively known by the names set opposite thereto in column 2. O. Reg. 371/70, s. 2.

9. Effective on the 1st day of February, 1971, that part of the land titles division of the District of Nipissing described in Schedule 2 is included in the land titles division of the District of Muskoka. O. Reg. 471/70, s. 1.

APPENDIX

Schedule 1

Parts of lots 18 and 19, in Concession 5 of the Township of South Easthope, in the County of Oxford, formerly in the County of Perth; part of Lot O according to Plan No. 329 registered in the Registry Office for the Registry Division of the County of Perth; and part of the original road allowance between the Township of South Easthope and the Township of East Zorra, described in one parcel as follows: Premising that the bearings herein are related to the western portion of the southern boundary of the said Lot 18, which is assumed to have a bearing of north 68°00′00″ east; beginning at a point in the western boundary of the said Lot 19 at the distance of 1,628.22 feet measured southerly along the said western boundary from the northwest angle of the said Lot 19; thence southerly along the western boundary of the said Lot 19 and along the boundary of the Village of Tavistock as it existed on the 1st day of January, 1969, a distance of 1,147.3 feet to an angle in the said village boundary being the northwest angle of Lot 28 according to Plan No. 307 registered in the said Registry Office; thence easterly along the said village boundary and along the northern boundary of lots 28 and 27 according to the said Plan No. 307 to the western boundary of the said Lot 18 and the northeast angle of the said Lot 27 according to said Plan No. 307 and an angle in the said village boundary; thence southerly along the western boundary of the said Lot 18 and the eastern boundary of the said Lot 27 according to the said Plan No. 307 and its production southerly and along the said village boundary to the centre line of the road allowance between the Township of South Easthope and the Township of East Zorra; thence north 68°00′00″ east along the said centre line, 407.06 feet; thence north 67°28′00″ east continuing along the said centre line 183.12 feet to the production northerly of a line drawn parallel to the western boundary of lots 35 and 36, in Concession 14 of the Township of East Zorra and distant 150.00 feet easterly at right angles therefrom; thence north 20°28′50″ west 1,248.62 feet to the intersection with a line drawn parallel to the northern boundary of the said Lot 19 from the place of beginning; thence north 88°16′20″ west parallel to the northern boundary of the said Lot 19, a distance of 102.93 feet to a point in the western boundary of the said Lot 18, distant 1,628.34 feet southerly from the northwest angle of the said Lot 18; thence continuing north 88°16′20″ west and parallel to the northern boundary of the said Lot 19 to the place of beginning. O. Reg. 318/70, s. 2.

Schedule 2

That part of the geographic Township of Finlayson in the District of Nipissing being more particularly described as follows: Commencing at the intersection of the centre line of the original allowance for road between lots 20 and 21 produced northerly with the northerly boundary of the said Township of Finlayson; thence westerly along the said northerly boundary to the northwest corner of the said Township of Finlayson; thence southerly along the westerly boundary to the southwest corner of the said Township of Finlayson; thence easterly along the southerly boundary to its intersection with the centre line of the original allowance for road between lots 20 and 21 produced southerly; thence northerly to and along the said centre line of the original allowance for road between lots 20 and 21 and its production northerly to the point of commencement. O. Reg. 471/70, s. 2.

APPENDIX

Item	Column 1	Column 2	Column 3
	Previous Name	New Name (See Note 1)	Effective Date
	the Land Titles Division of	the Land Titles Division of	
1.	the District of Algoma	Algoma (No. 1)	January 1, 1971
2.	the County of Bruce	Bruce (No. 3)	January 1, 1971
3.	the District of Cochrane	Cochrane (No. 6)	January 1, 1971
4.	the County of Durham (West Riding)	Durham West (No. 10)	January 1, 1971
5.	the County of Elgin	Elgin (No. 11)	January 1, 1971

Item	Column 1	Column 2	Column 3
	Previous Name	New Name (See Note 1)	Effective Date
	the Land Titles Division of	the Land Titles Division of	
6.	the County of Essex	Essex (No. 12)	January 1, 1971
7.	the County of Halton	Halton (No. 20)	January 1, 1971
8.	the County of Hastings	Hastings (No. 21)	January 1, 1971
9.	the District of Kenora	Kenora (No. 23)	January 1, 1971
10.	the City of London	London (No. 32)	January 1, 1971
11.	the District of Manitoulin	Manitoulin (No. 31)	January 1, 1971
12.	the County of Middlesex (West Riding)	Middlesex West (No. 34)	January 1, 1971
13.	the District of Muskoka	Muskoka (No. 35)	January 1, 1971
14.	Niagara North (see Note 2)	Niagara North (No. 30)	January 1, 1971
15.	Niagara South (see Note 3)	Niagara South (No. 59)	January 1, 1971
16.	the District of Nipissing	Nipissing (No. 36)	January 1, 1971
17.	the County of Ontario	Ontario County (No. 40)	January 1, 1971
18.	Ottawa-Carleton (see Note 4)	Ottawa-Carleton (No. 4)	January 1, 1971
19.	the County of Oxford	Oxford (No. 41)	January 1, 1971
20.	the District of Parry Sound	Parry Sound (No. 42)	January 1, 1971
21.	the County of Peel	Peel (No. 43)	January 1, 1971
22.	the County of Prescott	Prescott (No. 46)	January 1, 1971
23.	the District of Rainy River	Rainy River (No. 48)	January 1, 1971
24.	the County of Russell	Russell (No. 50)	January 1, 1971
25.	the District of Sudbury	Sudbury (No. 53)	January 1, 1971
26.	Thunder Bay East (see Note 5)	Thunder Bay East (No. 56)	January 1, 1971
27.	Thunder Bay West (see Note 6)	Thunder Bay West (No. 55)	January 1, 1971
28.	the District of Timiskaming	Timiskaming (No. 54)	January 1, 1971
29.	the County of Wentworth	Wentworth (No. 62)	January 1, 1971
30.	the County of York	Toronto & York (No. 66)	January 1, 1971

NOTE 1: Land Titles Division may be referred to by either the words or by both the words and numbers set out in Column 2.

NOTE 2: Prior to January 1, 1970, the Land Titles Division of Niagara North was known as the Land Titles Division of the County of Lincoln.

NOTE 3: Prior to January 1, 1970, the Land Titles Division of Niagara South was known as the Land Titles Division of the County of Welland.

NOTE 4: Prior to January 1, 1970, the Land Titles Division of Ottawa-Carleton was known as the Land Titles Division of the County of Carleton.

NOTE 5: Prior to January 1, 1970, the Land Titles Division of Thunder Bay East was known as the Land Titles Division of Port Arthur.

NOTE 6: Prior to January 1, 1970, the Land Titles Division of Thunder Bay West was known as the Land Titles Division of Fort William.

O. Reg. 552/70, s. 1.

REGULATION 555

under The Land Titles Act

MICROFILMING OF LAND TITLES RECORDS

1.—(1) Subject to subsection 6, every instrument registered after the 1st day of January, 1968 shall be recorded in full on microfilm.

(2) Instruments shall be recorded in the order of their registration numbers.

(3) The pages of an instrument shall be recorded in their proper order.

(4) The first image on every roll of microfilm shall include the identifying number of the roll and the registration number of the first instrument photographed.

(5) The final image on every roll of microfilm shall include the identifying number of the roll and the registration number of the last instrument photographed.

(6) Subsection 1 does not apply,

(*a*) to a plan of subdivision, a judge's plan or any similar plan; or

(*b*) to a reference plan of survey. O. Reg. 438/67, s. 1.

2. The master of titles shall obtain a film copy of every microfilm on which,

(*a*) instruments registered in his office after the 1st day of January, 1968 have been recorded;

(*b*) instruments registered in his office before the 1st day of January, 1968 have been recorded upon the request or with the approval of the Director of Land Registration; or

(*c*) instruments destroyed, or to be destroyed, under subsection 3 of section 184 of the Act have been recorded. O. Reg. 438/67, s. 2; O. Reg. 421/69, s. 1.

3.—(1) A film copy of every microfilm on which instruments registered after the 1st day of January, 1968 have been recorded shall be forwarded to the Assessment Branch, Department of Municipal Affairs, 801 Bay Street, Toronto. O. Reg. 421/69, s. 2; O. Reg. 91/70, s. 1 (1).

(2) Where a microfilm referred to in subsection 1 is developed and processed by the Department of Justice, the Director of Land Registration shall cause the film copy required by subsection 1 to be forwarded to the said Assessment Branch. O. Reg. 421/69, s. 2; O. Reg. 91/70, s. 1(2).

(3) Where a microfilm referred to in subsection 1 is developed and processed other than by the Department of Justice, the master of titles shall obtain the film copy required by subsection 1 and shall forward it to the said Assessment Branch. O. Reg. 421/69, s. 2; O. Reg. 91/70, s. 1(3).

4.—(1) When a developed microfilm and the film copy required by section 2 are returned to the master of titles from the processor, the master of titles shall cause them to be examined for errors, omissions, faulty exposure or development and other defects. O. Reg. 421/69, s. 3.

(2) When the microfilm and the copy have been examined for defects, the master of titles shall mark the reels containing the microfilm and the copy in such a way as to identify them and shall complete labels in Form 1 and affix the labels to the containers in which the microfilm and the copy are to be kept. O. Reg. 421/69, s. 3.

(3) Where the photographic image of an instrument is found to be defective on a microfilm, the instrument shall be rephotographed.

(4) Where the photographic image of an instrument is found to be defective on a film copy but is not defective on the microfilm, the master of titles shall obtain a new film copy.

(5) A note shall be added to the labels required by subsection 2 to indicate the registration number of,

(*a*) every instrument of which the image was found to be defective or missing and a reference to the number of the roll where such missing or defective instrument may be found; and

(*b*) every rephotographed instrument and every instrument that was omitted from a previous roll and that is included in this roll. O. Reg. 438/67, s. 4(3-5).

5. The containers in which microfilms and film copies required by section 2 are kept shall be stored in fire-proof metal cabinets. O. Reg. 438/67, s. 5.

6.—(1) The master of titles shall cause every microfilm and film copy in his custody to be examined periodically for deterioration of the film or images in accordance with the recommendations of the processor, or as directed by the Director of Land Registration. O. Reg. 438/67, s. 6 (1); O. Reg. 421/69, s. 4 (1).

(2) The dates and particulars of the examinations shall be noted on the containers in which the microfilm and film copy are stored. O. Reg. 438/67, s. 6(2).

(3) Where, upon examination, a microfilm or a film copy is found to have deteriorated, the master of titles shall cause such remedial measures to be taken as are recommended by the processor, or as directed by the Director of Land Registration. O. Reg. 438/67, s. 6(3); O. Reg. 421/69, s. 4(2).

7.—(1) Section 6 of and the Schedule to Regulation 778 of Revised Regulations of Ontario, 1970 apply *mutatis mutandis* to masters of titles.

(2) The master of titles at Toronto shall cause the microfilms of instruments registered in his office to be stored in the registry office for the registry division of the County of Ontario. O. Reg. 438/67, s. 7.

8. This Regulation applies to instruments registered before the 1st day of January, 1968 and recorded on microfilm after that date. O. Reg. 438/67, s. 8.

9. The requirements of this Regulation may, with the approval of the Director of Land Registration, be varied to apply to special circumstances. O .Reg. 438/67, s. 9; O. Reg. 421/69, s. 5.

Form 1

The Land Titles Act

LABEL

Land Titles Division.....

Roll No.....

Document No.....

to

Document No.....

Examined by.....on the.....

day of....., 19.....

I certify that the enclosed film is a true and complete microfilm copy of all documents within the series of numbers noted above, except for defects and omissions noted below, and of the additional documents noted below.

....
(date) Master of Titles

Additional Documents Nos.	Defects and Omissions Documents Nos. included on Roll No.....

O. Reg. 438/67, Form 1.

REGULATION 556

under The Law Society Act

ADMISSION OF MEMBERS, GENERAL

1.—(1) An applicant who is entitled to be called to the bar and admitted as a solicitor may be called and admitted on any Convocation day.

(2) No person shall be called to the bar as a barrister only or admitted as a solicitor only, but all applicants for admission to membership in the Society, other than student membership, shall qualify both for call to the bar as a barrister and admission as a solicitor and be called to the bar as a barrister and admitted as a solicitor on the same day. O. Reg. 419/70, s. 1.

ADMISSION THROUGH THE BAR ADMISSION COURSE

2. An applicant who presents a certificate of successful completion of the Bar Admission Course may be called to the bar and admitted as a solicitor. O. Reg. 419/70, s. 2.

ADMISSION BY TRANSFER

INTERPRETATION

3. In this section and in sections 4 to 8,

(*a*) "applicant" means an applicant for call to the bar and admission as a solicitor, and "application" has a corresponding meaning;

(*b*) "certificate of good standing" means a certificate of the law society or equivalent body having the power to make such a certificate in the jurisdiction in which the applicant claims the right to practice at the time of his application and from which he desires to transfer showing,

(i) that he is in good standing with that society or body, and

(ii) that no charge is pending against him in respect of alleged conduct for which he could be struck off the rolls or suspended from practice or otherwise disciplined,

and if there has been previous disciplinary action that resulted in the applicant having been struck off the rolls or suspended from practice or otherwise disciplined, the certificate shall so state, giving particulars;

(*c*) "Committee" means the Admissions Committee. O. Reg. 419/70, s. 3.

FROM ANOTHER PROVINCE

4.—(1) Upon the recommendation of the Committee, an applicant who at the time of application has been engaged in active practice as a barrister and solicitor in any other province or territory of Canada, except Quebec, for a continuous period of at least three years may be called to the bar and admitted as a solicitor upon,

(*a*) presenting a certificate of good standing; and

(*b*) passing the prescribed examinations on the statutes of Ontario and practice and procedure in Ontario.

(2) Upon the recommendation of the Committee, an applicant who at the time of application is engaged in active practice in Quebec as a barrister and who has also practised as a barrister and solicitor for three consecutive years in one or more other provinces or territories of Canada may be called to the bar and admitted as a solicitor upon,

(*a*) presenting a certificate of good standing; and

(*b*) passing the prescribed examinations on the statutes of Ontario and practice and procedure in Ontario.

(3) Upon the recommendation of the Committee, an applicant who at the time of application is engaged in active practice as a barrister or notary in Quebec and has been so engaged for a continuous period of at least three years,

(*a*) may be admitted to the Society as a student member in the Bar Admission Course upon,

(i) presenting a certificate of good standing, and

(ii) presenting proof that he was in active practice for a continuous period of at least three years; and

(*b*) may be called to the bar and admitted as a solicitor upon successfully completing the Bar Admission Course.

(4) Where an applicant while in active practice as a barrister and solicitor in any other province or territory of Canada, except Quebec, or as a barrister or notary in Quebec accepts an appointment and immediately and continuously thereafter

serves in a legal capacity with a department or agency of the Government of Canada in any part of Canada or with the Judge Advocate General's Branch of the Canadian Forces, such service may be deemed to be continuing active practice in such other province or territory for the purpose of this section if the applicant remains a member in good standing in such province or territory and applies while serving in such capacity or while practising in the province or territory from which he wishes to transfer.

(5) To qualify under this section, an applicant shall apply while in active practice or within three months of ceasing such practice. O. Reg. 419/70, s. 4.

FROM UNITED KINGDOM; IRELAND

5.—(1) Upon the recommendation of the Committee, an applicant who is entitled to practise as a solicitor in England, Scotland, Northern Ireland or the Republic of Ireland,

(*a*) may be admitted to the Society as a student member in the Bar Admission Course upon,

(i) presenting a certificate of good standing, and

(ii) presenting proof that he was in active practice as such solicitor immediately preceding his application; and

(*b*) may be called to the bar and admitted as a solicitor upon successfully completing the Bar Admission Course.

(2) Upon the recommendation of the Committee, an applicant who is entitled to practice at the bar in England, Scotland, Northern Ireland or the Republic of Ireland,

(*a*) may be admitted to the Society as a student member in the Bar Admission Course upon,

(i) presenting a certificate of good standing, and

(ii) presenting proof that he was in active practice in England, Scotland, Northern Ireland or the Republic of Ireland for a continuous period of at least five years immediately preceding his application, and

(iii) presenting proof of graduation from a university that is approved by Convocation, and

(*b*) may be called to the bar and admitted as a solicitor upon successfully completing the Bar Admission Course. O. Reg. 419/70, s. 5.

FROM AUSTRALIA; NEW ZEALAND

6. Upon the recommendation of the Committee, an applicant who has been called to the bar and admitted as a solicitor in Australia or New Zealand,

(*a*) may be admitted to the Society as a student member in the Bar Admission Course upon,

(i) presenting a certificate of good standing, and

(ii) presenting proof that he was in active practice in Australia or New Zealand for a continuous period of at least three years immediately preceding his application; and

(*b*) may be called to the bar and admitted as a solicitor upon successfully completing the Bar Admission Course. O. Reg. 419/70, s. 6.

FROM OTHER COMMONWEALTH COUNTRIES

7. An applicant who is entitled to practise law in a Commonwealth country, other than a Commonwealth country that is provided for specifically in section 5 or 6, who presents a certificate of good standing and satisfactory evidence that he holds a university degree in English common law from a university approved by Convocation and who has been in active practice in that country for a continuous period of at least five years immediately preceding his application, may write the prescribed examinations and, if he passes them, enter the Bar Admission Course and, upon successful completion thereof, be called to the bar and admitted as a solicitor. O. Reg. 419/70, s. 7.

FROM THE UNITED STATES OF AMERICA

8. An applicant who is entitled to practise law in the United States of America and presents a certificate of good standing and satisfactory evidence that he holds a university degree in law from a university approved by Convocation and who has been in active practice in the United States of America for at least five years immediately preceding his application, may write the prescribed examinations and, if he passes them, enter the Bar Admission Course, and upon successful completion thereof, be called to the bar and admitted as a solicitor. O. Reg. 419/70, s. 8.

ADMISSION OF LAW TEACHERS

9.—(1) The dean of a law school in Ontario that is approved by Convocation, upon application after he has entered upon the second consecutive year in that position, may, in the discretion of Convocation, be called to the bar and admitted as a solicitor without examination.

(2) A full-time member of the faculty of a law school in Ontario that is approved by Convocation, upon application after he has entered upon the third consecutive year in that position, may, in the discretion of Convocation, be called to the bar and admitted as a solicitor without examination. O. Reg. 419/70, s. 9.

ADMISSIONS FOR OCCASIONAL COURT APPEARANCE

10.—(1) Any person who is a member of the legal profession from outside Ontario may, in the discretion of Convocation, be admitted to membership in the Society and called to the bar and admitted as a solicitor for the purpose of appearing as counsel in a specific proceeding under rule 56.

(2) The applicant shall undertake to Convocation that he will not otherwise engage in the practice of law in Ontario.

(3) Upon the completion of such proceeding he shall be deemed to have applied to the Society for permission to resign. O. Reg. 419/70, s. 10.

BANKRUPTCY

11.—(1) Every barrister and solicitor shall forthwith notify the Secretary of the receipt by him of a petition to declare him bankrupt or of the making by him of a general assignment for the benefit of his creditors.

(2) From and after the date a barrister and solicitor is declared to be a bankrupt or makes a general assignment for the benefit of his creditors and so long as he remains an undischarged bankrupt, he shall not without the written permission of Convocation or the Discipline Committee accept from or on behalf of clients any money or other property other than in payment of fees for services rendered or in reimbursement for money properly expended or expenses properly incurred on behalf of a client.

(3) A member by becoming bankrupt under the *Bankruptcy Act* (Canada) may be guilty of conduct unbecoming a barrister and solicitor. O. Reg. 419/70, s. 11.

DISCIPLINE

INTERPRETATION

12. In this section and in sections 13 and 14,

(*a*) "chairman" means the chairman of the Committee;

(*b*) "Committee" means the Discipline Committee;

(*c*) "vice-chairman" means the vice-chairman of the Committee. O. Reg. 419/70, s. 12.

INVESTIGATION AND HEARING OF COMPLAINTS

13.—(1) Where information comes to the notice of the Society that indicates that a member may have been guilty of professional misconduct or of conduct unbecoming a barrister and solicitor, the Secretary shall make such preliminary investigation of the matter as he considers proper, and where in his opinion there are reasonable grounds for so doing, he shall refer the matter promptly to the Committee or the chairman or vice-chairman for further directions.

(2) Subject to the directions of the Committee or the chairman or vice-chairman, the Secretary shall,

(*a*) prepare and complete or cause to be completed under oath a complaint and file it in the office of the Secretary;

(*b*) serve upon the member whose conduct is being investigated a copy of the complaint, a notice of the time and place of the hearing and a summons requiring him to attend thereat; and

(*c*) make all necessary arrangements for the conduct of the hearing, including as appropriate, the appointment of counsel for the Society, the arrangements for oral evidence to be taken down in writing, the issue of summonses to witnesses, the production of documents and things, and the notification to all members of the Committee of the time and place of the hearing.

(3) Subject to subsection 4, a quorum of the Committee is three members of the Committee who are not *ex officio* benchers.

(4) A quorum of the Committee for the granting of an uncontested adjournment is one member of the Committee who is not an *ex officio* bencher.

(5) The Committee may amend a complaint, but where in the opinion of the Committee the member may be prejudiced by the amendment, the Committee shall adjourn the hearing of the complaint as amended to a later date.

(6) Where at the conclusion of the hearing of a complaint or amended complaint against a member, such complaint or amended complaint has been established to the satisfaction of the Committee and the Committee has not by order reprimanded him, the Committee shall report in writing to Convocation setting forth a summary of the evidence at the hearing, its findings of fact and conclusions of law, if any, based thereon and its recommendations as to the action to be taken by Convocation on the complaint.

(7) The Secretary shall,

(*a*) prepare the report referred to in subsection 6 for approval by the Committee, and the Committee's approval shall be evidenced by the signature thereto of the member of the Committee who presided at the hearing or in his absence by another member of the Committee who was present at the hearing; and

(*b*) serve upon the member whose conduct is being investigated a copy of the report as so approved, a notice of the time and place of the Convocation that will consider the report, a summons requiring him to attend thereat and a notice substantially as follows:

"If you intend to dispute any statement of fact or finding of fact contained in the attached report of the Discipline Committee at the time of its consideration by Convocation, you are required to file with the Secretary not later than the day preceding Convocation a written statement setting forth any such statement of fact or finding of fact that you intend to dispute." O. Reg. 419/70, s. 13.

INVITATIONS TO ATTEND

14. Where there comes to the notice of the Society, as a result of a preliminary investigation by the Secretary or otherwise, information that indicates that a member may have been guilty of a minor breach of discipline or that indicates there is a possibility that his conduct may result in a breach of discipline, the Committee or the chairman or vice-chairman may direct the Secretary, without any formal complaint being completed and filed, to invite the member to appear before the Committee to enable it to make an informal investigation of the matter, and the Committee, in addition to any of its other powers, may after such informal investigation advise the member with respect to the matter. O. Reg. 419/70, s. 14.

STUDENT MEMBERS

15. Sections 13 and 14 apply *mutatis mutandis* to student members in respect of conduct unbecoming a student member. O. Reg. 419/70, s. 15.

RESIGNATIONS

16.—(1) Every application of a member or student member for permission to resign shall be in writing and sent to the Secretary accompanied by a statutory declaration (or if the applicant is not a resident of Canada, an affidavit) setting forth,

(*a*) his age, date of call to the bar, place of residence, office address, if any, number of years in practice, if any, and stating briefly the reasons for the application;

(*b*) that all trust funds or clients' property for which the applicant was responsible have been accounted for and paid over to the persons entitled thereto and an accountant's certificate to that effect shall be attached and marked as an exhibit or, alternatively, that the applicant has not handled trust funds or other clients' property;

(*c*) that all clients' matters have been completed and disposed of or that arrangements have been made to the clients' satisfaction to have their papers returned to them or turned over to some other barrister and solicitor or, alternatively, that the applicant has not engaged in practice;

(*d*) that the applicant is not aware of any claim against him in his professional capacity or in respect of his practice; and

(*e*) such additional information or explanation as may be relevant by way of amplification of the foregoing.

(2) The applicant shall also furnish proof of publication in the Ontario Reports of a notice of his intention to apply for permission to resign in the form prescribed in the rules, such notice to be published at least thirty days before the application is sent to the Secretary.

(3) Every application for permission to resign shall be referred to the Finance Committee for consideration and report to Convocation.

(4) The Finance Committee may require additional information and may accept undertakings from the applicant and in reporting its recommendations to Convocation it may include conditions which are to be complied with by the applicant as a term of granting permission to resign.

(5) Where the applicant believes that there may be good reason for dispensing with any of the foregoing requirements, he may make application to the Finance Committee setting forth his reasons and the Committee may in its discretion dispense with any of such requirements.

(6) Where a member has been found to be mentally incompetent and a committee of his affairs has been appointed, the application for permission to resign may be made by his committee.

(7) Notwithstanding anything in subsections 1 to 6, if a report of the Discipline Committee is before Convocation recommending the disbarment of a member, the member may request Convocation to permit him to resign, and Convocation may grant the request upon such terms and conditions as it considers proper. O. Reg. 419/70, s. 16.

Books, Records and Accounts

INTERPRETATION

17. In this section and in sections 18 to 22,

(*a*) "barrister and solicitor" includes a firm of barristers and solicitors;

(*b*) "client" includes any person or body of persons, corporate or unincorporate, on whose behalf a barrister and solicitor in connection with his practice receives money or other property;

(*c*) "money" includes current coin, government or bank notes, cheques, drafts, post office orders or express or bank money orders. O. Reg. 419/70, s. 17.

TRUST ACCOUNTS

18.—(1) Every barrister and solicitor who receives money in trust for a client, except money hereinafter expressly exempted from the application of this section, shall forthwith pay such money into an account at a chartered bank, a trust company or loan company authorized by law to receive money on deposit or a Province of Ontario Savings Office to be kept in the name of such barrister and solicitor or in the name of the firm of which he is a member or by which he is employed and designated as a trust account.

(2) Any barrister and solicitor may keep one or more trust accounts as he thinks fit.

(3) Trust money is money received by a barrister and solicitor that belongs in whole or in part to a client or that is to be held on the client's behalf or to his or another's direction or order, and includes money advanced to a barrister and solicitor on account of fees for services not yet rendered or money advanced on account of disbursements not yet made.

(4) A trust account in which the moneys of more than one client are deposited shall be non-interest-bearing, except that a trust account in which moneys of more than one client are deposited may be interest-bearing if all the clients whose moneys may be deposited therein have in writing, before the deposit of their moneys therein, authorized the barrister and solicitor to retain for his own purposes any interest accruing on such account.

(5) There shall be paid into a trust account only,

(*a*) trust money;

(*b*) money that may by inadvertence have been drawn from the trust account in contravention of this section;

(*c*) money paid to a barrister and solicitor representing in part money belonging to a client and in part money belonging to the barrister and solicitor where it is not practicable to split the payment, but money belonging to the barrister and solicitor shall be drawn from the trust account with delay.

(6) Money need not be paid into a trust account,

(*a*) that a client in writing requests a barrister and solicitor to withhold from the trust account or to deposit elsewhere;

(*b*) that a barrister and solicitor pays into a separate account opened or to be opened in the name of a client or some person named by that client or the duly authorized agent of that client; or

(*c*) that in the ordinary course of business upon its receipt is paid in the form in which it is received to or on behalf of the client.

(7) Money shall not be paid into a trust account,

(*a*) that belongs entirely to the barrister and solicitor or to a member of his firm;

(*b*) that is received by the barrister and solicitor on account of fees for which a billing has been delivered or is received to reimburse the barrister and solicitor for disbursements made or expenses incurred on behalf of a client; or

(*c*) that is received by way of an agreed retainer or is received as an agreed fee in advance where the barrister and solicitor is entitled to such money for his own use without regard to whether services are rendered or disbursements made.

(8) Money on deposit in a trust account to which the barrister and solicitor becomes entitled shall reasonably promptly thereafter be drawn from the trust account in accordance with subsection 9.

(9) Money shall not be drawn from a trust account other than,

(*a*) money properly required for payment to or on behalf of a client;

(*b*) money required to reimburse the barrister and solicitor for money properly expended on behalf of a client or for expenses properly incurred on behalf of a client;

(*c*) money properly required for or towards payment of the barrister and solicitor's fees;

(*d*) money that is directly transferred into another trust account and held on behalf of a client;

(*e*) money that may by inadvertence have been paid into the trust account in contravention of this section,

but in no case shall the money so drawn exceed the total of the money held in such trust account for such client.

(10) Money drawn from a trust account under clause *b* or *c* of subsection 9 shall be drawn only,

(*a*) by a cheque drawn in favour of the barrister and solicitor; or

(*b*) by a transfer to a bank account in the name of the barrister and solicitor not being a trust account.

(11) Every cheque drawn on a trust account shall be signed by a barrister and solicitor and in no case shall be made payable to cash or to bearer.

(12) Money other than money permitted by subsection 9 shall not be drawn from a trust account unless Convocation specifically authorizes in writing its withdrawal.

(13) At all times a barrister and solicitor shall maintain sufficient balances on deposit in his trust account or accounts to meet all his obligations with respect to moneys held in trust for clients.

(14) For the purposes of subsections 9 and 13, cash or a certified cheque or cheques negotiable by the barrister and solicitor or cheques drawn by the barrister and solicitor on his trust account, in the possession and control of the barrister and solicitor, shall be deemed to be money held in a trust account if such cash or cheques received are deposited in the trust account not later than the next banking day. O. Reg. 419/70, s. 18.

RECORDS

19.—(1) Every barrister and solicitor shall maintain books, records and accounts in connection with his practice to record,

(*a*) all money received in trust for clients;

(*b*) all disbursements out of money held in trust;

(*c*) the unexpended balance of money held in trust for each person for whom such money is held;

(*d*) all other money received and disbursed in connection with his practice; and

(*e*) all specifically identified property other than money held in trust including marketable securities (stock certificates, bonds, debentures, deposit receipts, treasury bills or other negotiable instruments) and any thing of value or instrument that could be negotiated by the barrister and solicitor.

(2) As a minimum requirement, to comply with subsection 1, every barrister and solicitor shall maintain,

(*a*) a book or other permanent accounting record showing all receipts and disbursements of money, distinguishing therein between,

(i) the receipt of money in trust for clients and disbursements out of money held in trust,

(ii) money received and money paid on his own account;

(*b*) a book or other permanent accounting record showing separately for each person for whom money has been received in trust all such money received and disbursed and any unexpended balance;

(*c*) a record in the form of a fees book or file of copies of billings showing all fees charged and other billings to clients;

(*d*) bank statements or pass books, cashed cheques and detailed duplicate deposit slips for both trust and general accounts;

(*e*) a permanent record showing a monthly comparison of the total of balances held in the trust account or accounts and the total of all unexpended funds held in trust for clients as they appear from the books and records of the barrister and solicitor together with the reasons for any differences between the totals and supported by,

(i) a detailed monthly listing showing the amount of trust money held for each client for whom trust money is held, and

(ii) a detailed monthly reconciliation of each trust bank account; and

(*f*) a listing or other permanent record showing all specifically identified property held in trust from time to time for clients. O. Reg. 419/70, s. 19.

ANNUAL FILING

20.—(1) On or before the 30th day of November in each year every member of the Society who has engaged in the private practice of law as a sole practitioner, partner or employed barrister and solicitor during the preceding twelve-month period or since last filing under this section or a predecessor of this section, shall file with the Society a separate report duly completed by a public accountant and signed by the member in the form prescribed by the rules in respect of each practice with which he was associated since his last filing.

(2) Subsection 1 does not apply to a member who as at the 30th day of November in any year has not engaged in the private practice of law as a sole practitioner, partner or employed barrister and solicitor in Ontario during the preceding twelve-month period or since his last filing if such member files with the Society on or before the 30th day of November in that year a statutory declaration setting forth that during the preceding twelve-month period or since his last filing he has not engaged in private practice in Ontario and that during that period he has not handled or been responsible for any clients' trust funds or valuables in Ontario. O. Reg. 419/70, s. 20.

RECOURSE

21. Nothing in this Regulation deprives a member of any recourse or right, whether by way of lien, set-off, counter claim, charge or otherwise, against money standing to the credit of a client in the member's trust account. O. Reg. 419/70, s. 21.

INVESTIGATION

22.—(1) The chairman or vice-chairman of the Discipline Committee may at any time require an investigation to be made by a person designated by him of the books and accounts of any barrister and solicitor for the purpose of ascertaining and reporting whether sections 18, 19 and 20 have been and are being complied with by such barrister and solicitor who shall produce forthwith to such person all evidence, vouchers, records, books and papers that such person may require for the purpose of his investigation.

(2) Before instituting an investigation on a complaint made by a third person, the chairman or vice-chairman of the Discipline Committee may require *prima facie* evidence that a ground of complaint exists.

(3) All investigations commenced under this section shall be reported monthly to the Treasurer.

(4) Nothing in this section limits the right of Convocation or the Discipline Committee to institute further investigations or to require the filing of other reports. O. Reg. 419/70, s. 22.

CODE OF ETHICS

23.—(1) The Professional Conduct Committee is authorized to prepare and publish a handbook containing the code of professional conduct and ethics and the rulings with respect thereto under the title "Professional Conduct Handbook".

(2) Until such time as a new edition of the Professional Conduct Handbook is published, the Secretary shall furnish a copy of the current edition thereof to every person who becomes a member or student member and, upon request, to any other person.

(3) When a new edition of the Professional Conduct Handbook is published, the Secretary shall furnish a copy thereof to every member and student member and, upon request, to any other person. O. Reg. 419/70, s. 23.

REPORTING OF COURT DECISIONS

24.—(1) Copies of the Ontario Reports shall be furnished at the expense of the Society to such persons as Convocation, on the recommendation of the Libraries and Reporting Committee, may from time to time direct.

(2) Copies of the Ontario Reports and such other reports as the Committee may from time to time determine shall for the ensuing year be furnished to members in good standing and not in arrears of fees, excluding members paying a reduced fee who have chosen not to receive the reports and excluding life members who have chosen not to receive the reports.

(3) The Committee may permit the publisher to publish with each part of the Ontario Reports such advertising not objectionable to the Committee as the publisher may wish to print at his own expense, but all such advertising shall be kept entirely separate from the text of the Reports.

(4) Any advertisement placed in the Ontario Reports by a member that discloses his name shall not in any way call attention to his special qualifications or connections. O. Reg. 419/70, s. 24.

REASONS FOR JUDGMENT

25. The Libraries and Reporting Committee may make provision for the distribution of copies of reasons for judgment on such terms as the Committee may from time to time determine. O. Reg. 419/70, s. 25.

BAR ADMISSION COURSE

TO BE CONDUCTED

26.—(1) The Society shall conduct the "Bar Admission Course" through which, subject to sections 3 to 10, every applicant for call to the bar and admission as a solicitor shall successfully pass.

FACULTY

(2) The faculty of the Bar Admission Course shall consist of a director, one or more assistant or deputy directors, and such lecturers, instructors and tutors as may be required.

STAFF

(3) The staff of the Bar Admission Course includes the members of the faculty, the demonstrators, the administrative officers and the clerical assistants who are appointed from time to time.

THE COURSE

(4) The Bar Admission Course consists of,

(*a*) service under articles of clerkship for twelve months beginning on the 1st day of September; and thereafter

(*b*) practical training, lectures and tutorial groups for a period of up to six months beginning on the first Monday after Labour Day.

ADMISSION

(5) The academic qualification for admission to the Bar Admission Course as a student-at-law for an applicant other than an applicant for transfer from a jurisdiction outside Ontario, is graduation in a law course from a university in Canada which is approved by Convocation.

(6) The qualifications for admissions to the Bar Admission Course for an applicant for transfer from a jurisdiction outside Ontario are those prescribed by subsection 3 of section 4 or section 5, 6, 7 or 8, as the case may be.

(7) An applicant for admission as a student member in the Bar Admission Course shall,

(*a*) if proceeding under subsection 5, file with the director,

(i) a completed application,

(ii) a certificate of graduation from a law course in a university in Canada which is approved by Convocation,

(iii) a certified copy of pre-law university record, and

(iv) articles of clerkship; or

(*b*) if proceeding under subsection 6, file with the director,

(i) a completed application, and

(ii) such material as is required by subsection 3 of section 4 or section 5, 6, 7 or 8, as the case may be. O. Reg. 419/70, s. 26.

COUNTY AND DISTRICT LAW ASSOCIATIONS

INTERPRETATION

27. In this section and in sections 28 to 39,

(*a*) "association" means a county or district law association;

(*b*) "Committee" means the Libraries and Reporting Committee;

(*c*) "county" includes a union of counties and a territorial district;

(*d*) "trustees" where an association is incorporated, means the directors of the corportion. O. Reg. 419/70, s. 27.

FORMATION

28.—(1) The members of the Society in any county or any part thereof may, with the approval of Convocation, form an association and elect the trustees thereof.

(2) At the time of the formation of an association or at any time thereafter, upon and in accordance with the request of Convocation, the trustees shall cause the association to be incorporated.

(3) Upon formation, an association shall send to the Chief Librarian a certified copy of its constitution and by-laws and thereafter shall send all amendments thereto as they are made, and, upon incorporation, an association shall send to the Chief Librarian a certified copy of its letters patent and by-laws and thereafter shall send all amendments thereto as they are made, and, in either case, proof of the condition of its funds and that proper accommodation has been provided for its library, together with an undertaking that the association has knowledge of and will comply with the regulations applicable to county law libraries and with such other particulars as are required by the Committee. O. Reg. 419/70, s. 28.

TWO LIBRARIES IN ONE COUNTY

29. Where sittings of the Supreme Court are held in two or more places in a county, the association of that county may establish a library in each such place, and, where more than one library has been so established, the amount of the annual grant from the Society to the association may be increased by an amount not exceeding 50 per cent of the grant that would otherwise be made. O. Reg. 419/70, s. 29.

BOOKS HELD IN TRUST

30. The trustees of an association shall hold the books of its library in trust for the Society and in case of the dissolution or winding-up of an association or the disposal of its property, it shall return the books to the Society. O. Reg. 419/70, s. 30.

APPLICATION OF FUNDS

31. At least one-half of the fees received by an association from its members and the whole of the aid at any time granted to the association by the Society shall be applied in the purchase, binding and repairing of books for its library and in paying for telephone service and the salary of its librarian. O. Reg. 419/70, s. 31.

ANNUAL REPORTS

32.—(1) Every association shall make a report to the Society before the end of February in each year showing the state of its finances and of its library as of the close of the previous calendar year, together with such other information as may be required by the Committee.

(2) If the Committee is satisfied that an association has complied with the regulations applicable to county law libraries, it shall make a report thereon to Convocation. O. Reg. 419/70, s. 32.

FIRST-YEAR GRANTS

33. The Society's grant in aid to an association for its first year shall be a sum equal to double the amount of,

(*a*) the contributions in money actually paid to the association; or

(*b*) the value of the books actually given to the association from all local sources,

but the amount of such grant shall not exceed $100 for each member of the Society in the county who is a member of the association. O. Reg. 419/70, s. 33.

ANNUAL GRANTS

34.—(1) The Society's grant in aid to an association for each year after the first year shall, subject to subsections 2, 3 and 4 and section 35 be a sum equal to double the amount of the fees actually paid to the association by its members up to a maximum of $35 for each member, unless Convocation otherwise directs having regard to the report of the Chief Librarian on the condition of its library and its requirements.

(2) In addition to the annual grant provided for by subsection 1, each association whose library is reported on satisfactorily by the Chief Librarian is entitled to receive a sum equal to two-thirds of the amount actually paid out by the association for telephone service and the salary of its librarian, but the amount of such additional sum shall not exceed $200 except in the case of an association having a membership of fifty or more, in which case the amount thereof shall not exceed $300.

(3) Where the Chief Librarian makes a special report in favour of an increased grant and the Committee so recommends, the amounts of the additional sums mentioned in subsection 2 may be increased to not more than $400 and $600 respectively.

(4) Where the sum that would be paid to any association by way of annual grant in any year under subsections 1, 2 and 3 is less than $750, the grant may be increased to an amount not exceeding $750 if the Committee is satisfied that the association has received a reasonable amount in fees from its members who are members of the Society or are judges or justices of the peace, that the number of its members paying association fees is a reasonable proportion of the members of the Society in the county and that the regulations applicable to county law associations have been complied with.

(5) Where an association has complied with the regulations applicable to county law libraries, all sums making up the annual grant payable to the association shall, on the recommendation of the Committee, be paid before the end of March. O. Reg. 419/70, s. 34.

SPECIAL GRANTS

35.—(1) When any association that has been established for at least two years and that has regularly made the required returns and that has complied with the requirements of the regulations applicable to county law libraries satisfies Convocation that the association is unable to purchase such reports or text books as are necessary to make the library thoroughly efficient and useful having regard to the locality in which the library is established and the number of members of the Society who are members of the association, or that it requires financial assistance in any way, Convocation, on the recommendation of the Committee, may make a special grant either of books or of money to the association or may advance by way of a loan without interest to the association a sum not exceeding the estimated amount of the next three years annual grants.

(2) Any loan made under subsection 1 shall be repaid out of future annual grants or otherwise in such manner as Convocation may direct.

(3) Security may be required to be given to the satisfaction of the Committee for the due expenditure of any money grant or loan made under this section or for the repayment of any such loan. O. Reg. 419/70, s. 35.

MAXIMUM GRANTS

36. Subject to section 35,

(*a*) the total sum to be paid to any association, other than the County of York Law Association, in any year shall not exceed $2,000; and

(*b*) the total sum to be paid to the County of York Law Association in any year shall not exceed $3,500. O. Reg. 419/70, s. 36.

SUSPENSION, REDUCTION, ETC. OF GRANTS

37.—(1) Where an association does not comply with the regulations applicable to county law libraries, Convocation may suspend all or part of any grant otherwise payable for such time as Convocation directs or may make a reduced grant or may refuse to make any grant.

(2) Where the failure to comply consists only in the failure of an association to transmit to the Chief Librarian of the Society its annual report on or before the end of February and where this failure is rectified before the end of May in the same year, the Committee shall make a special report to Convocation and Convocation may either refuse to make the annual grant or may grant a lesser sum than the sum that would otherwise be payable.

(3) Where the failure to comply continues beyond the end of May, the grant that would otherwise have been payable to the association except for such default shall, if made, be reduced by 10 per cent. O. Reg. 419/70, s. 37.

USE

38. County law libraries are for the use of,

(*a*) paid-up members of any county law association;

(*b*) members of the Society from outside the county while in the county on legal business;

(*c*) Supreme Court judges, county and district court judges, provincial judges, and justices of the peace; and

(*d*) the members of administrative or quasi-judicial boards or commissions or other tribunals established or provided for by any Act while exercising their functions in the county. O. Reg. 419/70, s. 38.

39.—(1) If in the opinion of the Commmittee a county law library is not being properly cared for or for any other reason it is not being satisfactorily maintained, the Committee may, with the approval of Convocation, require the trustees of the association to return the books comprising its library to the Chief Librarian at Osgoode Hall at the expense of the association in which case the trustees shall so do.

(2) If the trustees do not return the books when required or if there are no trustees capable of acting or willing to act, Convocation may make such steps to obtain the books as they consider advisable, and any expense incurred in so doing shall be paid by the association to the Society. O. Reg. 419/70, s. 39.

Form

(Sections 33(10) and 55.9 of the Act)

The Law Society Act

SUMMONS TO WITNESS

RE:

TO:

You are hereby summoned and required to attend before the Discipline Committee of the Law Society of Upper Canada at a hearing to be held in the Discipline Committee's Room at Osgoode Hall in

the City of Toronto on.....day the.....day of

....., 19...., at the hour of.....o'clock,

in the.....noon (local time) and so from day to day until the hearing is concluded or the Committee otherwise orders to give evidence on oath touching the matters in question in the proceedings and to bring with you and produce at such time

and place.....

.....

.....

Dated at Toronto this.....day of.....,

19....

The Treasurer or the Chairman or Vice-Chairman of the Committee, or the Secretary

NOTE: You are entitled to the like conduct money and payment for expenses and loss of time as upon attendance as a witness at a trial in the Supreme Court.

If you fail to attend and give evidence at the hearing or to produce the documents or things specified at the time and place specified without lawful excuse, you are liable to punishment by the Supreme Court in like manner as if for contempt of that Court for disobedience to a subpoena. O. Reg. 419/70, Form.

REGULATION 557

under The Legal Aid Act

GENERAL

INTERPRETATION

1. In this Regulation,

(*a*) "applicant" means a person who applies for legal aid;

(*b*) "area committee" means the legal aid area committee established pursuant to the Act for a legal aid area designated in this Regulation;

(*c*) "articled student" means a person enrolled in the Bar Admission Course during the time he is not in attendance at the teaching period thereof;

(*d*) "client" means a person holding a valid legal aid certificate;

(*e*) "controller" means the person employed as controller by the Law Society, with the approval of the Minister of Justice and Attorney General, under section 3 of the Act;

(*f*) "dean" means the director of the Bar Admission Course and includes the chief administrator of any law course approved by the Law Society;

(*g*) "law student" means a person enrolled in any law course approved by the Law Society or in the Bar Admission Course during the time he is in attendance at the teaching period thereof;

(*h*) "Legal Accounts Officer" means the person designated as such by the Minister of Justice and Attorney General pursuant to subsection 2 of section 26 of the Act;

(*i*) "Legal Aid Committee" means the standing committee on legal aid constituted by the Law Society;

(*j*) "Plan" means the legal aid plan as established and administered by the Law Society under the Act and this Regulation;

(*k*) "Rules of Practice" means, unless the context otherwise requires, the Rules of Practice and Procedure of the Supreme Court of Ontario;

(*l*) "solicitor" includes a barrister and counsel in legal aid matters where counsel is required or authorized by this Regulation for the legal aid services to be performed;

(*m*) "Taxing Officer" means the Taxing Officer at Toronto;

(*n*) "year" means the period commencing on the 1st day of April and ending on the 31st day of March next following. O. Reg. 257/69, s. 1.

2. Until it is discharged by the Benchers of the Law Society, the special committee of the Law Society known as The Legal Aid Programme Committee shall carry out the duties required by this Regulation to be performed by the Legal Aid Committee. O. Reg. 257/69, s. 2.

PART I

Organization and Duties

THE DIRECTOR OF LEGAL AID

3.—(1) The Director shall be,

(*a*) the chief executive officer of the Plan;

(*b*) responsible to the Law Society for the proper administration of the Plan; and

(*c*) the secretary of,

(i) the Legal Aid Committee, and

(ii) The Legal Aid Programme Committee of the Law Society.

(2) The Law Society may appoint one or more deputy directors. O. Reg. 257/69, s. 3.

4. The Director, whenever he considers it desirable, may call a meeting of all area directors to consider matters of common interest and to encourage uniformity of practice. O. Reg. 257/69, s. 4.

THE CONTROLLER

5. The Controller is responsible to the Director for,

(*a*) organizing, maintaining and supervising all accounting and financial procedures and records relating to the Plan;

(*b*) organizing and supervising the work of the clerical staff in the Director's office;

(*c*) organizing, maintaining and supervising procedures for collecting, retaining and analyzing such information relating to the operation of the Plan as is required by the Director; and

(*d*) the submission to the Director of such financial statements and reports as the Director may require. O. Reg. 257/69, s. 5.

THE LEGAL ACCOUNTS OFFICER

6. The Legal Accounts Officer is responsible to the Director for the settlement in accordance with this Regulation of all solicitors' accounts for services rendered under the Act and this Regulation, other than the accounts of duty counsel, and he is authorized to make any enquiries he considers necessary for this purpose. O. Reg. 257/69, s. 6.

AREAS AND AREA DIRECTORS

7. For the administration of the Plan, Ontario is divided into the areas designated in Schedule 1. O. Reg. 257/69, s. 7.

8.—(1) Each area shall have an area director who shall maintain in his area an office in some convenient place approved by the Director. O. Reg. 257/69, s. 8 (1).

(2) One or more deputy area directors may be appointed by the Law Society for any area and, in the Judicial District of York, an associate director may be appointed in lieu of or in addition to a deputy director or deputy directors. O. Reg. 257/69, s. 8 (2), *amended*.

(3) In an area for which no deputy area director has been appointed the Director may appoint some suitable person to perform the duties of the area director during his absence. O. Reg. 257/69, s. 8.

9. Each area office shall be kept open for business during the hours the Director may approve as being sufficient for the business required to be done. O. Reg. 257/69, s. 9.

10. Every area director shall,

(*a*) be responsible to the Director for the administration of the Plan within his area;

(*b*) be the secretary of the area committee for his area, but not a member thereof;

(*c*) establish and maintain such legal aid, duty counsel and legal advice panels for his area as the Director shall authorize;

(*d*) perform all the duties required of an area director by the Act and this Regulation;

(*e*) maintain and make available upon request lists of members of the several panels in his area with the addresses of their places of business;

(*f*) call meetings of his area committee as often as the business of his office requires and keep the minutes of all meetings of the committee;

(*g*) make such reports, estimates and recommendations respecting the operation and administration of the Plan in his area as the Director may from time to time request; and

(*h*) perform such other duties as the Director may from time to time require. O. Reg. 257/69, s. 10.

11. Except in those areas exempted from this section by the Legal Aid Committee, no area director shall perform any professional services as a solicitor for any client as defined by this Regulation. O. Reg. 257/69, s. 11.

AREA COMMITTEES

12. An area committee shall consist of not less than five members a majority of whom shall be members of the Law Society. O. Reg. 257/69, s. 12.

13. Persons who are not members of the Law Society shall be selected as representing the community served by the area committee. O. Reg. 257/69, s. 13.

14. Members of an area committee shall be appointed for a term of one year or until their successors are appointed. O. Reg. 257/69, s. 14.

15. A member of an area committee who desires to resign shall submit his resignation in writing to the Director. O. Reg. 257/69, s. 15.

16. A member of an area committee who removes his place of business or residence out of the area for which he was appointed or fails to attend three consecutive meetings of the committee without its leave shall be deemed to have vacated his appointment. O. Reg. 257/69, s. 16.

17. Any person appointed a member of an area committee who, in the opinion of the Legal Aid Committee, is no longer qualified to be a member thereof may be removed from office by the Director. O. Reg. 257/69, s. 17.

18. Every vacancy on an area committee shall be reported by the Director to the Legal Aid Committee at the next meeting thereof. O. Reg. 257/69, s. 18.

19. Meetings of the area committees shall be called by the area director or by the chairman or vice-chairman of the area committee whenever necessary. O. Reg. 257/69, s. 19.

20. A quorum of an area committee shall be three members present in person. O. Reg. 257/69, s. 20.

21. At the first meeting in each year, each area committee shall elect a chairman and a vice-chairman who shall hold office for the ensuing year or until the election of their successors and who shall be eligible for re-election. O. Reg. 257/69, s. 21.

22. The chairman shall have a vote on all questions before the committee and in the event of an equality of votes shall have the casting vote. O. Reg. 257/69, s. 22.

23. In addition to the duties required of it by the Act and this Regulation, each area committee shall advise the area director with respect to any matter upon which he requests its advice. O. Reg. 257/69, s. 23.

24. Each member in attendance at a meeting of an area committee shall be paid his expenses incurred in attending the meeting. O. Reg. 257/69, s. 24.

PANELS

25. A solicitor who desires that his name be entered upon a panel established pursuant to this Regulation shall submit an application in Form 1 to the area director. O. Reg. 257/69, s. 25.

26. Application under section 25 may be submitted to the area director of any area in which the solicitor maintains an office or in which he has an established practice. O. Reg. 257/69, s. 26.

27. Every area director shall maintain lists of the names on the panels provided for by section 21 of the Act and may subdivide the legal aid panel into criminal and civil divisions. O. Reg. 257/69, s. 27.

28. The name of every solicitor who has applied pursuant to sections 25 and 26 shall be entered by the area director on the appropriate panel lists. O. Reg. 257/69, s. 28.

29.—(1) A solicitor whose name has been entered on a panel may have his name removed on his written request to the area director and, subject to section 30, shall complete all work that he has undertaken pursuant to the Act.

(2) The Director, upon notice to the solicitor and with the approval of the Legal Aid Committee, may remove for cause the name of any solicitor from any panel.

(3) Where a notice of complaint is served upon a solicitor by the Law Society or a criminal charge is laid against a solicitor and the offence alleged in such notice of complaint or such criminal charge relates in whole or in part to the operation of the Plan, the Director shall forthwith remove the name of such solicitor from all panels.

(4) A solicitor whose name has been entered on a panel who is unable for any reason to undertake legal aid relating to such panel during any period in excess of ten days may so inform the area director who shall cause the non-availability of such solicitor to be noted accordingly on all copies of such panel.

(5) A solicitor whose name has been removed from any panel under subsection 2 or 3 may apply to the area director to have his name restored to such panel and his name may be restored by the Director with the approval of the Legal Aid Committee. O. Reg. 257/69, s. 29.

30.—(1) Every solicitor whose name has been removed from a panel shall,

(*a*) deliver any legal aid file in his possession to the area director when required;

(*b*) report to the area director on the state of all uncompleted work; and

(*c*) render his accounts for fees and disbursements in accordance with this Regulation.

(2) Nothing in this Regulation shall discharge any solicitor whose name has been removed from a panel from his obligations to his clients or to the Law Society. O. Reg. 257/69, s. 30.

31. Nothing in this Regulation shall interfere with a solicitor's privilege to refuse a request for his professional services. O. Reg. 257/69, s. 31.

32. Every member of a panel shall make reports, furnish information and render accounts in accordance with this Regulation. O. Reg. 257/69, s. 32.

33.—(1) At the request of the Director an area director shall furnish the names and addresses of all solicitors on his panels.

(2) The Director shall furnish at the request of an area director the names of members of panels in any other area so requested. O. Reg. 257/69, s. 33.

FIDELITY INSURANCE

34. The Law Society shall procure and maintain a policy or policies of fidelity insurance covering the Director, Controller and such other employees as the Law Society shall determine, and any premium payable therefor shall be paid out of the Fund. O. Reg. 257/69, s. 34.

PART II

PROCEDURE

LEGAL AID

LEGAL AID APPLICATIONS

35. An application for legal aid by a resident of Ontario shall be in writing in Form 2. O. Reg. 257/69, s. 35.

36.—(1) If an applicant is not a resident of Ontario, and the legal aid applied for concerns a matter or proceeding arising in Ontario, the application shall be in writing in Form 2 and may be made to the area director of the area in which the event occurred giving rise to the application.

(2) The area director receiving the application shall make such enquiries and investigation as he can of the nature of the matter and the means of the applicant and shall forward the application with a report on his enquiries and investigation to the Director who may, in his discretion, direct the issue of a certificate. O. Reg. 257/69, s. 36.

37. An area director may require that an application for legal aid for an infant be made on his behalf by his parent or guardian, when the circumstances appear to so justify. O. Reg. 257/69, s. 37.

38.—(1) Subject to subsection 2, an application for legal aid for a person who has been found, pursuant to any Act, to be mentally incompetent, mentally ill or incapable of managing his affairs, shall be made on his behalf by his committee or legal representative.

(2) For the purposes of an application under section 28 of *The Mental Health Act*, an application for legal aid may be made by the patient or a friend or relative of the patient on his behalf. O. Reg. 257/69, s. 38.

39. Subject to section 40, every application for legal aid not being within clause *d* or clause *e* of section 12 of the Act, shall be considered by the area director receiving it and if under all the circumstances, including questions of law or fact arising out of the applicant's claim to relief or defence or the nature of the matter sought to be dealt with by a solicitor,

(*a*) it appears that,

(i) the applicant requires legal aid in a matter in which he is concerned in a representative, fiduciary or official capacity and it appears the costs can be paid out of any property or fund which is sufficient to pay such costs,

(ii) the applicant is entitled to financial or other aid or has reasonable expectations of such aid and has failed to satisfy the area director that such aid is not available to him,

(iii) the legal aid applied for is frivolous, vexatious, an abuse of the process of the court or an abuse of the facilities provided by the Act,

(iv) the relief sought can bring no benefit to the applicant over and above the benefit that would accrue to him as a member of the public or some part thereof,

(v) the relief sought, if obtained, is not enforceable in law,

(vi) the applicant has failed without reasonable justification in any obligation to the Law Society with respect to legal aid, or

(vii) the professional services sought are available to the applicant without legal aid,

he shall refuse to grant a certificate to the applicant, or

(*b*) it appears that,

(i) the applicant is one of a number of persons having the same interests under such circumstances that one or more may sue or defend on behalf of or for the benefit of all,

(ii) the applicant has the right to be joined in one action as plaintiff with one or more other persons having the same right to relief by reason of there being a common question of law or fact to be determined,

(iii) the application is for legal aid for which the applicant has previously received a certificate with respect to the same action or matter,

(iv) the relief sought is enforceable only in some other jurisdiction,

(v) the cause of action may be prosecuted or defended only in a court of some other jurisdiction, or

(vi) no sufficient reason for the granting of the certificate is shown at the particular time,

he may refuse to grant a certificate to the applicant. O. Reg. 257/69, s. 39.

40. An area director who is not or has not been a member of the Law Society shall not refuse to issue a certificate on any of the grounds set out in section 39 without the approval of at least three members of the area committee. O. Reg. 257/69, s. 40.

41.—(1) Subject to the provisions of subsection 2 of section 16 of the Act, applications not refused by the area director shall be referred to the appropriate assessment officer with his request in writing in

Form 5 for a report under subsection 3 of section 16 of the Act.

(2) Notice in writing in Form 3 of the refusal of an application for legal aid shall forthwith be sent by the area director to the applicant.

(3) Where the area director has determined that the applicant can pay some part of the cost or the whole cost of the legal aid over a period not in excess of two years, a certificate shall not be issued until the applicant has signed and the area director has received the agreement to pay, contained in Form 6.

(4) Where the agreement contained in Form 6 is not signed and returned within fifteen days of the date on which it was sent to the applicant, the application for legal aid shall be deemed to have been withdrawn and no further proceedings shall be taken thereon.

(5) Withdrawal of an application pursuant to subsection 4 shall not be a bar to a later application for the same purpose. O. Reg. 257/69, s. 41.

42. An area director may refer back to an assessment officer any report made by him for further consideration and report. O. Reg. 257/69, s. 42.

43. An area director may request an assessment officer to make a supplementary report on a client at any time. O. Reg. 257/69, s. 43.

44. The financial abilities and needs of applicants shall be determined in accordance with standards established by the Department of Social and Family Services. O. Reg. 257/69, s. 44.

LEGAL AID UNDER SECTION 14 OF THE ACT

45. If legal aid is applied for in a matter or proceeding coming within section 14 of the Act, the applicant shall submit to the area director with his application, if available,

(*a*) the opinion of the applicant's solicitor as to the advisability of an appeal or an application to the court in any of the matters set out in clause *b* of subsection 1 of section 14 of the Act;

(*b*) a copy of the order or judgment of the court or board appealed from;

(*c*) a copy of the reasons for the order or judgment appealed from; and

(*d*) such other information as may be considered advisable. O. Reg. 257/69, s. 45.

46. Where an application under section 45 together with its supporting material has been received by the area director, he shall submit it to the area committee forthwith together with all of the information that he has concerning the applicant, including a report of the amount, if any, the applicant was required to contribute to the Fund and if he is in default in his payments. O. Reg. 257/69, s. 46.

47. An area director who has received an application for legal aid in a matter coming within clause *a* or clause *b* of subsection 1 of section 14 of the Act and in whose opinion the circumstances of the application require the issue of a certificate immediately, may issue a provisional certificate authorizing the service and filing of a notice of appeal or a notice of application to the court without having first received the report of the assessment officer or the approval of the area committee. O. Reg. 257/69, s. 47.

48.—(1) The area committee may,

(*a*) obtain such additional information and opinions and hear such representations as it considers necessary;

(*b*) approve the application; or

(*c*) dismiss the application.

(2) The area director shall forthwith inform the applicant in writing of the decision of the area committee, and if the application is refused, notice in writing in Form 4 of the refusal of the application shall be sent forthwith by the area director to the applicant. O. Reg. 257/69, s. 48.

PROVISIONAL CERTIFICATES

49.—(1) A provisional certificate in Form 9 issued under subsection 6 of section 16 of the Act shall be limited to authorizing such legal services as are necessary to protect the rights of the client until the report of the assessment officer, and in proper cases the approval of the area committee, have been received and considered by the area director.

(2) Upon the issuance of a provisional certificate, the client shall complete an undertaking in Form 24. O. Reg. 257/69, s. 49.

CERTIFICATE OF ELIGIBILITY

50.—(1) Where an area director has determined that an applicant is entitled under this Part to the legal aid applied for and where so required has received the approval of the Director or the area committee, he shall issue a certificate to the applicant.

(2) Where the legal aid applied for is one of the matters or proceedings set out in section 12 or 13 of the Act, the certificate shall be in Form 7.

(3) Where the legal aid applied for is one of the matters or proceedings set out in subsection 1 of section 14 of the Act, the certificate shall be in Form 8. O. Reg. 257/69, s. 50.

51. Every certificate issued for legal aid estimated to cost not more than $60 shall have endorsed thereon by the area director issuing it a memorandum in the following words:

"This certificate is issued pursuant to subsection 2 of section 16 of *The Legal Aid Act*. If, in the opinion of the solicitor accepting it, the cost of the legal aid is likely to exceed $60, he shall not proceed further with the matter or proceeding until the client named therein has applied for a fresh certificate. Failure to do so may result in the solicitor's account being settled at not more than $60." O. Reg. 257/69, s. 51.

52. Every certificate issued shall bear date the day on which the applicant submitted his application to the area director and shall set out the nature and extent of the services to be rendered on the applicant's behalf, the amount of his contribution to the Fund, if any, and any restriction or limitation imposed by the area director or area committee. O. Reg. 257/69, s. 52.

53.—(1) The area director shall deliver or send the certificate to the applicant or at his request to the panel solicitor of his choice.

(2) A solicitor who has received a certificate shall, as soon as is possible, and in any event within ten days,

(*a*) complete and sign the solicitor's acknowledgment and undertaking on the triplicate copy of the certificate and return it to the area director; or

(*b*) if for any reason he is unable or unwilling to act, return the certificate forthwith to the client or to the area director as the circumstances require. O. Reg. 257/69, s. 53.

54.—(1) A certificate issued pursuant to this Regulation that has not been delivered to and accepted by a panel solicitor within thirty days of the date of its issue shall be deemed to have expired unless extended by the area director on the request of the applicant.

(2) An extension shall be for thirty days from the date of the extension and shall be endorsed on the certificate and signed by the area director. O. Reg. 257/69, s. 54.

55. Where an applicant satisfies an area director that a certificate issued to him has been lost or destroyed, a replacement certificate for the same legal services may be issued bearing the same date as the one lost or destroyed. O. Reg. 257/69, s. 55.

56.—(1) Where it appears to an area director that the legal aid applied for can be rendered more conveniently and economically by a solicitor in another area, or for any other reason he deems proper, he may send to the area director of the other area the application, the assessment officer's report and the agreement of the applicant to pay the contribution, if any, in accordance with the report.

(2) The other area director referred to in subsection 1, may issue his certificate to the applicant in accordance with the application and other material received under subsection 1 and shall act and proceed as if the application had been made to him by the applicant in the first instance. O. Reg. 257/69, s. 56.

57. A certificate may be issued retroactively by an area director to a person eligible under this Regulation for legal aid to whom a solicitor has rendered legal services upon the area director being satisfied that it is just and proper to do so. O. Reg. 257/69, s. 57.

58.—(1) Where a certificate has been issued for a proceeding coming within clause *a*, *b*, *c* or *f* of section 12 of the Act, no civil proceeding may be taken pursuant to such certificate until the solicitor accepting it has furnished to the area director his written opinion that it is reasonable under all the circumstances for him to commence, defend or continue the proceeding and the area director has authorized him to proceed.

(2) Where the initial step in the proceeding is required by any statute, rule of law or practice to be taken immediately if the rights of the applicant are to be preserved, the solicitor may take the initial step but shall not take any further step until he has furnished the opinion required by subsection 1. O. Reg. 257/69, s. 58.

59. Where a solicitor has ceased to act for a client or a client desires to change his solicitor, the area director shall be so notified by both the solicitor and client concerned. O. Reg. 257/69, s. 59.

60. Where an area director determines that a certificate issued by him ought to be amended, a further certificate shall be issued showing on its face that it replaces and amends the certificate previously issued and he shall send it in triplicate to the client's solicitor who shall complete and sign the triplicate copy of the amended certificate and return it and the replaced certificate forthwith to the area director. O. Reg. 257/69, s. 60.

61. Where a solicitor has ceased to act for a client and the legal aid for which a certificate was issued has not been completed, the client may apply to the area director for a new certificate. O. Reg. 257/69, s. 61.

62. Where a solicitor has ceased to act for a client, or has completed the services to be performed by him, he shall forthwith,

(*a*) report to the area director in writing in Form 10 or Form 11;

(*b*) submit his account pursuant to Part IV of this Regulation; and

(*c*) deliver to the client or to whom the client directs a copy of the report required by clause *a* and, upon obtaining a receipt therefor, all papers, documents and other property of the client in his possession. O. Reg. 257/69, s. 62.

DISCHARGE AND REVOCATION OF CERTIFICATES

63. A certificate is deemed to be discharged when,

(*a*) the client requests the area director to discharge it or the claim or proceedings have been fully disposed of by judgment or settlement;

(*b*) except to the extent that the Legal Accounts Officer otherwise directs, the solicitor has taxed any costs awarded to the client and has made all reasonable efforts to collect the amount of any award and taxed costs, including as may be necessary, the filing of a writ of execution with the sheriff and obtaining his return thereto and examining the judgment debtor and filing a transcript of such examination with the area director;

(*c*) where the client is entitled to recover any money or property under a judgment, order or settlement, the solicitor has notified in writing the person from whom such money or property is recoverable and his solicitor, if any, that,

(i) the costs payable to the client are the property of the Law Society under section 19 of the Act; and

(ii) the Law Society has a charge under subsections 2 and 3 of section 17 of the Act and until such charge has been released no money shall be paid or property released on account of the judgment, order or settlement; and

(*d*) the solicitor has been paid his fees and disbursements. O. Reg. 257/69, s. 63.

64. Subject to section 65, where an area director has issued a certificate and thereafter ascertains that,

(*a*) in his opinion,

(i) the matter is one that comes within section 39,

(ii) it appears from a report of an assessment officer that the client is able to pay in full for the legal aid authorized, or

(iii) the client no longer has reasonable grounds for continuing the proceedings authorized by his certificate; or

(*b*) the client has failed without reasonable justification in any obligation to the Law Society with respect to legal aid,

he may cancel the certificate. O. Reg. 257/69, s. 64.

65.—(1) No certificate shall be cancelled under section 64 until a notice in writing in Form 14 has been served on the client and his solicitor fixing a place and time, not less than seven days from the mailing of the notice, at which the client may show cause why the certificate should not be cancelled.

(2) If a certificate is cancelled by an area director he shall give written notice of cancellation in Form 15 forthwith to the client and to his solicitor. O. Reg. 257/69, s. 65.

66. Where any circumstance comes to the attention of a solicitor which indicates that his client may not have been entitled to or may no longer be entitled to the certificate under which the solicitor is acting, the solicitor shall forthwith report such circumstance to the area director. O. Reg. 257/69, s. 66.

67.—(1) Where an area director has issued a certificate and thereafter ascertains that in his opinion,

(*a*) the client is able to pay some part of the legal aid authorized by the certificate; or

(*b*) it is proper that the client pay a greater or lesser part of the cost of the legal aid than that provided in the certificate,

he may amend the certificate and require the client to sign an agreement to pay to the Law Society the amount so ascertained.

(2) No certificate shall be amended under this section until a notice in writing in Form 23 has been served on the client and his solicitor fixing a place and time, not less than seven days from the mailing of the notice, at which the client may show cause why the certificate should not be amended.

(3) If a client fails or refuses to sign the agreement to pay in accordance with the amended certificate within five days after the time fixed in subsection 2, to show cause, the area director may cancel the certificate. O. Reg. 257/69, s. 67.

DUTY COUNSEL

68. Panels of duty counsel may be established by area directors in their areas. O. Reg. 257/69, s. 68.

69. Where a person has been taken into custody or summoned and charged with an offence, he may obtain before any appearance to the charge the assistance of duty counsel who shall,

(*a*) advise him of his rights and take such steps as the circumstances require to protect his rights, including representing him on an application for remand or adjournment or for bail or on the entering of a plea of guilty and making representations with respect to sentence where a plea of guilty is entered; and

(*b*) perform such duties in connection with criminal appeals, including the completion of forms 27 and 28 by the appellant, and including applications for bail with respect thereto as the Director may prescribe. O. Reg. 257/69, s. 69.

70. Every duty counsel during each period of duty shall prepare and submit daily to the area director a report in Form 12 or Form 13 on each person assisted. O. Reg. 257/69, s. 70.

71. Except in an area or part of an area exempted from this section by the Legal Aid Committee and subject to section 72, unless with the prior approval of the Director, no duty counsel or any person associated with him in the practice of law shall knowingly act in the same matter for a person whom he has represented or advised as duty counsel. O. Reg. 257/69, s. 71.

72. In any area or any part of an area not exempted for the purpose of section 71, where a duty counsel certifies in writing in Form 16 to the area director that a prior solicitor and client relationship existed between a person and himself or anyone associated with him in the practice of law, he or anyone so associated with him may act subsequently for such person if so required. O. Reg. 257/69, s. 72.

73. An area director may designate one or more duty counsel to assist him in the operation of his office and in carrying out the provisions of this Regulation in civil matters, in addition to the duties prescribed by section 69. O. Reg. 257/69, s. 73.

STUDENT LEGAL AID SOCIETIES

74. A dean may apply to the Legal Aid Committee for its approval of the establishment and operation of a student legal aid society for law students in his law course, and such application shall contain all matters and be in such form as may from time to time be prescribed by the Legal Aid Committee. O. Reg. 257/69, s. 74.

75. The approval of the Legal Aid Committee to an application under section 74 shall be limited to the specific matters and functions set forth in the application, and the approval referred to in section 74 may be varied or withdrawn at any time by the Legal Aid Committee in its sole discretion upon notice to the dean concerned. O. Reg. 257/69, s. 75.

76. A dean shall have control and supervision of the student legal aid society of his law course and its members, and without limiting the generality of the foregoing, may in his sole discretion,

(*a*) restrict the functions of such society and its members;

(*b*) terminate the operations of such society, either temporarily or permanently;

(*c*) prescribe the minimum qualifications of a law student for membership in such society and the extent of participation from time to time of each member of such society; and

(*d*) remove a law student from membership in such society, either temporarily or permanently, with power of reinstatement, and a dean shall so remove a law student from membership upon the request of the Legal Aid Committee and shall not thereafter reinstate such law student without the prior approval of the Legal Aid Committee. O. Reg. 257/69, s. 76.

77. An area director may,

(*a*) arrange with a student legal aid society in his area for assistance to duty counsel and panel solicitors in rendering legal aid services; and

(*b*) where for other than financial reasons a person has been refused a legal aid certificate in a matter under section 13 of the Act, refer such person in respect of such matter to a student legal aid society in his area having requisite approval to deal therewith. O. Reg. 257/69, s. 77.

78. A law student who has successfully completed two years of his law course and is a member of its legal aid society, may, with the approval of his dean, represent and appear on behalf of a person who has been referred to such society by an area director, provided he has the consent of such person and is entitled in law so to appear. O. Reg. 257/69, s. 78.

ARTICLED STUDENTS

79. Subject to section 80, an articled student shall not participate in legal aid unless prior thereto he has filed with the area director of his area,

(*a*) the written approval of his principal to such participation; and

(*b*) a written acknowledgment of his principal and himself that his participation will be

under the general supervision and control of the principal and within the scope of such approval. O. Reg. 257/69, s. 79.

80. Nothing in this Regulation shall interfere with an articled student participating in legal aid on behalf of and under the supervision of his principal or on behalf of and under the supervision of a barrister and solicitor who is a partner or employee of his principal's firm. O. Reg. 257/69, s. 80.

81. Subject to section 79, an area director may,

(*a*) arrange with an articled student in his area for assistance to duty counsel and panel solicitors in rendering legal aid services; and

(*b*) where for other than financial reasons a person has been refused a legal aid certificate under section 13 of the Act, refer such person in respect of such matter to an articled student in his area having requisite approval to deal therewith. O. Reg. 257/69, s. 81.

82. Subject to section 79, an articled student with the approval of his principal may represent and appear on behalf of a person who has been referred to him by an area director, provided he has the consent of such person and is entitled in law so to appear. O. Reg. 257/69, s. 82.

FALSE STATEMENTS BY APPLICANTS

83. Where it appears that a client has made a false statement or has concealed information in connection with his application, any certificate issued to him may be cancelled by the area director and the Director may declare that the legal aid so given was not given under the Act and this Regulation and shall so inform in writing the client and his solicitor, and thereupon the Law Society on behalf of the Fund shall be entitled to recover from the client the amount that it has paid or is obligated to pay from the Fund to the solicitor. O. Reg. 257/69, s. 83.

84. If it appears that an offence punishable under the *Criminal Code* (Canada) or any other statute has been committed by an applicant in applying for or by a client in receiving legal aid under the Plan, the Director or area director may refer the matter to the Crown Attorney or other appropriate authority. O. Reg. 257/69, s. 84.

EMPLOYMENT OF COUNSEL

85.—(1) Where in the opinion of a solicitor acting for a client the matters or proceedings for which legal aid has been authorized require the assistance of counsel, he may apply in writing to the area director for authority to employ counsel.

(2) An application referred to in subsection 1 shall state,

(*a*) the extent of the services to be performed by counsel; and

(*b*) the reasons such services are required,

and the area director shall submit the application with his recommendation thereon to the area committee for its consideration.

(3) Authority to employ counsel shall only be granted if and to the extent approved by the area committee and shall be in writing signed by the area director and shall specify the extent of the services to be performed by counsel thereunder.

(4) Where authority has not been granted to employ counsel at trial or on the hearing of an appeal, a solicitor acting for a client with respect thereto may, with the prior written approval of the Legal Accounts Officer, employ junior counsel to attend at such trial or the hearing of such appeal to assist him as counsel.

(5) Counsel may be selected from any legal aid panel but shall not be a person associated in the practice of law with the solicitor employing him.

(6) Where authority has been granted to employ counsel at trial or on the hearing of an appeal, the solicitor employing such counsel may, with the prior written approval of the Legal Accounts Officer, attend at such trial or the hearing of such appeal to assist counsel. O. Reg. 257/69, s. 85.

86.—(1) The fees payable to counsel shall be limited to those for the services performed within the authority referred to in subsection 3 of section 85, and shall be in accordance with the schedules of fees to this Regulation.

(2) Except as otherwise specifically provided in the schedules of fees to this Regulation, the fees for attending at trial or on the hearing of an appeal payable to a junior counsel or solicitor authorized to attend under subsection 4 or 6 of section 85 shall be one-third of the counsel fee payable therefor in accordance with the schedules of fees to this Regulation. O. Reg. 257/69, s. 86.

87.—(1) Where on the hearing of an appeal in the Supreme Court of Canada or the Court of Appeal for Ontario by a convicted person or by the Minister of Justice and Attorney General, the appellant or the respondent, as the case may be, is not represented by counsel and the court is of the opinion that it is desirable, in the interests of justice, that the appellant or respondent should be represented by counsel, the Director, on the request of the court, may appoint counsel for that purpose, where the Director is satisfied that such appellant or respondent has not sufficient means to employ counsel.

(2) Every counsel appointed under subsection 1 shall be paid his fees and disbursements in accordance with the Act and this Regulation pursuant to the certificate of the Legal Accounts Officer. O. Reg. 257/69, s. 87.

SERVICE OF DOCUMENTS

88.—(1) Any written notice or other document directed or permitted to be served on an applicant or client may be served by prepaid registered mail addressed to such person at his address last known to the area director.

(2) Any written notice or other document directed or permitted to be served on a solicitor may be served by prepaid mail addressed to him at his office or by delivering the notice or other document to his office. O. Reg. 257/69, s. 88.

SOLICITORS

89. The customary solicitor and client relationship shall exist between a solicitor and his client. O. Reg. 257/69, s. 89.

90. No area director, duty counsel or official or employee of the Law Society engaged in carrying out duties under the Plan shall suggest or recommend to any person any member of the legal profession as being suitable to act for him in any matter or proceeding. O. Reg. 257/69, s. 90.

PART III

Reports and Financial

91. At the request of the Director or area director a solicitor who has undertaken to render legal aid shall provide such information as the Director or area director may require. O. Reg. 257/69, s. 91.

92. Every area director shall keep such accounting and other records as the Director may require. O. Reg. 257/69, s. 92.

93. Every area director shall report weekly to the Director in such form as he may prescribe,

(*a*) the name and address of each person to whom a certificate has been issued;

(*b*) the amount that each person to whom a certificate has been issued is required to contribute to the Fund and the terms of payment;

(*c*) the amount of the contributions received and by whom paid; and

(*d*) such further and other information as the Director may require. O. Reg. 257/69, s. 93.

94. Each area director shall report to the Director in such form as he requires not later than the 10th day of April in each year on the business and finances of his office for the preceding year ending on the 31st day of March. O. Reg. 257/69, s. 94.

95.—(1) The accounts and transactions of the Fund that shall be kept by the Law Society shall include,

(*a*) all cash receipts and disbursements;

(*b*) all cash advances made to area directors;

(*c*) all cash advances made to solicitors and counsel on account of costs and disbursements payable under certificates;

(*d*) all certificates issued;

(*e*) all solicitors' accounts received and approved;

(*f*) all accounts receivable, including,

(i) amounts of clients' contributions, and

(ii) amounts recoverable by clients under judgments or settlements;

(*g*) all administrative expenses, including,

(i) salaries, wages and other remunerations and deductions therefrom,

(ii) travelling and out-of-pocket expenses of the Treasurer, benchers, members of committees and administrative staff,

(iii) the cost of maintenance of office accommodation and operation, including stationery and printing, maintenance of furniture and equipment, communications and rentals, and

(iv) the cost of acquisition of furniture and equipment; and

(*h*) an inventory of property, furniture and equipment.

(2) The Director shall report to the Legal Aid Committee each month for the preceding month, in summary form,

(*a*) the amount received under section 7 of the Act;

(*b*) the amount received for or on account of contributions required to be made to the Fund;

(*c*) the amount received on account of amounts recovered by clients;

(*d*) the amount expended for the costs of administration and operation of the Plan;

(*e*) the balance on hand and on deposit to the credit of the Fund;

(*f*) such other information as the Legal Aid Committee may from time to time require; and

(*g*) such other information as the Director from time to time considers advisable. O. Reg. 257/69, s. 95.

96. The Director shall report to the Legal Aid Committee not later than the 1st day of May in each year for the preceding year in summary form,

(*a*) the number of applications for legal aid received and certificates issued;

(*b*) the number of persons assisted by duty counsel;

(*c*) the amount received by way of contributions;

(*d*) the amount written off as uncollectable;

(*e*) the amount received on account of amounts recovered by clients;

(*f*) the amount received upon requisition from the Treasurer of Ontario;

(*g*) amounts paid under clauses *b*, *c* and *d* of subsection 2 of section 5 of the Act;

(*h*) amounts paid under clauses *a* and *e* of subsection 2 of section 5 of the Act;

(*i*) the balance, if any, in the Fund on the 31st day of March after making provision for all outstanding accounts payable; and

(*j*) any other information required by the Legal Aid Committee. O. Reg. 257/69, s. 96.

BANKING

97.—(1) All money paid to or received in respect of the Fund shall be deposited forthwith in an account in a chartered bank, loan or trust company, or in a Province of Ontario Savings Office, to be designated by the Legal Aid Committee.

(2) Every payment out of the Fund shall be made by a cheque drawn on the account referred to in subsection 1 and in accordance with the provisions of subsection 3.

(3) The signing officers for the Fund's bank account shall be any two of the Director, Controller and such other persons as the Legal Aid Committee may from time to time designate.

(4) The Law Society may authorize the signatures of one or both signing officers to be printed, engraved, lithographed or otherwise mechanically reproduced in fascimile upon cheques drawn on the Fund for payment of outstanding accounts and indebtedness and every such facsimile signature shall for such purpose be deemed to be the signature of the person whose signature it reproduces and binding on the Law Society.

(5) A client's contributions to the legal aid costs shall be paid into the Fund in accordance with his agreement with the Law Society as set out in the certificate.

(6) The Director, with the approval of the Minister of Justice and Attorney General, may from time to time authorize the destruction of paid and cancelled cheques. O. Reg. 257/69, s. 97.

98.—(1) Where a sufficient amount was not provided in the approved estimates and the public interest or the urgent requirements of the Fund necessitate further payments, the Minister of Justice and Attorney General upon the report of the Director as to the necessity of further payments and stating the reasons that the appropriation is insufficient and the amount estimated to be required, shall make application to the Treasury Board for an order authorizing payments to be made against such amount as he considers proper, pursuant to the provisions of section 22 of *The Financial Administration Act*.

(2) Subject to the approval of the Minister of Justice and Attorney General, the Legal Aid Committee upon the recommendation of the Director may from time to time authorize the writing off as uncollectable any amount payable by a client or any other person to the Law Society for the Fund. O. Reg. 257/69, s. 98.

PART IV

Solicitors' Remuneration

DUTY COUNSEL AND LEGAL AID SOLICITORS' ACCOUNTS

99. A solicitor who has provided legal aid authorized by the Act and this Regulation shall be paid the amount of his account as settled by the Legal Accounts Officer pursuant to section 22 of the Act and schedules 2, 3, 5 and 6 of this Regulation. O. Reg. 257/69, s. 99.

100.—(1) A solicitor who has provided services pursuant to a certificate and has completed such services or has ceased to act shall submit forthwith to the Legal Accounts Officer,

(*a*) an account in duplicate of his fees and disbursements showing the date upon which each item of service was performed, one copy of which shall bear the following certificate signed by him:

"I certify that the legal aid herein was rendered by me or by such other named person as is specifically stated herein and that the disbursements set out herein were paid or liability therefor incurred and they were necessary and proper.";

(*b*) the certificate issued to the client;

(*c*) any other written authorization for legal services or the expenditure of money;

(*d*) the accounts of any agent or counsel engaged, prepared in accordance with this Regulation, certified in accordance with clause *a*;

(*e*) a copy of his report pursuant to section 62;

(*f*) where prior to the issue of the certificate the solicitor was employed by the client to perform any services with respect to the same matter, a detailed statement of the services rendered by the solicitor and any disbursements made by him prior to the issue of the certificate and a statement of any payment made by the client to the solicitor on account of his fees and disbursements; and

(*g*) such further or other supporting material as may be required by the Legal Accounts Officer.

(2) A solicitor referred to in subsection 1 shall, at the same time as he is submitting the material required by subsection 1, submit,

(*a*) a copy of his account, referred to in clause *a* of subsection 1, to the area director and to the client; and

(*b*) a copy of the material, referred to in clause *f* of subsection 1, to the client. O. Reg. 257/69, s. 100.

101. A solicitor acting as duty counsel after performing his duties, shall forthwith submit to the area director his account in duplicate of the times during which and the places at which he was engaged as duty counsel and any claim for travelling expenses, and the area director after settling and approving such account shall transmit it to the Director for payment out of the Fund. O. Reg. 257/69, s. 101.

102. The schedule of fees and disbursements in schedules 2, 3, 4, 5 and 6 to this Regulation shall constitute the fees and disbursements for legal aid authorized by the Act subject to the reduction provided for in respect thereof under section 22 of the Act. O. Reg. 257/69, s. 102.

COUNSEL AND SOLICITORS' FEES AND DISBURSEMENTS

103. An account submitted under section 100 shall set out in reasonable detail the services rendered and where appropriate the time actually spent, together with the fees and disbursements sought in accordance with the appropriate schedules of fees and disbursements to this Regulation, for each item of work done. O. Reg. 257/69, s. 103.

104. Disbursements shall be allowed only in accordance with Schedule 6 to this Regulation. O. Reg. 257/69, s. 104.

105. A solicitor who is providing legal aid pursuant to a certificate and has made proper out-of-pocket disbursements may apply to the Legal Accounts Officer for reimbursement therefor from time to time prior to the submission of his account under section 100. O. Reg. 257/69, s. 105.

SETTLEMENT OF LEGAL ACCOUNTS AND APPEALS

106. Each account submitted under section 100 shall be examined, settled and approved for payment by the Legal Accounts Officer in accordance with this Regulation. O. Reg. 257/69, s. 106.

107. The Legal Accounts Officer may disallow in whole or in part fees for,

(*a*) proceedings,

(i) unreasonably taken or prolonged,

(ii) not calculated to advance the interests of a client, or

(iii) incurred through negligence;

(*b*) preparing any document that is improper, unnecessary or of unreasonable length; or

(*c*) preparation that is unreasonable in its nature, scope or time expended. O. Reg. 257/69, s. 107.

108. Where the Legal Accounts Officer has settled an account he shall forthwith send to the solicitor who rendered it the duplicate copy thereof and a notice of settlement of account in Form 26, showing the disposition he has made of the items therein and certifying the amount at which it is settled and the amount thereof payable pursuant to section 22 of the Act. O. Reg. 257/69, s. 108.

109. A solicitor who is dissatisfied with the settlement of his account may apply for a review thereof by the Legal Accounts Officer who shall review his

settlement and amend or confirm his certificate and so inform the solicitor. O. Reg. 317/70, s. 1, *part*.

110. Every application for a review of the settlement of an account shall be in writing and shall set out the items objected to and the grounds of the objection and shall be made to the Legal Accounts Officer not later than ten days after the date of his certificate. O. Reg. 317/70, s. 1, *part*.

111. A solicitor who is dissatisfied with,

(*a*) a review made by the Legal Accounts Officer with respect to,

(i) the interpretation or application of Part IV of this Regulation and Schedule 2, 3, 5 or 6 of this Regulation, or

(ii) the principles upon which the Legal Accounts Officer has exercised his discretion in settling any account; or

(*b*) the determination of costs pursuant to section 128,

may appeal therefrom to the Taxing Officer. O. Reg. 257/69, s. 111.

112. An appeal under section 111 shall be commenced by the service of a notice of appeal in Form 22 upon the Director within ten days after the mailing of the decision of the Legal Accounts Officer, and such notice may be given by personal service or by prepaid mail addressed to the Director at his office. O. Reg. 257/69, s. 112.

113. After service of the notice of appeal, referred to in section 112, the solicitor shall obtain an appointment from the Taxing Officer for the hearing of the appeal and give at least ten days notice thereof to the Director. O. Reg. 257/69, s. 113.

114. The solicitor and the Director may appear on the hearing of the appeal in person or by counsel. O. Reg. 257/69, s. 114.

115.—(1) The decision of the Taxing Officer shall be evidenced by his certificate in Form 25 issued to the solicitor and to the Director.

(2) If the solicitor or the Director is dissatisfied with the decision of the Taxing Officer, the solicitor or the Director, as the case may be, may appeal from the Taxing Officer's certificate to a judge of the Supreme Court in chambers in Toronto, and the practice on the appeal shall be the same as upon an appeal from an order made by the Master of the Supreme Court. O. Reg. 317/70, s. 2, *part*.

116. The Director shall submit to the Legal Accounts Officer,

(*a*) the Taxing Officer's certificate when the time for appealing therefrom has elapsed and no appeal has been taken; or

(*b*) when an appeal has been taken from the Taxing Officer's certificate and the appeal has been disposed of, the Taxing Officer's certificate as affirmed or varied on the appeal,

and upon receipt of the Taxing Officer's certificate the Legal Accounts Officer shall amend or confirm his certificate accordingly and so inform the solicitor. O. Reg. 317/70, s. 2, *part*.

117. Where the Legal Accounts Officer is satisfied that the solicitor has duly performed all his duties under sections 63 and 129 and that,

(*a*) the account has been settled at not less than the amount for which it was rendered;

(*b*) the time for applying for a review of the settlement of the account has elapsed and no application for review has been received;

(*c*) the time for appealing from a review by him has elapsed and no appeal has been taken; or

(*d*) all appeals from or with respect to the review by him have been disposed of and section 116 has been complied with,

the Legal Accounts Officer shall submit his certificate, or his certificate as it is finally amended, as the case may be, together with the solicitor's account, to the Controller for payment forthwith out of the Fund pursuant to the certificate. O. Reg. 317/70, s. 2, *part*.

PART V

Appeals

APPEALS UNDER SECTION 14 OF THE ACT

118. An appeal to the Director under subsection 4 of section 14 of the Act shall be commenced by the service on the Director, within seven days after delivery of notice of refusal to issue a certificate, of a notice of appeal in Form 17 or in such other written form as the Director may accept. O. Reg. 257/69, s. 119.

119.—(1) The Director shall determine the appeal with all due dispatch and may for this purpose conduct such enquiry as in his opinion is necessary.

(2) The Director shall forthwith notify the appellant and the area director of his decision in Form 18. O. Reg. 257/69, s. 120.

APPEALS UNDER SECTION 16 OF THE ACT

120. An appeal to the area committee under subsection 10 of section 16 of the Act shall be commenced by giving to the area director within ten days after the delivery of the notice of refusal to issue a certificate or notice of cancellation of a certificate, a notice of appeal in Form 19 or in such other written form as the area committee may accept. O. Reg. 257/69, s. 121.

121. Notice in writing of the time and place of the hearing in Form 20 shall be given by the area director to the appellant and to his solicitor, if any, not less than five days before the hearing of the appeal. O. Reg. 257/69, s. 122.

122. On the hearing of an appeal the area committee shall consider all relevant information, including any written submissions and may hear the area director, the appellant in person or by his solicitor or representative and any other person the area committee considers advisable, and shall determine the appeal. O. Reg. 257/69, s. 123.

123. Notice of the area committee's decision shall forthwith be given in writing by the area director to the appellant in Form 21. O. Reg. 257/69, s. 124.

124. Notices required to be given under this Part may be given by personal service or by prepaid mail addressed to the Director or area director at his office and to the appellant at the address shown in his application or at that of the solicitor, if any, acting for him on the appeal. O. Reg. 257/69, s. 125.

PART VI

RECOVERIES UNDER AWARDS AND SETTLEMENTS

125. The solicitor acting for a client in any matter or at a trial or on a settlement of an action or proceeding may, with the prior approval of the Director or the Legal Accounts Officer agree to,

(*a*) waive the right to costs;

(*b*) accept a lesser fixed sum for costs; or

(*c*) consent to the amount at which costs are to be taxed. O. Reg. 257/69, s. 126.

126. The solicitor acting for a client who effects any settlement on behalf of the client entitling the client to recover any money or other property shall forthwith inform the Legal Accounts Officer of the detailed terms of the settlement. O. Reg. 257/69, s. 127.

127.—(1) Where a client recovers or is entitled to any money or other property by way of judgment, order or settlement,

(*a*) the party and party costs in favour of the client if not determined by taxation pursuant to a judgment or order may be agreed upon by the parties with the approval of the Legal Accounts Officer and failing such agreement and approval such costs may be determined by the Legal Accounts Officer for the purpose of ascertaining the amount for costs to be paid into the Fund and all such costs recovered shall be paid into the Fund by the solicitor for the client;

(*b*) the costs for the services rendered by the solicitor shall, by agreement of the client and the solicitor with the approval of the Legal Accounts Officer, then be determined as between a client and his solicitor and failing such agreement the Legal Accounts Officer may require the taxation of such costs pursuant to *The Solicitors Act* and the amount by which the said costs exceed the party and party costs shall also be paid into the Fund unless the Director or the Legal Accounts Officer decides that under the circumstances no such payment need be made; and

(*c*) where legal services have been rendered to a client prior to the issue of a certificate, the Legal Accounts Officer may determine the amount of the party and party costs referable to such services and certify the amount payable out of such costs to the client and to the Fund.

(2) Where a client does not recover any money or other property, the costs payable by the client shall not exceed the amount of his solicitor's account and any contributions by the client in excess of the amount of the solicitor's account shall be refunded to him. O. Reg. 257/69, s. 128.

128.—(1) Where the client is entitled to recover any money or other property under a judgment, order or settlement, unless the client has paid to the Fund the costs for the services rendered in accordance with this Regulation, the solicitor shall,

(*a*) prior to payment to the client or to his order of any money recovered for him, pay to the Fund therefrom the said costs; or

(*b*) prior to delivery to the client or to his order of any property, other than money, recovered for him or the title papers relating thereto, obtain from the client the execution and delivery of an appropriate instrument securing thereon the charge in favour of the Law Society or its nominee for the said costs, and shall register the instrument in the proper office and forward the duplicate original thereof with registration or filing notations thereon to the Director. O. Reg. 257/69, s. 129.

(2) A certificate of lien referred to in subsection 1 of section 18 of the Act shall be in Form 29. O. Reg. 317/70, s. 3.

(3) A certificate of discharge of lien referred to in subsection 7 of section 18 of the Act shall be in Form 30. O. Reg. 317/70, s. 3.

PART VII

PAYMENT OF COSTS OF UNASSISTED PERSONS OUT OF THE FUND

129.—(1) Where proceedings have been taken or defended by a client and the costs thereof have been awarded by a court against him, he may apply to the Director for payment out of the Fund of the costs so awarded.

(2) Where the client refuses or fails to apply for payment within a reasonable time, the person to whom such costs are awarded may make such application. O. Reg. 257/69, s. 130.

130. The Director shall refer an application under section 130 to the Legal Aid Committee which shall make such disposition thereof as to it appears just, including payment out of the Fund of the whole or any part of such costs. O. Reg. 257/69, s. 131.

131. The Legal Aid Committee may make such enquiries and hear such submissions with respect thereto as it considers advisable. O. Reg. 257/69, s. 132.

PART VIII

General

132. The Director may from time to time extend the time for doing any act or taking any proceeding under this Regulation and this function may be exercised although the application to extend is not made until after the expiration of the time prescribed. O. Reg. 257/69, s. 133.

COMPLAINTS

133. An area director who has received a complaint from a client that his solicitor has failed to carry out his professional duties properly shall make such investigation of the complaint as he considers necessary and may report the complaint and the results of his investigation to the Director. O. Reg. 257/69, s. 134.

134. An area committee receiving a complaint respecting any matter set forth in section 133 may refer it to the area director who may report the complaint and the results of his investigation to the Director. O. Reg. 257/69, s. 135.

135. The Director upon receiving any complaint from a client may refer it to the area director for such investigation and a report thereon as he may require. O. Reg. 257/69, s. 136.

136. The Director on receipt of a report under sections 133 to 135 may take such steps as he considers appropriate and may deliver the complaint, reports and the results of any investigation to the Law Society. O. Reg. 257/69, s. 137.

NON-DISCLOSURE OF INFORMATION

137. No information furnished by or about an applicant for or recipient of legal aid shall be disclosed other than for the purpose of facilitating the proper performance by any person of his functions under the Act or this Regulation. O. Reg. 257/69, s. 138.

LIMITATIONS ON REMUNERATION

138.—(1) No solicitor providing legal aid whether pursuant to a certificate or as a duty counsel shall receive or accept any fee, gratuity or other compensation of any kind with respect to such legal aid over and above the fees and disbursements provided.

(2) Subject to sections 71 and 72, unless with the prior approval of the Director, no solicitor providing legal aid as a duty counsel to a person may receive or accept any fee, gratuity or other compensation for any professional services rendered to such person in the matter or directly related to the matter for which legal aid as a duty counsel was provided. O. Reg. 257/69, s. 139.

NO REMUNERATION OF STUDENTS

139.—(1) No student providing legal aid shall receive or accept, directly or indirectly, any fee, gratuity or other compensation of any kind with respect to such legal aid.

(2) Subsection 1 does not apply to,

(*a*) receipt of wages by an articled student;

(*b*) receipt of wages by any student employed under the Plan with the approval of the Legal Aid Committee; or

(*c*) receipt of necessary disbursements by a student and out-of-pocket expenses, otherwise than from the Fund. O. Reg. 257/69, s. 140.

SOLICITOR'S LIEN

140. No solicitor has a lien for his fees, charges or expenses for legal aid upon the property or papers in his possession belonging to a client. O. Reg. 257/69, s. 141.

141. Nothing in this Part shall be deemed to deprive a solicitor of his lien on the property and

papers in his possession for the fees, charges and expenses that the client was liable to pay to him for professional services rendered prior to the issuance of a certificate and not covered therein. O. Reg. 257/69, s. 142.

142. Items 3, 7 and 14 of Schedule 3 of this Regulation shall apply only to divorce proceedings instituted on or after the 2nd day of July, 1968. O. Reg. 257/69, s. 143.

Schedule 1

LEGAL AID AREAS

The following counties, territorial districts and judicial districts are designated as areas:

1. Algoma
2. Brant
3. Bruce
4. Cochrane
5. Dufferin
6. Elgin
7. Essex
8. Frontenac
9. Grey
10. Haldimand
11. Halton
12. Hastings and Prince Edward
13. Huron
14. Kenora
15. Kent
16. Lambton
17. Lanark
18. Leeds and Grenville
19. Lennox and Addington
20. Manitoulin and Sudbury
21. Middlesex
22. Muskoka
23. Niagara North
24. Niagara South
25. Nipissing
26. Norfolk
27. Northumberland and Durham
28. Ontario
29. Ottawa-Carleton
30. Oxford
31. Parry Sound
32. Peel
33. Perth
34. Peterborough
35. Prescott and Russell
36. Rainy River
37. Renfrew
38. Simcoe
39. Stormont, Dundas and Glengarry
40. Timiskaming
41. Thunder Bay
42. Victoria and Haliburton
43. Waterloo
44. Wellington
45. Wentworth
46. York

O. Reg. 257/69, Sched. 1.

Schedule 2

FEES IN CRIMINAL MATTERS

All fees in this Schedule shall be subject to a reduction of 25 per cent pursuant to section 22 of the Act.

INDICTABLE OFFENCES

Indictable Offences within the exclusive jurisdiction of the Supreme Court under section 413 of the *Criminal Code* (Canada)—

1. Preparation for preliminary hearing and preparation for trial including interviews with the accused and witnesses—
per hour ..... $ 35.00

2. Counsel fee at preliminary inquiry—
per day 175.00

3. Counsel fee at trial—
per day 250.00

Junior Counsel in capital cases or with the approval of the Director in non-capital murder cases—
per day 100.00

Indictable Offences other than those within the exclusive jurisdiction of the Supreme Court under section 413 of the *Criminal Code* (Canada)—

4. Preparation for preliminary hearing, where applicable, and preparation for trial including interviews with the accused and witnesses—
per hour 25.00

5. Counsel fee at preliminary inquiry—
per day 125.00

6. Counsel fee at trial in Supreme Court or in Court of General Sessions of Peace—
per day 200.00

7. Counsel fee at trial before a County or District Court Judge without a jury or before a Provincial Judge under Part XVI of the *Criminal Code* (Canada), other than in respect of trials for offences under section 467 thereof—
per day 150.00

8. Where the trial is before a Provincial Judge for an offence falling within section 467 of the *Criminal Code* (Canada), for all services including attendances for adjournment, applications for bail, preparation for trial and counsel fee at trial .. 200.00

or where a plea of guilty is entered, for all services 100.00

Application for Bail or Reduction of Bail on behalf of a person charged with any Indictable Offence—

9. Application to a Justice of the Supreme Court for all services incidental to the application, including drawing notice of motion, affidavits, attendances, justification by surety or sureties or entering into recognizance ..... $ 100.00

10. When application for bail is made before a County or District Court Judge for the above services 25.00

11. When application for bail is made before a Provincial Judge for the above services. 25.00

Adjournments—

12. Attendance on any necessary adjournment before a Justice of the Supreme Court 25.00

13. Attendance on any necessary adjournment before a Judge of a County or District Court 25.00

14. Attendance on any necessary adjournment or adjournments before a Provincial Judge requested by the accused, in all .. 15.00

Attendance on any adjournment before a Provincial Judge requested by the Crown 15.00

(A solicitor shall not be entitled to a fee for more than one adjournment before the same Provincial Judge obtained during the same half day)

Preventive Detention—

15. Preparation for an application under sections 660 and 661 of the *Criminal Code* (Canada) for Preventive Detention including interviews, and other necessary services—
per hour 25.00

16. Counsel fee on application—
per day 150.00

Appeals to the Court of Appeal with respect to offences within the exclusive jurisdiction of the Supreme Court—

17. Drawing and filing Notice of Appeal and preparation of Appeal Book 50.00

18. Preparation, including Statement of Points of Law and Fact intended to be argued, where appeal is against sentence only 75.00

19. Preparation, including Statement of Points of Law and Fact intended to be argued and including supplementary Notice of Appeal, where appeal is against conviction and sentence or conviction only 200.00

20. Counsel fee on appeal—
per day ..... $ 300.00

Appeals to the Court of Appeal with respect to offences other than those within the exclusive jurisdiction of the Supreme Court—

21. Drawing and filing Notice of Appeal and preparation of Appeal Book..... 30.00

22. Preparation, including Statement of Points of Law and Fact intended to be argued, where appeal is against sentence only 50.00

23. Preparation, including Statement of Points of Law and Fact intended to be argued and including supplementary Notice of Appeal, where appeal is against conviction and sentence or conviction only 100.00

24. Counsel fee on appeal—
per day 175.00

Appeals to the Supreme Court of Canada in respect of all Indictable Offences—

25. Application for Leave to Appeal including preparation of the Notice of Motion, Statement of Points of Law and Fact and the case and other necessary proceedings..... 150.00

26. Counsel Fee on application for Leave to Appeal—
per day 200.00

27. Application before the Chief Justice of Ontario or other Judge designated by him for admission to bail including drawing of Notice of Motion, affidavits, attendances incidental to the application, preparation of recognizances, execution thereof and justification of surety or sureties..... 100.00

28. Drawing, filing and serving Notice of Appeal and preparing case..... 100.00

29. Preparation, including factum..... 300.00

30. Counsel fee on appeal—
per day 350.00

SUMMARY CONVICTIONS

31. Fee for all services in respect of offences triable on indictment or on Summary Conviction, e.g. dangerous driving, where the Crown elects to proceed as for a Summary Conviction offence, including all attendances for adjournment, application for bail, preparation and counsel fee at trial..... 150.00

or where a plea of guilty is entered, for all services..... $ 75.00

32. Fee for all other Summary Conviction Offences, including attendances for adjournments, application for bail, preparation and counsel fee at trial..... 100.00

or where a plea of guilty is entered, for all services..... 50.00

Appeals to a Judge of a County or District Court from a Summary Conviction—

33. Attending to fix security for costs and enter into recognizance or deposit sum of money as security, preparing, filing and service of notice of appeal, and attending to set appeal down..... 50.00

34. Counsel Fee on Trial *De Novo*, or on appeal under *The Liquor Control Act*—
per day 150.00

Appeals by way of a Stated Case—

35. Application to Justice of the Peace or Provincial Judge to state case, including preparation of application, drafting case and service of application..... 100.00

36. Attendance on Justice of the Peace or Provincial Judge to settle case when required..... 50.00

37. Preparation of recognizance and attendance before Justice of the Peace or Provincial Judge to enter into recognizance 15.00

38. Preparation and service of Notice of Appeal and stated case..... 15.00

39. Counsel Fee on appeal..... 100.00

Application for Leave to Appeal and Appeal to Court of Appeal on question of Law in Summary Conviction Matters—

40. Preparing Notice of Application for Leave to Appeal, Appeal Book and Statement of Points of Law..... 50.00

41. Counsel fee on Application for Leave to Appeal and on appeal—
per day 150.00

Application for Leave to Appeal and Appeal to Supreme Court of Canada under section 40 of the *Supreme Court Act* (Canada)—

42. Preparing Notice of Application for Leave to Appeal, Appeal Case and Memorandum of Points of Law..... 100.00

43. Counsel fee on Application for Leave to Appeal—
per day ..... $ 200.00

44. Preparation of Notice of Appeal, preparation of case on appeal, preparation of Factum and all necessary attendances .. 150.00

45. Counsel fee on appeal—
per day 300.00

46. Application to the Chief Justice of Ontario or Judge designated by him for Bail pending appeal, including all material, preparation, attendances, preparing recognizance and justification by sureties .. 100.00

PROCEEDINGS AND PROSECUTIONS UNDER the *Juvenile Delinquents Act* (Canada)—

47. Fees in respect to all matters other than appeals to be in the discretion of the Legal Accounts Officer who shall take into consideration the fees set out in this Schedule according to the circumstances out of which the proceedings or prosecution arose.

Appeals under the *Juvenile Delinquents Act* (Canada)—

48. Preparation and Service of Notice of Application for Leave to Appeal..... 25.00

49. Counsel fee on Application for Leave to Appeal and on appeal before a Judge of the Supreme Court of Ontario—
per day 150.00

50. On Application for Leave to Appeal and on appeals to the Court of Appeal for Ontario and the Supreme Court of Canada under section 40 of the *Supreme Court Act* (Canada), the schedule of fees applicable to appeals to the Court of Canada in Summary Conviction Offences shall apply.

EXTRAORDINARY REMEDIES

Certiorari, Motion to Quash, Mandamus, Prohibition and Quo Warranto—

51. Preparing, serving and filing Notice of Motion, Affidavits and all other necessary material..... 75.00

52. Counsel fee on hearing of the Motion—
per day 150.00

53. On Application for Leave to Appeal and on appeals to the Court of Appeal for Ontario and the Supreme Court of Canada under section 40 of the *Supreme Court Act* (Canada), the schedule of fees applicable to appeals to the Court of Appeal and to the Supreme Court of Canada in Summary Conviction Offences shall apply.

Habeas Corpus—

54. Preparing, serving and filing Notice of Motion, Affidavits and all other necessary material..... $ 75.00

55. Counsel fee on the hearing of the Motion in the Supreme Court of Ontario, including both the application for the Writ of Habeas Corpus and the Motion for Discharge if the Writ is granted, whether the Application and the Motion are heard on the same day or on different days—
per day 150.00

EXTRADITION AND FUGITIVE OFFENDERS

56. Attendance for necessary adjournment before the Judge..... 25.00

57. Preparation for hearing—
per hour..... 25.00

58. Counsel fee on hearing—
per day 150.00

OTHER MATTERS

59. The Legal Accounts Officer may allow a fee to a solicitor for the preparation of an opinion, for an additional opinion or for his attendance to make further submissions when requested by the area committee.

60. An allowance may be made for the time reasonably and properly spent in travelling to and from the solicitor's office to the place of trial or preliminary hearing where the solicitor satisfies the Legal Accounts Officer that such travel was reasonable and necessary under the circumstances.

61. In any matter, proceeding, action or appeal, not dealt with by this Schedule of fees, the Legal Accounts Officer shall allow a reasonable fee and in determining the fee properly payable in respect of such matter, proceeding, action or appeal, the Legal Accounts Officer shall have regard to the Schedule of fees herein for comparable services.

NOTES

A. This Schedule is a legal aid tariff and the fees provided for herein shall normally apply for the legal aid covered thereby, provided that they may be increased by the Legal Accounts Officer in those cases where in his opinion an increase is justified, having

regard to all the circumstances including the nature of the offence charged, the complexity of the case and any other factor which would warrant an increased fee.

B. The solicitor shall prepare his account in accordance with the Schedule of fees herein and the reduction provided for by section 22 of the Act shall be made by the Legal Accounts Officer on settling the account.

C. The Legal Accounts Officer may disallow payment in whole or in part of an account in accordance with the provisions of section 107.

D. The Legal Accounts Officer may require proof and justification of all items included in an account, either by the production of docket entries or otherwise.

E. Where a solicitor represents two or more persons charged with the same or a similar offence arising out of the same occurrence, or where a solicitor represents a person charged with two or more offences, and in either case where the trials or pleas of guilty occur in the same court at approximately the same time, for the purposes of this Schedule, the solicitor shall be entitled to fees as for one client on one charge and such additional fees as may be appropriate pursuant to Note A above. O. Reg. 257/69, Sched. 2.

Schedule 3

FEES IN CIVIL MATTERS

All Fees in this Schedule shall be subject to a reduction of 25 per cent pursuant to section 22 of the Act.

Supreme Court Actions—
(other than uncontested matrimonial actions)

1. Preliminary interviews, attendances, advising and receiving instructions—
per hour.....$ 35.00

2. Preparation and issue of writ 35.00

and in Mortgage Actions in which the Writ is Specially Endorsed..... 40.00

3. Preparation, issue and service of petition in Divorce Proceeding and reply to answer..... 40.00

4. Preparation and filing of Appearance to Generally Endorsed Writ..... 20.00

5. Preparation and filing of Appearance and Affidavit of Merits to Specially Endorsed Writ..... 35.00

6. Preparation and delivery of all Pleadings including demand for and reply to demand for particulars 75.00

7. Answer to petition in Divorce Proceeding, including counter-petition .....$ 40.00

8. All other necessary matters preliminary to trial including interlocutory applications and preparation for trial—
per hour..... 35.00

9. Counsel fee at trial—
per day 250.00

10. All necessary matters subsequent to trial, including entry of judgment, filing execution, preparation for taxation, and examination of judgment debtor—
per hour..... 35.00

11. Attending on taxation of costs..... 35.00

Originating Motions—

12. (*a*) On originating motions in court or chambers for all necessary professional services in connection therewith other than Counsel Fee
per hour..... 35.00

Counsel fee shall be in the discretion of the Legal Accounts Officer.

(*b*) Where the trial of an issue is directed on the return of an originating notice of motion the fees for subsequent services shall be in accordance with the fees for a Supreme Court action.

(*c*) Where a proceeding other than the trial of an issue is directed, the fees shall be in the discretion of the Legal Accounts Officer.

13. Counsel fee on a Reference to a Master, Official or Special Referee, a Registrar or Clerk, shall be in the discretion of the Legal Accounts Officer.

Uncontested Divorce Proceedings—

14. Uncontested divorce proceedings, including preliminary attendance, preparing and issuing petition, services, setting down for trial, counsel fee at trial and judgment absolute..... 500.00

15. Advising a defendant in an uncontested divorce action in respect of all necessary matters—
per hour..... 35.00

COUNTY AND DISTRICT COURT ACTIONS

16. Preliminary interviews, attendances, advising and receiving instructions—
per hour..... 25.00

17. Preparation and issue of Writ ..... $ 25.00

and in Mortgage Actions in which the Writ is Specially Endorsed 30.00

18. Preparation and filing of Appearance to Generally Endorsed Writ 15.00

19. Preparation and filing of Appearance and Affidavit of Merits to Specially Endorsed Writ 20.00

20. Preparation and delivery of all Pleadings including demand for and reply to demand for particulars 50.00

21. All other necessary matters preliminary to trial including interlocutory applications and preparation for trial—
per hour 25.00

22. Counsel fee at trial—
per day 150.00

23. All necessary matters subsequent to trial including entry of judgment, filing execution, preparation for taxation and examination of judgment debtor—
per hour 25.00

24. Attending on taxation of costs 25.00

25. Counsel fee on a Reference to a Master, Official or Special Referee, or Clerk, shall be in the discretion of the Legal Accounts Officer.

Originating Motions—

26. (*a*) On originating motions in court or chambers, for all necessary professional services in connection therewith other than counsel fee,
per hour 25.00

Counsel fee shall be in the discretion of the Legal Accounts Officer.

(*b*) Where the trial of an issue is directed on the return of an originating notice of motion the fees for subsequent services shall be in accordance with the fees for a County Court action.

(*c*) Where costs at trial are awarded on the Supreme Court scale the fees payable shall be in accordance with the schedule of fees payable in Supreme Court actions.

SURROGATE COURT MATTERS

27. In non-contentious Surrogate Court matters the tariff of fees to the Surrogate Court Rules shall apply.

28. For non-contentious Surrogate Court matters not provided for in item 27—
per hour ..... $ 25.00

29. For all contentious matters in the Surrogate Court or before a Surrogate Court Judge, including the preparation and filing of a caveat, the fees shall be in accordance with the Supreme Court Tariff in this Schedule, provided that if the Legal Accounts Officer is of the opinion that the importance of the matter, or the amount involved does not justify the fees payable in the Supreme Court, he shall apply the Schedule of fees applicable in the County Court.

EXCHEQUER COURT OF CANADA

30. (*a*) Except as set forth below the Schedule of fees applicable to Supreme Court proceedings shall apply *mutatis mutandis*.

(*b*) Settlement of issues before trial 150.00
Motion for Judgment 35.00
Preparation of affidavit for any expert to be filed for purpose of trial 75.00

(*c*) In any cause or reference in or to the Exchequer Court where in the opinion of the Legal Accounts Officer the Supreme Court Schedule of fees is inapplicable, the fee shall be fixed in the discretion of the Legal Accounts Officer.

PROVINCIAL COURT (FAMILY DIVISION)

31. That part of Schedule 2 relating to fees applicable to Summary Conviction matters shall apply *mutatis mutandis* to all proceedings in a Provincial Court (Family Division) except prosecutions to which the *Juvenile Delinquents Act* (Canada) applies.

SMALL CLAIMS COURTS

32. Where the amount involved is $200 or less,

(*a*) Preparation of claim 7.50

(*b*) Signing default judgment 3.00

(*c*) Preparation of dispute 7.50

(*d*) Attendance at trial 25.00

33. Where the amount involved exceeds $200 but does not exceed $400,

(*a*) Preparation of claim 15.00

(*b*) Signing default judgment..... $ 3.00

(*c*) Preparation of dispute 15.00

(*d*) Attendance at trial 30.00

34. Where the amount involved exceeds $400,

(*a*) Preparation of claim 25.00

(*b*) Signing default judgment..... 3.00

(*c*) Preparation of dispute 25.00

(*d*) Attendance at trial 75.00

CONSOLIDATION ORDERS

35. All proceedings on an application for a consolidation order under *The Small Claims Courts Act* including searches, affidavits, services, attendances on the judge and clerk..... 75.00

36. (*a*) Negotiating and drawing an agreement for the rateable distribution of payments by a debtor among his creditors..... 50.00

(*b*) Receiving and distributing payments made pursuant to an agreement referred to in clause *a*, 6 per cent of the amount received.

QUASI-JUDICIAL OR ADMINISTRATIVE BOARDS OR COMMISSIONS

37. Preliminary interviews, attendances, advising, receiving instructions, preparation and appearance—
per hour..... 25.00

BANKRUPTCY PROCEEDINGS

38. For all necessary professional services in bankruptcy proceedings subsequent to a receiving order or an authorized assignment—
per hour..... 35.00

APPEALS

APPEALS TO THE COURT OF APPEAL FOR ONTARIO

Appeals from the Supreme Court—

39. All necessary matters preliminary to the appeal, including drawing notice of appeal and necessary attendances for serving and filing..... 50.00

40. Preparation, including Appeal Book and Statement of Law and Fact..... 200.00

41. Counsel Fee—
per day $300.00

42. All proceedings subsequent to appeal including entry of judgment, preparation of costs and attending on taxation of costs.. 40.00

Appeals from County Court—

43. All necessary matters preliminary to the appeal, including drawing notice of appeal and necessary attendances for serving and filing..... 30.00

44. Preparation, including Appeal Book and Statement of Law and Fact..... 100.00

45. Counsel fee—
per day 175.00

46. All proceedings subsequent to appeal including entry of judgment, preparation of costs and attending on taxation of costs.. 25.00

Appeals from Small Claims Court—

47. All necessary matters preliminary to the appeal, including drawing notice of appeal and necessary attendances for serving and filing..... 10.00

48. Preparation, including Appeal Book and Statement of Law and Fact..... 35.00

49. Counsel fee—
per day 50.00

50. All proceedings subsequent to appeal including entry of judgment, preparation of costs and attending on taxation of costs.. 10.00

APPEALS TO THE EXCHEQUER COURT OF CANADA

51. All necessary matters preliminary to the appeal, including drawing notice of appeal and necessary attendances for serving and filing..... 50.00

52. Preparation, including Statement of Law and Fact and preparation of Appeal Book 100.00

53. Counsel fee—
per day 300.00

54. All proceedings subsequent to appeal including entry of judgment, preparation of costs and attending on taxation of costs.. 400.00

APPEALS TO A JUDGE IN COURT OR CHAMBERS

55. For all preliminary proceedings including notice of appeal, drawing affidavits and preparation for appeal..... 25.00

56. Counsel fee on appeal including drawing and settling order or judgment.....$ 75.00

APPEALS FROM PROVINCIAL COURT (FAMILY DIVISION)

57. On appeal to a Judge from a decision of a Provincial Court (Family Division), except in respect of appeals arising out of prosecutions under the *Juvenile Delinquents Act* (Canada), that part of Schedule 2 relating to Summary Conviction appeals shall apply.

APPEALS TO THE SUPREME COURT OF CANADA

58. Application for Leave to Appeal including preparation of the Notice of Motion, Statement of Points of Law and Fact and the case and other necessary proceedings. 150.00

59. Counsel fee on application for Leave to Appeal—
per day 200.00

60. Drawing, filing and serving notice of appeal and preparing case..... 100.00

61. Preparation including Factum..... 300.00

62. Counsel fee on appeal—
per day 350.00

63. All proceedings subsequent to appeal including drawing, settling judgment and taxation of costs..... 50.00

APPEALS TO ASSESSMENT REVIEW COURT

64. In an appeal to the Assessment Review Court from an assessment of a property that is the residence of the applicant, for all proceedings..... 35.00

NEGOTIATION OF SETTLEMENTS

65. A fee may be allowed in the discretion of the Legal Accounts Officer for negotiating a settlement whether or not proceedings have been instituted.

DEPORTATION PROCEEDINGS

66. Fee for all services in proceedings before a special inquiry officer, including all attendances for adjournment, preparation and counsel fee at the hearing.... 125.00

67. Fee for all services in an appeal in writing to the Immigration Appeal Board, including preparation and submission by way of appeal and filing same..... 60.00

68. With the prior approval of the area committee, attendance on the Immigration Appeal Board to argue appeal—
per day $150.00

SEPARATION AGREEMENTS

69. For negotiating, drafting and settling a marital separation agreement, for all services 75.00

APPLICATION UNDER WAGES ACT

70. For all services including preparation, drafting affidavits and other documents and attendances on the Judge in an application under section 7 of *The Wages Act* 75.00

OTHER MATTERS

71. In any matter referred to in clause *c* of subsection 1 of section 14 of the Act the fee shall be in the discretion of the Legal Accounts Officer who shall have regard to the importance and difficulty of the work.

72. The Legal Accounts Officer may allow a fee in proper cases for any services rendered with respect to an application to an area committee under section 14 of the Act when such services have been rendered at the request of and for the use of the area committee.

73. For drawing documents wherever the subject matter or nature thereof is properly or customarily within the scope of the professional duties of a solicitor—
per hour..... 25.00

74. The Legal Accounts Officer may allow a fee to a solicitor for the preparation of an opinion, for an additional opinion or for his attendance to make further submissions when requested by the area committee.

75. An allowance may be made for the time reasonably and properly spent in travelling to and from the solicitor's office to the place of trial or other hearing where the solicitor satisfies the Legal Accounts Officer that such travel was reasonable and necessary under the circumstances.

76. In any matter, proceeding, action or appeal, not dealt with by this Schedule of fees, the Legal Accounts Officer shall allow a reasonable fee and in determining the fee properly payable in respect of such matter, proceeding, action or appeal, the Legal Accounts Officer shall have regard to the Schedule of fees herein for comparable services.

77. In uncontested Matrimonial Causes, including preliminary attendances, issue of writ, pleadings, services, setting down for trial, where the uncontested Matrimonial Cause was instituted before this Regulation came into force, the counsel fee at trial and judgment absolute shall be $500.

NOTES

A. This Schedule is a legal aid tariff and the fees provided for herein shall normally apply for the legal aid covered thereby, provided that they may be increased by the Legal Accounts Officer in those cases where in his opinion an increase is justified, having regard to all the circumstances including the nature of the work done, the complexity of the case and any other factor which would warrant an increased fee.

B. The solicitor shall prepare his account in accordance with the Schedule of fees herein and the reduction provided for by section 22 of the Act shall be made by the Legal Accounts Officer on settling the account.

C. The Legal Accounts Officer may disallow payment in whole or in part of an account in accordance with the provisions of section 107.

D. The Legal Accounts Officer may require proof and justification of all items included in an account, either by the production of docket entries or otherwise. O. Reg. 257/69, Sched. 3.

Schedule 4

FEES OF DUTY COUNSEL

All fees in this Schedule shall be subject to a reduction of 25 per cent pursuant to section 22 of the Act.

1. For performance of duties of duty counsel under sections 69 and 73 of this Regulation—
   per hour..... 25.00

   but not to exceed $100 per day.

2. An allowance may be made for the time reasonably and properly spent in travelling to and from the place where his duties are performed. O. Reg. 257/69, Sched. 4.

Schedule 5

FEES OF LEGAL ADVICE SOLICITORS

The fees provided for in this Schedule shall be subject to a reduction of 25 per cent pursuant to section 21 of the Act.

Interviews and advice to applicants—
per hour..... 25.00

O. Reg. 257/69, Sched. 5.

Schedule 6

SOLICITOR'S OUT-OF-POCKET DISBURSEMENTS

Every solicitor who has rendered legal aid shall be entitled to be paid in accordance with this Regulation the following out-of-pocket disbursements actually and reasonably incurred:

i. Disbursements, not being witness fees, required or permitted to be made pursuant to any statute, rule having statutory authority, regulation or order-in-council.

ii. Subject to paragraph viii, witness fees and travelling expenses of witnesses in accordance with the statute, rule or regulation under which the proceeding is brought, and if no provision is made therein for witness fees, then in accordance with Tariff B of the Rules of Practice.

iii. Fees payable to a court reporter for a transcript of evidence taken on a preliminary inquiry, reasons for judgment or evidence for use on an appeal authorized by this Regulation to be taken.

iv. A solicitor's travelling expenses where the distance travelled exceeds ten miles.

v. Long distance telephone and telegraph charges.

vi. The fees and out-of-pocket disbursements of his out-of-town agent in Ontario for routine attendances and services, save and except where such agent is acting as counsel.

vii. Postage or express charges on the shipment of parcels of documents, transcripts of evidence or exhibits for use on an application to court or chambers or on an appeal.

viii. With the prior approval of the Director or the Legal Accounts Officer, the services of a person entitled by law or practice to give expert or opinion evidence may be engaged and the reasonable and proper fees paid therefor at the rate specified by the Legal Accounts Officer in his authorization.

ix. With the approval of the Director or Legal Accounts Officer, any other proper out-of-pocket disbursements, including any deposit or other payment that may be required, made in furtherance of the proceeding or matter, which approval shall, except in an emergency, be obtained prior to such out-of-pocket disbursements being made. O. Reg. 257/69, Sched. 6.

Form 1

The Legal Aid Act

APPLICATION TO BE ENTERED ON A PANEL

I, ..., a barrister-at-law and solicitor of the Supreme Court of Ontario,

having an office at ..... and
(address)

..... hereby apply to
(address)

have my name entered on the following:

legal aid criminal panel ☐

legal aid civil panel ☐

duty counsel criminal panel ☐

duty counsel civil panel ☐

legal advice panel ☐

I hereby undertake to comply with the provisions of *The Legal Aid Act* and the regulations made thereunder and to perform all duties undertaken by me as a member of the panel while my name remains on it.

Dated at ..... this .... day of .....,

19....

.....
(signature)

To the area director

at .....

O. Reg. 257/69, Form 1.

Form 2

The Legal Aid Act

APPLICATION FOR LEGAL AID

NAME: Miss ☐ Mr. ☐ Mrs. ☐

Family or Last Name

First Name Second Name

Age:.... Married..... No. of Dependents:.....

Residence Address ..... Apt. No.....

Telephone No..... Occupation:.....

Place of Employment:..... Telephone No.....

1. I hereby apply for legal aid for the following purpose:

   Date of occurrence (*if applicable*).....,

   19....

2. I am ordinarily resident in the Province of Ontario and have resided at ..... continuously since ..... *or*

   (if non-resident complete).....

3. I have not sufficient means presently available to enable me to assert or defend my legal rights.

4. I am not entitled to and do not have financial or other aid available to me.

5. I have not at any time failed to make any payment to the Law Society with respect to legal aid under any undertaking in that behalf given by me.

6. I undertake to furnish further information with respect to my affairs upon the request of the area director or assessment officer.

7. I understand that I may be required to contribute towards the cost of the legal aid applied for.

8. I have not made application for legal aid in respect to the above occurrence except ..... give

   .....
   particulars)

*9. If the purpose for which this application is made is an appeal to the Court of Appeal from a conviction and sentence, or either, and a certificate for legal aid is issued to me, I hereby authorize my solicitor or a duty counsel appointed by the Director of Legal Aid to withdraw any appeal in writing made by me in the above matter. I undertake to sign forthwith a notice of withdrawal of such appeal for that purpose.

* NOTE FOR SOLICITOR:

If this paragraph applies, follow the Legal Aid Criminal Appeals Procedure, a copy of which is obtainable from the area director.

10. I have not previously consulted a solicitor about the matter for which I now seek legal aid,

or

I have consulted a solicitor ..... (name)

Strike out if otherwise not applicable

about the said matter and I have paid him $.....

on or about ....., 19.....

Dated at ....., this .... day of .....,

19....

.....
(signature of applicant)

To the area director

at .....

Name of Interviewing Lawyer (*if applicable*)

(initials) (surname)

N.B. Where criminal charges involved, please state following information if known:

In custody? Yes..... Where.....

No .....

Date of hearing ..... Courtroom # .....

Choice of lawyers: 1. .....

2. .....

3. .....

County of .....

Province of Ontario,

IN THE MATTER OF an application for legal aid under *The Legal Aid Act*

To Wit:

I, ..., of the .....

of ....., in the County of .....
do solemnly declare as follows:

1. I am the above named applicant and I duly signed the foregoing application for legal aid.

2. All the information given by me and set out in the said application is true to the best of my knowledge and belief.

And I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the *Canada Evidence Act*.

Declared before me at

the .....

of ....., in the

County of .....

this day of ....., 19....

.....
A Commissioner, etc.

O. Reg. 257/69, Form 2.

Form 3

The Legal Aid Act

NOTICE OF REFUSAL OF CERTIFICATE FOR LEGAL AID

This is to advise you that your application for legal aid dated ....., 19...., for ..... has been refused on the following grounds:

And take notice that you may appeal my decision to the area committee at ..... by filing at my office a notice of appeal in Form 19 within ten days after the delivery of this notice.

Dated at ....., this .... day of .....

19....

To:

..... (applicant)

..... (Area Director at .....)

O. Reg. 257/69, Form 3.

Form 4

The Legal Aid Act

NOTICE OF REFUSAL OF CERTIFICATE FOR LEGAL AID
(where approval of Area Committee required)

This is to advise you that your application for legal aid dated ....., 19...., has been refused by reason that the Area Committee at ..... did not approve your application, on the following grounds:

And take notice that you may appeal this decision to the Director of Legal Aid, ... by giving written notice of your appeal in Form 17 to the Director at that office within seven days after delivery of this notice.

Dated at ....., this .... day of .....,

19....

To:

....
(applicant) (Area Director at .....)

O. Reg. 257/69, Form 4.

Form 5

The Legal Aid Act

REQUEST FOR A REPORT BY A ASSESSMENT OFFICER

To .....
Regional Assessment Officer

Name of Applicant:..... File No.:.....

.....

Address..... Nature of Proceeding .....

Telephone: Home..... Date of Court Appearance.....

Business.....

Estimated Cost of Legal Aid $.....

Dear Sir,

The above named person has applied for legal aid in accordance with subsection 1 of section 16 of *The Legal Aid Act*. The application is hereby referred to the Department of Social and Family Services for a report under subsection 2 of section 16 of the Act.

A provisional certificate has been issued ☐

has not been issued ☐

Dated at ....., this .... day of .....,

19....

.....
(Area Director at .....)

O. Reg. 257/69, Form 5.

Form 6

The Legal Aid Act

NOTICE TO APPLICANT AND APPLICANT'S AGREEMENT

The Provincial Assessment Officer at ..... has reported that you have:

A yearly income over your reported expenditures

amounting to $.....

and
available liquid capital $.....

I have determined that you are entitled to legal aid to (*brief indication of relief desired*):

and that you are able to make a payment of $..... towards the cost of legal services provided as follows:

Before a certificate for legal aid is issued, you must sign the agreement set out in this Form and return the signed white copy of this form to me.

If you consider this decision unfair, I will reconsider this case if you send me in writing full details concerning your objections to my decision.

Where the agreement is not signed and returned to me within fifteen days of the date on which it was sent to you, your application for legal aid shall be deemed to have been withdrawn and no further proceedings shall be taken thereon.

Dated at ....., this .... day of .....,

19....

.....
(Area Director at .....)

.....
(applicant)

AGREEMENT

In consideration of the issue to me of a certificate for legal aid I hereby agree,

(*a*) to pay to The Law Society of Upper Canada at the office of the Director of

Legal Aid the sum of $..... as follows:

(*b*) upon a solicitor undertaking to act for me under the said certificate, to execute a written direction that all money recovered by me as a result of the legal aid be paid to such solicitor.

Strike out in criminal cases or if otherwise not appropriate

I understand that if recoveries made by the Law Society for the Legal Aid Fund and the amount of contributions paid by me exceed in total the costs for services rendered in accordance with the Regulation under *The Legal Aid Act*, the amount of such excess will be paid to me and that the said solicitor will account to me for all money received by him under the foregoing direction.

Dated at ....., this .... day of .....,

19....

.....
(applicant)

O. Reg. 257/69, Form 6.

Form 7

The Legal Aid Act

CERTIFICATE FOR LEGAL AID

1. This is to certify that .....

of ....., in the ..... of .....,

is entitled to legal aid for the following purposes:

(*Here set out briefly but precisely the nature of the services authorized and any limitations with respect thereto.*)

2. No expenditure on behalf of this client shall be made or incurred unless authorized by the Regulation.

3. WHERE THE CLIENT IS AWARDED ANY COSTS OR RECOVERS ANY SUM OR PROPERTY OTHER THAN MONEY AS A RESULT OF THE PROCEEDINGS HEREBY AUTHORIZED, THE PROVISIONS OF SUBSECTIONS 2 AND 3 OF SECTION 17, AND SECTION 19 OF *The Legal Aid Act* APPLY.

4. The solicitor receiving this certificate shall, as soon as possible, and in any event within ten days after its receipt complete and sign the form of solicitor's acknowledgement and undertaking and return the triplicate copy thereof to the area director issuing it. If for any reason the solicitor is unable or unwilling to act he shall return the certificate forthwith to the client or to the area director as the circumstances require.

5. This certificate ceases to be valid unless delivered to and accepted by a solicitor on a legal aid panel and the triplicate copy hereof is signed by the solicitor and returned to the undersigned area director within thirty days of the date of this certificate or within such extended time not exceeding thirty days from the date of the extension as the area director may authorize.

6. The client has executed the following agreement with The Law Society of Upper Canada:

In consideration of the issue to me of a certificate for legal aid I hereby agree,

(*a*) to pay to The Law Society of Upper Canada at the office of the Director of Legal Aid the sum of $..... as follows:

(*b*) upon a solicitor undertaking to act for me under the said certificate, to execute a written direction that all money recovered by me as a result of the legal aid be paid to such solicitor.

Strike out in criminal cases or if otherwise not appropriate

7. Notwithstanding the issue of this certificate, if at any time it appears to the solicitor accepting it that the client may not be entitled to the legal aid by reason of section 39 or 66 of the Regulation or otherwise, he shall report to the area director before instituting or continuing the proceedings.

8. Subject to the provisions of subsection 2 of section 58 of the Regulation, no proceeding referred to in subsection 1 of section 58 thereof shall be commenced or defended until the solicitor has furnished to the area director his written opinion as therein required and the area director has authorized him to proceed.

9. This certificate does not authorize an appeal or an application for leave to appeal from any final judgment, verdict or order but does authorize a written opinion on the merits of an appeal or application for leave to appeal, if requested by the area director or area committee.

Dated at ....., this .... day of .....,

19....

.....
(Area Director
at .....)

SOLICITOR'S ACKNOWLEDGEMENT AND UNDERTAKING

The undersigned acknowledges that he has been retained by the client named herein to provide the legal aid authorized by this certificate and hereby undertakes to perform it and that, where applicable, he has obtained from the client the written direction referred to in paragraph 6 of this certificate, and that,

(*a*) prior to the issue of this certificate he was not employed by the client to perform any services with respect to the same matter; or

(*b*) prior to the issue of this certificate he was employed by the client to perform some services with respect to the same matter and in connection therewith

Strike out if not applicable

received from the client a total of $.... on account of his fees and disbursements.

Dated at ....., this .... day of .....,

19....

.....
(solicitor)

O. Reg. 257/69, Form 7.

Form 8

The Legal Aid Act

CERTIFICATE FOR LEGAL AID
(under section 14 of *The Legal Aid Act*)

1. This is to certify that .....

of ....., in the ..... of .....,
is entitled to legal aid for the following purposes:

(*Here set out briefly but precisely the nature of the services authorized and any limitations with respect thereto*).

2. No expenditure on behalf of this client shall be made or incurred unless authorized by the Regulation.

3. WHERE THE CLIENT IS AWARDED ANY COSTS OR RECOVERS ANY SUM OR PROPERTY OTHER THAN MONEY AS A RESULT OF THE PROCEEDINGS HEREBY AUTHORIZED, THE PROVISIONS OF SUBSECTIONS 2 AND 3 OF SECTION 17, AND SECTION 19 OF *The Legal Aid Act* APPLY.

4. The solicitor receiving this certificate shall, as soon as possible, and in any event within ten days after its receipt complete and sign the form of solicitor's acknowledgement and undertaking and return the triplicate copy thereof to the area director issuing it. If for any reason the solicitor is unable or unwilling to act he shall return the certificate forthwith to the client or to the area director as the circumstances require.

5. This certificate ceases to be valid unless delivered to and accepted by a solicitor on a legal aid panel and the triplicate copy hereof is signed by the solicitor and returned to the undersigned area director within thirty days of the date of this certificate or within such extended time not exceeding thirty days from the date of the extension as the area director may authorize.

6. The client has executed the following agreement with The Law Society of Upper Canada:

In consideration of the issue to me of a certificate for legal aid I hereby agree,

(*a*) to pay to The Law Society of Upper Canada at the office of the Director of

Legal Aid the sum of $..... as follows:

(*b*) upon a solicitor undertaking to act for me under the said certificate, to execute a written direction that all money recovered by me as a result of the legal aid be paid to such solicitor.

Strike out in criminal cases or if otherwise not appropriate

7. Notwithstanding the issue of this certificate if at any time it appears to the solicitor accepting it that the client may not be entitled to the legal aid by reasons of section 39 or 66 of the Regulation or otherwise, he shall report to the area director before instituting or continuing the proceedings.

8. This certificate does not authorize a further appeal or application for leave to appeal from any final judgment, verdict or order of the court appealed to but does authorize a written opinion on the merits of an appeal or application for leave to appeal if requested by the area director or area committee.

9. Where the judgment or verdict of the appeal court directs a new trial the solicitor is authorized by this certificate to represent the applicant on the new trial.

10. Issue of this certificate has been approved by the area committee.

11. If this certificate authorizes an appeal against conviction, sentence, or conviction and sentence to the Court of Appeal and the applicant has served a Notice of Appeal in writing pursuant to Rule 13(*a*) of the Criminal Appeal Rules, the solicitor accepting the certificate shall forthwith after filing a Notice of Appeal, file with the registrar of the Court a notice of withdrawal of the Prisoner's Notice of Appeal.

Dated at ....., this .... day of .....

19....

.....
(Area Director
at .....)

SOLICITOR'S ACKNOWLEDGEMENT AND UNDERTAKING

The undersigned acknowledges that he has been retained by the client named herein to provide the legal aid authorized by this certificate and hereby

undertakes to perform it and that, where applicable, he has obtained from the client the written direction referred to in clause *b* of paragraph 6 of this certificate and that,

(*a*) prior to the issue of this certificate he was not employed by the client to perform any services with respect to the same matter; or

(*b*) prior to the issue of this certificate he was employed by the client to perform some services with respect to the same matter and in connection therewith

Strike out if not applicable

received from the client a total of $.... on account of his fees and disbursements.

Dated at ....., this .... day of .....,

19....

.....
(solicitor)

O. Reg. 257/69, Form 8.

Form 9

The Legal Aid Act

PROVISIONAL CERTIFICATE FOR LEGAL AID

This is to certify that .....

has applied for legal aid for ..... and it appears desirable that his rights be protected pending the determination of his eligibility for legal aid and the terms upon which it may be granted.

The client has executed the following agreement with The Law Society of Upper Canada:

> I hereby agree to pay to The Law Society of Upper Canada at the Legal Aid office such sum as the assessment officer may certify as within my financial ability to pay towards the cost of such legal aid.

He Is Accordingly Entitled in the interim to legal aid and his solicitor is authorized to take the following step:

> (*Here set out the immediate step to be taken, e. g., apply for an adjournment or remand, application for bail, issue a writ or enter an appearance, as the case may be.*)

Issued at ....., this .... day of .....,

19....

.....
(Area Director
at .....)

SOLICITOR'S ACKNOWLEDGEMENT

The undersigned acknowledges that he has been retained by the client named herein to provide the legal aid covered by this certificate and hereby undertakes to perform it.

Dated at ....., this .... day of .....,

19....

.....
(solicitor)

O. Reg. 257/69, Form 9.

Form 10

The Legal Aid Act

SOLICITOR'S LEGAL AID REPORT

1. In accordance with certificate for legal aid No..... and dated the .... day of .....,

   19...., I performed on behalf of .....

   the following services:

2. The present state of the matter in which the services were rendered is:

   (*a*) the work authorized has been completed ☐

   (*b*) no further useful work can be done ☐

   (*c*) my client has directed me not to proceed further ☐

   If the matter is a criminal matter

   (*d*) my client was acquitted ☐ convicted ☐ had the charges withdrawn ☐

   (*e*) (if convicted) the sentence imposed was ....

   (*f*) my client's case was adjourned at my request ☐ (state number of times) at the request of the Crown ☐ (state number of times)

   (*g*) my client pleaded

   ☐ guilty

   ☐ not guilty

   (*h*) .....

3. I have performed all my obligations under section 62 of the Regulation.

4. *If a judgment for damages, debt or any other sum certain (not being for alimony, maintenance or support) has been awarded to or against the client.*

My client is entitled to be paid *or* required to pay pursuant to a judgment *or* order $.... for claim and $.... for costs of which at the date hereof $.... for claim and $.... for costs are unpaid.

5. *If a claim has been settled without judgment*

My client is entitled to be paid *or* required to pay pursuant to a settlement for claim $.... and $.... for costs of which at the date hereof $.... for claim and $.... for costs are unpaid.

6. I have duly performed all my duties under sections 63 and 129 of the Regulation and in connection therewith I have taken the following steps to obtain payment on behalf of my client,

(*a*) issued and filed a writ of execution ☐

(*b*) obtained a return to the writ which is attached hereto ☐

(*c*) examined the judgment debtor, a transcript of which is attached hereto ☐

7. My opinion on the steps, if any, that reasonably may be taken to collect the balance owing is attached.

8. The last known address of my client is .....

Dated at ....., this .... day of .....,

19....

.....
(solicitor)

NOTE: Failure to complete fully each applicable section of this Form will result in considerable delay in the payment of your account. O. Reg. 257/69, Form 10.

Form 11

The Legal Aid Act

SOLICITOR'S LEGAL ADVICE REPORT

The following person has been given legal advice by me pursuant to the provisions of clause *c* of section 21 of *The Legal Aid Act*, and the regulations.

Name and Address	Brief Nature of Advice Given	Time in Hours or Parts Thereof

I certify the above services were rendered and were necessary and proper.

Dated at ....., this .... day of .....,

19....

.....
(solicitor)

O. Reg. 257/69, Form 11.

Form 12

The Legal Aid Act

REPORT AND CERTIFICATE OF DUTY COUNSEL IN CRIMINAL MATTERS

As duty counsel I performed the following services under *The Legal Aid Act* and the regulations on behalf of ..... who was charged with

.....

1. Advised him with respect to,

(*a*) bail ☐

(*b*) his choice of pleas, following which he pleaded,

(i) guilty ☐

(ii) not guilty ☐

(*c*) his right to apply for an adjournment ☐

(*d*) making application for legal aid ☐

2. Assisted him to prepare an application for legal aid ☐

3. Attended in court,

(*a*) when he pleaded,

(i) guilty ☐

(ii) not guilty ☐

(*b*) to request an adjournment ☐

(*c*) to make submissions as to sentence ☐

4. Other services .....

I certify that the above legal aid services were necessary and proper and were rendered by me.

The following disposition has been made of his case:

1. Remanded for trial ☐
2. Remanded for preliminary hearing ☐
3. Plea of guilty ☐
4. Remand for sentence ☐
5. Sentenced ☐
6. Other disposition .....

The above services were rendered on ....., 19....

Dated at ....., this .... day of ....., 19....

.....
(Duty Counsel)

To the area director

at .....

O. Reg. 257/69, Form 12.

Form 13

The Legal Aid Act

REPORT AND CERTIFICATE OF DUTY COUNSEL IN CIVIL MATTERS

As duty counsel I performed the following services under *The Legal Aid Act* and the regulations on behalf of .....

I certify that the above services were rendered by me on ....., 19....

.....
(Duty Counsel)

O. Reg. 257/69, Form 13.

Form 14

The Legal Aid Act

NOTICE OF INTENTION TO CANCEL A CERTIFICATE FOR LEGAL AID

Take notice that the undersigned has appointed .....day, the .... day of ....., 19...., at ..... o'clock in the .....noon at his office at ..... to consider whether the legal aid certificate issued to you on the .... day of ....., 19...., should be cancelled by reason of:

You may attend at the time and place designated in person or by your representative to show cause why the certificate should not be cancelled.

Dated at ....., this .... day of ....., 19....

To

....
(Area Director
at .....)

O. Reg. 257/69, Form 14.

Form 15

The Legal Aid Act

NOTICE OF CANCELLATION OF CERTIFICATE FOR LEGAL AID

Take notice that the undersigned on .....day, the ..... day of ....., 19.... cancelled the certificate for legal aid issued to you by him on the ..... day of ....., 19...., and, pursuant to the regulations you have ceased to be entitled to the legal aid services set out therein.

And take notice that you may appeal my decision to the Area Committee at ..... by filing with me a Notice of Appeal in Form 19 within ten days after the delivery of this notice.

Dated at ....., this .... day of ....., 19....

.....
(Area Director at .....)

To

.....
(applicant)

and to

.....
(his solicitor)

O. Reg. 257/69, Form 15.

Form 16

The Legal Aid Act

CERTIFICATE OF DUTY COUNSEL
(under section 72 of the Regulation)

This is to certify that ..... an applicant for legal aid whom I assisted as duty counsel on the .... day of ....., 19...., was a client of mine or of ....., who is associated with me in the practice of law, prior to the said date and a solicitor and client relationship existed between the applicant and .....

Dated at ....., this .... day of ....., 19....

.....
(Duty Counsel)

O. Reg. 257/69, Form 16.

Form 17

The Legal Aid Act

NOTICE OF APPEAL TO THE DIRECTOR OF LEGAL AID
(under section 14(4) of the Act)

Take notice that ..... hereby appeals to the Director of Legal Aid from the decision of the Legal Aid Area Committee at ....., made on the .... day of ....., 19..... on the following grounds:

Dated at ....., this .... day of ....., 19....

.....
(appellant)

.....
(address)

.....

To: The Director,
Ontario Legal Aid Plan

O. Reg. 257/69, Form 17.

Form 18

The Legal Aid Act

NOTICE OF DECISION ON APPEAL TO THE DIRECTOR OF LEGAL AID

Notice is hereby given that your appeal from the decision of the Area Committee at ..... has been .....

Dated at ....., this .... day of ....., 19....

.....
(Director of Legal Aid)

To

.....

.....

.....
(applicant)

and to the area director at .....

O. Reg. 257/69, Form 18.

Form 19

The Legal Aid Act

NOTICE OF APPEAL TO AN AREA COMMITTEE

Take notice that ..... hereby appeals to the Legal Aid Area Committee at ..... from the decision of the Area Director at ....., made on the .... day of ....., 19...., on the following grounds:

Dated at ....., this .... day of ....., 19....

.....
(appellant)

To the area director at .....

O. Reg. 257/69, Form 19.

Form 20

The Legal Aid Act

NOTICE OF HEARING APPEAL BY AREA COMMITTEE

Take notice that the Area Committee at ..... will hear your appeal from the decision of the area director at ..... on .....day, the .... day of ....., 19...., at ..... o'clock in the .....noon at the Legal Aid Offices at ....

You may attend at that time and place in person or by your representative and make such submissions as you desire.

Dated at ....., this .... day of ....., 19....

.....
(Area Director at .....)

O. Reg. 257/69, Form 20.

Form 21

The Legal Aid Act

NOTICE OF DECISION ON APPEAL TO AREA COMMITTEE

Notice is hereby given that your appeal from the decision of the area director at ..... has been:

Dated at ....., this .... day of ....., 19....

To

....
(appellant) (Area Director at .....)

O. Reg. 257/69, Form 21.

Form 22

The Legal Aid Act

NOTICE OF APPEAL TO TAXING OFFICER

Take notice that pursuant to section 111 of the Regulation under *The Legal Aid Act* ..... hereby appeals to the Taxing Officer at Toronto from the review pursuant to section 109 of the said Regulation of my legal aid account by the Legal Accounts Officer on the following grounds:

Dated at ....., this .... day of ....., 19....

To the Director of Legal Aid

.....
(solicitor)

.....

.....

.....

.....
(address)

O. Reg. 257/69, Form 22.

Form 23

The Legal Aid Act

NOTICE OF A CHANGE IN PAYMENT AGREEMENT

Legal aid certificate number ..... was issued to you on ....., 19.... for Legal Aid to ....

That certificate was granted (without any payment being required from you) *or* (after you agreed to pay $..... at $..... per .....).

We are NOW of the opinion that you can contribute towards the cost of the legal aid the sum of $..... at $..... per ..... commencing .....

If you agree to this change, please sign and return to this office the agreement on this form no later than

the ..... day of ....., 19....

If you do not agree with these new payment terms, you may discuss the matter with me at my office at

..... on ....., the .... day

of ....., 19.... at .....

IF YOU NEITHER RETURN THIS FORM PROPERLY SIGNED, NOR APPEAR AT MY OFFICE AT THE ABOVE TIME, YOUR CERTIFICATE MAY BE CANCELLED.

To:

....
(Area Director
..... at .....)

.....

AMENDED PAYMENT AGREEMENT

In consideration of the issue to me of a certificate for Legal Aid and of the continuance of such legal aid, I hereby agree to pay to The Law Society of Upper

Canada at the Legal Aid office the sum of $..... in

part payments of $..... on the ..... day of

each month, starting ....., 19....

This agreement replaces any previous agreement for payment.

I understand that should the cost of the legal aid provided be less than the total amount which I have paid into the Legal Aid Fund, the extra money over the cost will, subject to the provisions of *The Legal Aid Act* and the Regulation, be paid back to me.

Dated at ....., this .... day of .....,

19....

.....
(applicant)

Return this form to: .....

.....

.....

.....

O. Reg. 257/69, Form 23.

Form 24

The Legal Aid Act

UNDERTAKING OF CLIENT ON ISSUE OF A PROVISIONAL CERTIFICATE

In consideration of the issue to me of a provisional certificate for legal aid for the following purpose:

I hereby agree to pay to The Law Society of Upper Canada at the Legal Aid office such sum as the assessment officer may certify as within my financial ability to pay towards the cost of such legal aid.

Dated at ....., this .... day of .....,

19....

.....
(applicant)

.....

.....
(address)

O. Reg. 257/69, Form 24.

Form 25

The Legal Aid Act

TAXING OFFICER'S CERTIFICATE

IN THE MATTER OF an appeal pursuant to the Regulation under *The Legal Aid Act* and IN THE MATTER OF the Appeal of

from a review of the Legal Accounts Officer, dated

the ..... day of ....., 19....

Upon the application of ....., a solicitor of the Supreme Court, appellant by way of appeal from a review by the Legal Accounts Officer of his settlement of the account of the appellant for services rendered pursuant to the authority of *The Legal Aid Act*, and upon having read the said review and what was alleged on behalf of the appellant and by counsel for the Director of Legal Aid.

I find and certify that the amount at which the account of the aforesaid solicitor should be settled is

$.....

Dated at ....., this .... day of .....,

19....

.....
(Taxing Officer S.C.O.)

O. Reg. 257/69, Form 25.

Form 26

The Legal Aid Act

NOTICE OF SETTLEMENT OF ACCOUNT

Pursuant to the Regulation under *The Legal Aid Act*, I enclose the duplicate copy of your account showing the disposition I have made of the items therein.

I certify the settlement of your account is as follows:

FEES:
Amount at which settled $.....

Amount payable pursuant to section 22 of the Act .....

DISBURSEMENTS:
Amount at which settled .....

TOTAL AMOUNT PAYABLE

If you are dissatisfied with the settlement of this account you may apply to me for a review thereof, pursuant to section 109 of the Regulation, not later than ten days after the date of this certificate.

Dated at ....., this .... day of .....,

19....

.....
(Legal Accounts Officer)

O. Reg. 257/69, Form 26.

Form 27

The Legal Aid Act

NOTICE OF APPLICATION FOR LEGAL AID TO THE COURT OF APPEAL FOR ONTARIO

Take notice that I have this day submitted (*or* I intend to submit forthwith) an application to the Area Director at ..... for legal aid to appeal on my behalf against the

conviction ☐

sentence ☐

conviction and sentence ☐

referred to in the attached Notice of Appeal.

The election to present my case and argument,

(*a*) in writing;

(*b*) in person,

contained in my Notice of Appeal is to take effect if, and only if, my application for legal aid is refused.

Dated at ....., this .... day of .....,

19....

.....
(appellant)

.....
(Duty Counsel)

NOTE: To be attached to and filed with the Prisoner's Notice of Appeal.

O. Reg. 257/69, Form 27.

Form 28

The Legal Aid Act

NOTICE OF WITHDRAWAL IN THE SUPREME COURT OF ONTARIO

Name of appellant .....

Place of trial .....

Name of Court .....

Name of Judge or Provincial Judge .....

Offence of which convicted .....

Sentence imposed .....

Date of conviction .....

Date of imposition of sentence .....

Name and address of place at which appellant is in custody or if not in custody appellant's address ....

.....

.....

This is to advise you that since filing my notice of appeal in the above matter as a prisoner appeal, I have appointed a solicitor who has filed and served a Notice of Appeal to this Court and who has agreed to act on my behalf and who has filed a Notice of Appeal. I therefore authorize and request the termination of any proceedings instituted by me under my said prisoner appeal.

Dated at ....., this .... day of .....,

19....

.....
(appellant)

To:

The Registrar of The Supreme Court of Ontario.

NOTE: To be filed with the Court of Appeal with the solicitor's Notice of Appeal.

O. Reg. 257/69, Form 28.

Form 29

The Legal Aid Act

CERTIFICATE OF LIEN

(under section 18 (1) of the Act)

I, ...,

the area director of legal aid for the ..... of

....., hereby certify that ..... (name of

....., of the ..... of ....., in contributor)

consideration of the issue to him/her of a certificate for legal aid has agreed on the .... day of ....., 19...., to pay to The Law Society of Upper Canada at the office of the Director of Legal Aid the sum of $..... as a contribution towards the cost of the legal aid given to him/her.

The contributor is the owner of or has an interest in the following land:

Street Address .....

Lot and plan number .....

(and if in land titles)

Parcel number ..... in the Register for

.....

Dated at ....., this .... day of .....,

19....

.....
Area Director of Legal Aid

for .....

To:

The Sheriff of the
County/District

of .....

And to:

The Director of Legal Aid.

O. Reg. 317/70, s. 4.

Form 30

The Legal Aid Act

CERTIFICATE OF DISCHARGE OF LIEN

(under section 18 (7) of the Act)

I, ...,

the Director of Legal Aid, hereby certify that the certificate of lien, dated the .... day of .....,

19...., issued by the area director of legal aid for the ..... of ..... wherein .....

..... was named as a contributor towards the cost of legal aid given to him/her in the amount of $....., is discharged.

Dated at Toronto, this .... day of .....,

19....

.....
Director of Legal Aid

To:

The Sheriff of the
County/District

of .....

And to:
The Area Director

for .....

O. Reg. 317/70, s. 4.

REGULATION 558

under The Legislative Assembly Retirement Allowances Act

1. The following Table is prescribed for the purposes of subsection 4 of section 6 of the Act and subsection 4 of section 10 of the Act:

TABLE

Age last birthday before former member or minister elects to take an immediate allowance	Reduction factor to be applied to the amount of the allowance determined under section 6(3) or 10 (3) of the Act
54	93%
53	87
52	81
51	76
50	71
49	67
48	63
47	59
46	55
45	52
44	49
43	46
42	44
41	42
40	40
39	38
38	36
37	34
36	32
35 or younger	30

O. Reg. 27/62, s. 1.

REGULATION 559

under The Lightning Rods Act

GENERAL

INTERPRETATION

1. In this Regulation,

(*a*) "air-terminal" means a pointed tube or rod extending upwards from a conductor;

(*b*) "air-terminal support" means a device used for the purpose of holding an air-terminal firmly in position;

(*c*) "auxiliary grounding" means an additional grounding connected to a main grounding;

(*d*) "bonded" means in permanent and tight mechanical and electrical contact;

(*e*) "branch-conductor" means a conductor that branches off at an angle from a continuous run of conductor;

(*f*) "cable" means a number of wires twisted or braided to form a conductor;

(*g*) "conductor" means the portion of a system that is designed to carry the current of a lightning discharge to ground;

(*h*) "cone of protection" means a vertical cone that has an air-terminal point at its apex and with the radius of its base not greater than the vertical height of the air-terminal above the base;

(*i*) "connector" means a device used to make a connection between two conductors or between a conductor and another part of a system or between a conductor and a metallic object;

(*j*) copper-clad steel" means steel having a continuous coating of copper welded to it, the coating of copper constituting at least one-fourth of the total cross-sectional area;

(*k*) "dead-end conductor" means a conductor having no grounding other than through the conductor from which it branches;

(*l*) "down-conductor" means the vertical portion of a conductor that ends at a ground connection;

(*m*) "fastener" means a device used to hold a conductor in place;

(*n*) "flat roof" means a roof that is horizontal or has a vertical rise of not more than one foot for each six feet measured horizontally;

(*o*) "galvanized" means protected with a coating of zinc capable of withstanding four one-minute immersions in a saturated copper sulphate solution without showing a fixed deposit of copper;

(*p*) "gauge" means a measure of the diameter of wire or the thickness of sheet metal in accordance with the American Wire Gauge or Brown and Sharpe Gauge Standards;

(*q*) "grounding" means the portion of a conductor underground that makes electrical contact with the earth;

(*r*) "ground-rod" means a solid rod of copper, copper-clad steel or galvanized steel that is used as a grounding;

(*s*) "independent grounding" means a grounding that is connected to some metallic object but not to the main system;

(*t*) " main grounding" means the portion of a grounding that is the direct continuation of a down-conductor;

(*u*) "metal-clad" means having sides made of or covered with metal;

(*v*) "metal-roofed" means having a roof made of or covered with metal;

(*w*) "system" means materials assembled and installed on a building or structure for the purpose of protecting the building or structure from damage by lightning. R.R.O. 1960, Reg. 404, s. 1.

2. Sections 3 to 56 do not apply to,

(*a*) tall chimneys of power, heating and processing plants; or

(*b*) explosive-magazines, or tanks and reservoirs for flammable liquids. R.R.O. 1960, Reg. 404, s. 2.

MATERIALS

3.—(1) Materials used in a system, other than,

(*a*) copper-clad steel and galvanized steel rods used as groundings;

(*b*) galvanized iron used for air-terminal supports, connectors, nails, screws, bolts, plates for making connections to a metal roof or metal siding, and separators between copper or copper alloy and aluminum; and

(*c*) lead used as anchors or to protect other materials from corrosion or to separate copper or copper alloy and aluminum,

shall be copper, copper alloy or aluminum.

(2) Aluminum, whether it is part of a system or part of a structure on which it is installed, shall not be in contact with copper or copper alloy at points of attachment or connection.

(3) Aluminum shall not be installed underground or embedded in concrete or masonry. R.R.O. 1960, Reg. 404, s. 3.

4.—(1) Except as provided in subsections 2 and 3 to section 48, cable shall,

(*a*) consist of not less than seven wires of soft drawn copper or aluminum, and no wire shall be less than 17-gauge copper or 14-gauge aluminum;

(*b*) on structures not exceeding sixty feet in height, weigh,

(i) if of copper, not less than three ounces a linear foot, and

(ii) if of aluminum, not less than two ounces a linear foot; and

(*c*) on structures exceeding sixty feet in height, weigh,

(i) if of copper, not less than four ounces a linear foot, and

(ii) if of aluminum, not less than 2.75 ounces a linear foot.

(2) Where a structure consists of sections of different heights, the cable protecting each section shall weigh at least as much as the cable required for separate structures of the same respective heights. R.R.O. 1960, Reg. 404, s. 4.

5.—(1) Joints in cable conductors and connections to cable conductors shall withstand a pull of 200 pounds and provide permanent electrical contact.

(2) A straight cable connection shall be made with a connector of at least 17-gauge malleable copper or copper alloy or 14-gauge aluminum and shall be of such design as ensures contact of the connector with at least three inches of each of the interconnected cables.

(3) A T or Y cable connection shall be made,

(*a*) with a connector of at least 17-gauge malleable copper or copper alloy or 14-gauge aluminum and shall be of such design as ensures contact of the connector with at least one inch of the continuous run of cable and,

(i) where the connector is bolted, ensures contact with at least two inches of the branch cable, or

(ii) where the connector is crimped, ensures contact with at least three inches of the branch cable; or

(*b*) by unravelling at least ten inches of the end of one cable and dividing it into two equal or nearly equal parts and tightly wrapping the two parts in opposite directions around and along the other cable and securing the ends of the wires against becoming loose.

(4) Where two cables cross each other, they shall be bonded by a crimped, bolted or riveted connector fitted snugly around both cables or by wrapping them together at the intersection with not less than four loops of 14-gauge or larger wire. R.R.O. 1960, Reg. 404, s. 5.

6.—(1) Except as provided in subsections 2 and 3 of section 48, strap conductors shall be at least 17-gauge copper or 14-gauge aluminum, not less than 1½ inches wide on buildings and structures not exceeding sixty feet in height, and not less than two inches wide on buildings and structures exceeding sixty feet in height.

(2) Holes in strap conductors to accommodate bolts, rivets and screws shall be spaced at least three-quarters of an inch from centre to centre and at least one-quarter of an inch from the edges of the strap.

(3) When used to ground or interconnect metallic bodies, strap conductors shall have only such holes as are necessary for fasteners, connections and adjustment of the strap. R.R.O. 1960, Reg. 404, s. 6.

7.—(1) A straight, T or Y strap connection shall be made by means of at least two bolts or two rivets and with an overlap equal to the width of the strap.

(2) Where two strap conductors cross, they shall be bonded by means of a bolt or rivet.

(3) Rivets and bolts used in making strap connections shall be of at least one-quarter of an inch in diameter and of suitable length to ensure a tight connection. R.R.O. 1960, Reg. 404, s. 7.

8.—(1) A T or Y connection shall be made,

(*a*) between a continuous run of cable and a strap conductor,

(i) with a connector tightly fitted around at least one inch of the cable and secured to the strap conductor by one bolt or two rivets, or

(ii) by bolting or rivetting the strap conductor around and in tight contact with the cable; and

(*b*) between a branch cable and a strap conductor with a connector,

(i) tightly fitted around at least two inches of the cable, if the connector is bolted, or at least three inches, if it is crimped, and

(ii) secured to the strap conductor by one bolt or two rivets.

(2) A cross connection between a cable and a strap conductor shall be made by means of a 17-gauge copper, or 14-gauge aluminum, connector,

(*a*) shaped to fit over the cable; and

(*b*) secured to the strap conductor by means of bolts or rivets. R.R.O. 1960, Reg. 404, s. 8.

9. Except as provided in subsection 2 of section 49 and subsection 2 of section 50, extended metal attachments or metal parts of buildings and structures shall not be substituted for conductors unless the metal is permanently electrically continous and consists of copper, copper alloy or aluminum with an exposed area of at least eight inches in width throughout its length or a solid cross-sectional area of at least 1½ square inches, but, for monuments or similar structures, heavy and extensive parts consisting of other conducting metals and weighing at least three pounds a linear foot may be used instead of conductors. R.R.O. 1960, Reg. 404, s. 9.

10.—(1) Except as provided in subsection 2 of section 49 and subsection 2 of section 50, conductors shall be coursed over roofs and along roof-ridges and parapets so as to interconnect the air-terminals in as direct a path as is practicable and over the eaves in as direct a path as is practicable to the best locations for ground connections, but, where the nature or construction of a roof is such that it is difficult or objectionable to make attachments to the roof, the conductor may be coursed on the facing-board parallel to the roof, and a connection shall be made near the eaves between any metal eaves-trough and the conductor, and in the case of metal roofs, between the metal eaves and the conductor.

(2) There shall be at least two down-conductors on each building and structure except flag poles, masts, similar slender objects and silos that do not require more than one grounding under subsection 3 of section 53.

(3) On flat roofs, conductors shall be coursed within two feet of the edges of the roof or on the parapets, but on flat roofs of dormers, conductors are not required within two feet of eaves that are less than fifty feet in length.

(4) On a flat roof, in addition to conductors within two feet of the edges of the roof or on the parapets, conductors shall be coursed over the roof so that there are parallel conductors not more than fifty feet apart,

(*a*) in one direction if the shorter dimension of the roof is more than fifty feet but less than 100 feet; and

(*b*) in two directions if the shorter dimension is 100 feet or more. R.R.O. 1960, Reg. 404, s. 10.

11.—(1) No dead-end conductor shall exceed sixteen feet in length.

(2) No conductor shall be electrically insulated from the building or structure on which it is installed.

(3) Except as provided in subsection 2 of section 31 for the protection of groundings from corrosion, no conductor shall be run through metal pipe other than pipe of copper, copper alloy or aluminum, and the conductor shall be electrically connected to each end of the pipe.

(4) No conductor shall be coursed across a roof-slope near the eaves or in any other location where snow or ice might dislodge or damage the conductor.

(5) No conductor shall be suspended for a distance of more than four feet without adequate intermediate support.

(6) Any conductor around a chimney, eaves or other projecting part of a structure shall not be coursed abruptly, but shall be coursed on an open curve or angle.

(7) Where practicable, no conductor shall be less than six feet from metal frames and cases of electrical equipment, metal conduits and other metal raceways, but if a separation of six feet is not practicable, they shall be interconnected with the conductor.

(8) Where practicable, no conductor shall be within six feet of,

(*a*) exposed electric or telephone wires; or

(*b*) radio or television antennae.

(9) No conductor shall be within six feet of a tank containing a flammable liquid or gas. R.R.O. 1960, Reg. 404, s. 11.

12. Conductors shall be coursed neatly and sufficiently tight to present a good appearance, but on grain elevators and other structures subject to physical deformation through cycles of loading and unloading, the conductors shall have sufficient flexibility to guard against breakage. R.R.O. 1960, Reg. 404, s. 12.

13. Conductors shall be coursed so that there is not a rise of more than ten inches from any point in the conductor to any other point in the conductor in reaching at least one grounding, except that in the case of dead-end conductors there shall not be more than a six-inch rise, and in no case shall there be a rise of more than one inch in any two inches horizontally. R.R.O. 1960, Reg. 404, s. 13.

14. Where practicable, no conductor shall be within six feet of metal stalls, stanchions, litter-carrier tracks, pipes, posts, beams, water-tanks, stoves, furnaces or other interior metal objects, but if it is within six feet the conductor shall be connected to them, as prescribed in section 45. R.R.O. 1960, Reg. 404, s. 14.

15. Where a cupola, ventilator or other obstruction prevents a straight run of conductor, the conductor shall be coursed horizontally around the obstruction and, where the obstruction is of size or design requiring more than one air-terminal, the conductor shall also be coursed over the obstruction. R.R.O. 1960, Reg. 404, s. 15.

DOWN-CONDUCTORS

16.—(1) On rectangular buildings and structures with roofs other than flat roofs there shall be at least two down-conductors, and, if the structure is more than 100 feet in length, there shall be an additional down-conductor for each sixty feet or part thereof in excess of 100 feet.

(2) On rectangular buildings and structures with flat roofs there shall be at least two down-conductors and, where the perimeter of the building is more than 200 feet, there shalll be an additional down-conductor for each 100 feet or part thereof in excess of 200 feet. R.R.O. 1960, Reg. 404, s. 16.

17.—(1) On buildings with L, T or off-set wing portions, conductors shall be provided for the main portion as if it were independent of the wing portions, but, where practicable, the down-conductors on the main portion may serve as down-conductors for the wing portions by connecting the conductors on the wing portions to them.

(2) A wing portion of a building having its roof-ridge on the same level as, or less than five feet below, the roof-ridge of the main portion, measured along the roof-slope, shall have an additional down-conductor for each eighty feet of length or part thereof, measured along the wall or foundation, and the conductors on the wing portion and the main portion shall be interconnected at the junction of the two ridges.

(3) Except as provided in section 54, a wing portion of a building having its roof-ridge more than five feet below the roof-ridge of the main portion, measured along the roof-slope, shall have two down-conductors and, where the wing portion is more than 100 feet in length, measured along the wall or foundation, the wing portion shall have an additional down-conductor for each sixty feet of length or part thereof in excess of 100 feet and, where the roof-ridge of a wing portion intersects the upper half of a main roof, the conductor on the ridge of the wing portion shall be connected with the conductor on the ridge of the main portion. R.R.O. 1960, Reg. 404, s. 17.

18.—(1) Where the roof-ridge of the interconnecting portion of an H-shaped building is not more than ten inches below the roof-ridges of the main portions of the building, the roof-ridge of the interconnecting portion shall have a down-conductor if its roof-ridge extends more than 100 feet, and an additional down-conductor if the roof-ridge extends more than 140 feet.

(2) Where the roof-ridge of the interconnecting portion of an H-shaped building is more than ten inches below the roof-ridges of the main portions of the building, the roof-ridge of the interconnecting portion shall have a down-conductor and, if the roof-ridge extends more than sixty feet, an additional down-conductor for each sixty feet of interconnecting roof-ridge or part thereof in excess of sixty feet. R.R.O. 1960, Reg. 404, s. 18.

19.—(1) Down-conductors on schools shall be protected from damage or displacement by means of wood in the form of moulding, box or trough extending to a height of at least ten feet from the ground and securely fastened to the wall,

(*a*) on wood, by at least two metal straps and screws; and

(*b*) on brick or masonry, by two metal straps and screws in lead anchors.

(2) On barns and other buildings where down-conductors are likely to be displaced or damaged by live stock or vehicles, the down-conductors shall be protected against displacement or damage. R.R.O. 1960, Reg. 404, s. 19.

FASTENERS

20.—(1) Conductors shall be securely attached in place with fasteners suitable for the type and size of conductor and the nature of the structure.

(2) Lead may be used for anchors in brickwork or masonry but wedges of wood shall not be used as anchors for fasteners.

(3) Fasteners shall consist of straps and screws, screw-shank fasteners, fan-shank fasteners and drive-shank fasteners, and each fastener shall when installed, be capable of withstanding a direct pull of 100 pounds. R.R.O. 1960, Reg. 404, s. 20 (1-3).

(4) Where the use of a fastener mentioned in subsection 3 might result in damage to a roof, a cast fastener that is affixed to the roof with a suitable adhesive may be used if the fastener is capable of withstanding a direct pull of 50 pounds and is provided with a fork of substantial construction that can be closed around a cable by bending without causing cracks in the metal. O. Reg. 106/68, s. 1.

(5) Strap conductors shall be securely supported in place,

(*a*) on wood, by means of screw-nails or drive-screws spaced at intervals of not more than six feet if installed in pairs and not more than three feet if installed singly; and

(*b*) on brick or other masonry, by means of expansion-screws at least one-quarter of an inch in diameter screwed into anchors and spaced at intervals as provided in clause *a*.

(6) Strap fasteners shall be at least 20-gauge copper or 18-gauge aluminum and at least 0.4 inch in width and shaped to fit snugly over the conductor.

(7) Strap fasteners shall be secured in place,

(*a*) in wood, by two screw-nails or drive-screws at least five-eighths of an inch in length or by straight nails at least 1⅛ inches long and coated with an asphalt base, cement or other substance that provides a permanent installation; or

(*b*) in brick or masonry, by screws in anchors. R.R.O. 1960, Reg. 404, s. 20 (4-6).

21.—(1) Shank-type fasteners shall be provided with a fork of substantial construction that can be closed by bending without causing cracks in the metal.

(2) The shank of screw-fasteners shall be,

(*a*) in wood, equivalent to a No. 10 wood-screw 1¼ inches in length; and

(*b*) in brickwork or masonry, at least one-quarter of an inch in diameter and of sufficient length to provide a permanent installation.

(3) The shank of fan-shank fasteners shall be approximately one-half of an inch wide at the narrowest point and at least one-tenth of an inch thick and three inches long.

(4) The shank of drive-shank fasteners shall be ribbed or barbed to grip the hole when driven in or so constructed that the shank expands in the hole or anchor when driven or tamped into place. R.R.O. 1960, Reg. 414, s. 21.

22. Except as provided in subsection 5 of section 20 and in section 23, fasteners are required.

(*a*) within six inches of all air-terminal connections to the conductor;

(*b*) within six inches of every interconnection of conductors;

(*c*) on down-conductors within three feet of ground level and within four feet of the eaves;

(*d*) on conductors, within twelve inches of the eaves and above the eaves;

(*e*) at or within twelve inches of all principal turns in the conductor;

(*f*) at intermediate points so that no space between fasteners exceeds six feet; and

(*g*) independent of non-permanent attachments to or on buildings and structures. R.R.O. 1960, Reg. 404, s. 22.

WHERE FASTENERS MAY BE OMITTED

23. Fasteners are not required in such numbers and at such intervals as prescribed in section 22,

(*a*) where structural features make the fasteners unnecessary;

(*b*) where excessive damage to the building or structure would result;

(*c*) where the conductor is concealed under roofing or other cover; or

(*d*) where corrugated tile or other roof materials form a suitable channel for the conductor,

if the conductor is supported and secured so that it will not be displaced or damaged. R.R.O. 1960, Reg. 404, s. 23.

AIR-TERMINALS

24.—(1) Air-terminal tubing shall consist of 20-gauge copper or copper alloy or 18-gauge aluminum.

(2) Air-terminal rods of copper or copper alloy shall be seven-sixteenths of an inch in diameter, and air-terminal rods of aluminum shall be one-half of an inch in diameter. R.R.O. 1960, Reg. 404, s. 24.

25. The minimum height of air-terminals shall be,

(*a*) on flag poles, masts, spires and similar objects and parts of structures, nine inches above the top of the object or part;

(*b*) on roof-ridges and roof-parapets of combustible materials, twelve inches above the roof-ridges and roof-parapets, and, where the roof and roof-ridge or the parapet are of non-combustible material, nine inches above them;

(*c*) on flat roofs, twelve inches above them, if within two feet of the edges, and eighteen inches on intermediate conductors on the roof;

(*d*) on or beside chimneys, ventilators or cupolas, twelve inches above the top; and

(*e*) on silos, twelve inches above them. R.R.O. 1960, Reg. 404, s. 25.

26. Air-terminals shall be installed,

(*a*) within twice the height of the air-terminal from each exposed gable and each corner of a flat roof, roof-deck or parapet;

(*b*) within twice the height of the air-terminal, not exceeding six feet in distance, from the outer corners on a flat roof on a dormer where,

(i) the junction of the dormer roof and the main roof is less than three feet vertically below the main ridge, and

(ii) the dormer roof extends more than six feet horizontally from its junction with the main roof;

(*c*) within twice the height of the air-terminal, not exceeding six feet in distance, from the gable of a dormer having a roof-ridge less than three feet vertically below the main ridge or extending more than six feet horizontally from the upper half of the main roof or more than eight feet horizontally from the lower half;

(*d*) on or within twelve inches of each non-metallic projection above the roof or parapet;

(*e*) on or beside chimneys so that the distance from any part of the top of the chimney to an air-terminal is not greater than twice the height of the air-terminal, but not exceeding thirty inches, above the top of the chimney;

(*f*) within twelve inches of a stove-pipe projecting through a roof;

(*g*) along roof-ridges, the edges of flat roofs and parapets at intervals not exceeding ten times the combined heights of the two adjacent air-terminals, but in no case exceeding twenty-five feet; and

(*h*) along intermediate conductors on flat roofs at intervals not exceeding fifty feet. R.R.O. 1960, Reg. 404, s. 26.

27. Air-terminals are not required on heavy smokestacks or other permanent metal projections but the projections shall be bonded to the conductor. R.R.O. 1960, Reg. 404, s. 27.

28.—(1) Air-terminal connections shall withstand a pull of fifty pounds.

(2) Connections to metal roofs shall be made by means of metal plates or straps,

(*a*) to which the air-terminal is brazed, bolted or riveted;

(*b*) having not less than nine square inches in tight contact with the roof-metal; and

(*c*) securely fastened to the roof by means of screws or rivets.

(3) Connections to strap conductors shall be by bolts or rivets. R.R.O. 1960, Reg. 404, s. 28.

29.—(1) Air-terminals shall be securely supported in position by braces, brackets or other appropriate devices.

(2) Braces shall,

(*a*) be made of at least 15-gauge copper or copper alloy or 14-gauge aluminum strap, not less than 1¼ inches in width, or copper, copper alloy, aluminum or galvanized-iron rods not less than one-quarter of an inch in diameter, and have at least three legs;

(*b*) not exceed forty inches in height and if over eighteen inches in height have two guides for the air-terminals;

(*c*) be held in position on wood by means of two screws in each foot; and

(*d*) be held in position on concrete roofs, brick parapets and other masonry by means of an expansion-screw in a lead or equivalent anchor in each foot.

(3) Brackets shall be,

(*a*) made of copper, copper alloy or aluminum;

(*b*) designed to fit into air-terminal tubes for a distance of at least two inches; and

(*c*) attached to chimneys or other masonry surfaces by substantial fasteners, and to wood surfaces by at least three screws not less than 1¼ inches in length. R.R.O. 1960, Reg. 404, s. 29 (1-3).

(4) For the purpose of this section appropriate devices other than braces and brackets are,

(*a*) copper straps and bolts or rivets encircling the supporting object;

(*b*) fasteners prescribed in subsection 7 of section 20; or

(*c*) substantial cast footings, if the air-terminal is not more than two feet in height and,

(i) where the air-terminal is tubular, it is tightly crimped to a dowel two inches in length, or

(ii) where the air-terminal is solid, it is screwed into the footing to a depth of at least one inch. R.R.O. 1960, Reg. 404, s. 29; O. Reg. 106/68, s. 2.

GROUNDINGS

30. Except as provided in subsection 3 of section 55, groundings shall consist of copper cable, copper or copper-clad steel rods not less than one-half of an inch in diameter, galvanized steel rods not less than five-eighths of an inch in diameter or copper plates. R.R.O. 1960, Reg. 404, s. 30.

31.—(1) Groundings shall be spaced around buildings and structures so that the conductor can be coursed over the eaves to the groundings as directly as is practicable.

(2) Groundings shall not be so located as to be subject to corrosion by barn-yard seepage or chemicals unless the groundings are protected by a solid lead pipe or tube from a point at least twelve inches above to a depth of three feet below the ground level, with the top end so sealed as to make it moisture-proof.

(3) Groundings shall not be within six feet of any gas main, gas tank, oil tank, gasoline tank or groundings for electric equipment or electric-wiring systems, but underground water pipes may be used as a common grounding.

(4) Auxiliary groundings shall be so installed as to make use of the greatest area of soil. R.R.O. 1960, Reg. 404, s. 31.

32.—(1) In addition to groundings prescribed in section 31, where an underground water pipe is available, a down-conductor shall be connected to it underground and outside any building.

(2) When a grounding is installed with a drive-bar or with a soil-auger, the hole surrounding the grounding shall be filled and tamped with dry soil or soil mixed with water to the consistency of thin mud.

(3) Coke, cinders or salt shall not be placed around groundings.

(4) Connections of ground-rods to copper down-conductors shall be made between six inches and twelve inches below ground, and connections of ground-rods to aluminum down-conductors shall be made between six inches and twelve inches above ground.

(5) Groundings connected to aluminum down-conductors shall be galvanized-steel ground-rods.

(6) Connectors for groundings shall be,

(*a*) copper or copper alloy for copper conductor; and

(*b*) aluminum or galvanized iron for aluminum conductor. R.R.O. 1960, Reg. 404, s. 32.

33.—(1) A down-conductor shall be connected to a ground-rod by a clamp or clamps secured in tight contact with at least three inches of both the down-conductor and the ground rod by bolts or set screws.

(2) An interconnection of auxiliary groundings or a connection of an auxiliary grounding to a main grounding shall be made as prescribed in section 5.

(3) A connection to a water-pipe shall be made by means of a clamp bolted tight around the pipe after removal of rust and scale.

(4) A connection to a copper plate shall be made by rivets, bolts or solder. R.R.O. 1960, Reg. 404, s. 33.

34. In deep soil consisting chiefly of clay, including clay loam, groundings shall be made,

(*a*) by extending cable or ground-rods into the ground to a vertical depth of at least ten feet;

(*b*) by extending cable or ground-rods down to a depth of at least six feet, and adding an auxiliary grounding; or

(*c*) by covering cable in a trench for a distance of at least twelve feet and at a depth of at least two feet throughout its length. R.R.O. 1960, Reg. 404, s. 34.

35. In deep soil consisting chiefly of sand, gravel and stones, including sandy loam, groundings shall be made,

(*a*) by extending cable or ground-rods into the ground to a vertical depth of at least ten feet and adding an auxiliary grounding; or

(*b*) by covering cable in a trench for a distance of at least twelve feet and at a depth of at least two feet throughout its length and adding an auxiliary grounding. R.R.O. 1960, Reg. 404, s. 35.

36. In soil consisting chiefly of clay, including clay loam, where hard-pan or bed-rock is near the surface, groundings shall be made,

(*a*) if the hard-pan or bed-rock is at least two feet below the surface, by covering cable in a trench for a distance of at least twelve feet;

(*b*) if the hard-pan or bed-rock is at least twelve inches but less than two feet below the surface, by covering cable in a trench for a distance of at least twelve feet and adding an auxiliary grounding; or

(*c*) if the hard-pan or bed-rock is less than twelve inches below the surface, by covering cable in a trench for a distance of at least twelve feet and adding two auxiliary groundings. R.R.O. 1960, Reg. 404, s. 36.

37. In soil consisting chiefly of sand, gravel and stones, including sandy loam, where hard-pan or bed-rock is near the surface, groundings shall be made,

(*a*) if the hard-pan or bed-rock is at least two feet below the surface, by covering cable in a trench for a distance of at least twelve feet and adding an auxiliary grounding;

(*b*) if the hard-pan or bed-rock is at least twelve inches but less than two feet below the surface, by covering cable in a trench for a distance of at least twelve feet and adding two auxiliary groundings; or

(*c*) if the hard-pan or bed-rock is less than twelve inches below the surface, by connecting all the down-conductors to a cable laid in a trench encircling the structure at a distance of at least two feet from the walls and adding two well separated auxiliary groundings to the encircling cable for each down-conductor. R.R.O. 1960, Reg. 404, s. 37.

38. When quicksand is encountered, if a depth of ten feet cannot be attained, the groundings shall be made by extending them down to the quicksand and adding an auxiliary grounding. R.R.O. 1960, Reg. 404, s. 38.

39. An auxiliary grounding shall be,

(*a*) cable laid for a distance of twelve feet in a trench, or laid for a distance of at least six feet in a trench and then extended to a vertical depth of ten feet below the surface of the earth, or to a depth equal to the depth of the main grounding to which it is connected, but not less than six feet where a depth of ten feet cannot be reached, except that the vertical portion may be a ground-rod; or

(*b*) a copper plate not less than one-sixteenth of an inch in thickness and not less than three square feet in area on each side, embedded in a depth of twelve inches of well-packed powdered charcoal. R.R.O. 1960, Reg. 404, s. 39.

40. A trench, for the purpose of installing groundings and auxiliary groundings, shall be at least two feet in depth throughout its length or down to hard-pan or bed-rock. R.R.O. 1960, Reg. 404, s. 40.

41. Notwithstanding that a certificate of installation in Form 5 has been signed by the person who installed lightning rods and by the owner or his agent, the electrical resistance of the interconnected groundings in parallel shall not exceed 50 ohms. R.R.O. 1960, Reg. 404, s. 41.

INTERCONNECTION AND GROUNDING OF METALLIC BODIES

42.—(1) Metal on the exterior of a roof shall,

(*a*) if vertical,

(i) on a flat roof, or

(ii) on a sloped roof and extending above the roof-ridge or the highest edge of the roof slope or more than fifteen inches above its junction with the roof,

be connected to the conductor or other grounded metal;

(*b*) if a water-tank, bell or other compact metallic body, be connected to the conductor, except where it has an independent grounding and is ten feet from the conductor;

(*c*) if linear along roof-ridges, parapets, cornices or other exposed locations, be connected to the conductor or other grounded metal; or

(*d*) if an extension to a chimney, be connected to the conductor.

(2) Metal roofs, including isolated metal sections, shall be grounded. R.R.O. 1960, Reg. 404, s. 42.

43.—(1) Metal on the exterior of the walls of a building or structure shall,

(*a*) if the metal is a rain spout, guy-wire, support of a litter-carrier track, or other vertical metal, except metal conduits provided for in subsection 7 of section 11, be grounded from its lower end and connected from its upper end to conductors within six feet and metal roofs within two feet; or

(*b*) if the metal is a door track or other horizontal metal, less than twelve feet in length, be connected to conductors within four feet, and more than twelve feet in length, be connected to conductors within six feet.

(2) Metal siding, including isolated sections, shall be grounded. R.R.O. 1960, Reg. 404, s. 43.

44.—(1) Metal projecting through a flat roof shall be connected from its junction with the roof to the conductor or other grounded metal and, where practicable, shall be grounded from its lower end within the building.

(2) Metal projecting through a sloped roof and extending above the roof-ridge or the highest edge of the roof slope or more than fifteen inches above its junction with the roof shall be connected from its junction with the roof to the conductor or other grounded metal and, where practicable, shall be grounded from its lower end.

(3) Metal projecting through the upper half of a one-storey wall or if more than twelve feet above ground level through a higher wall shall be connected from the point where it emerges from the the building to a conductor or other grounded metal, and where practicable, shall be grounded from its lower or farther end within the building.

(4) Metal projecting through the lower half of a one-storey wall or if less than twelve feet above ground level through a higher wall, shall, where practicable, be grounded from its lower or farther end within the building, and shall,

(*a*) be connected from the point where it emerges from the building to the conductor or other grounded metal within six feet; or

(*b*) if the metal is a litter-carrier track more than six feet from a conductor, be connected to an independent grounding. R.R.O. 1960, Reg. 404, s. 44.

45. Metal inside a structure and within six feet of a conductor shall,

(*a*) if shafting, stanchions, litter-carrier track or horizontal pipe, be connected to conductors within six feet, where practicable, and have an independent grounding for each 100 linear feet or part thereof;

(*b*) if a ventilating shaft, pipe or other vertical metal, be grounded from its lower end and, where practicable, connected at or near the top of the metal to conductors within six feet;

(*c*) if a hay-fork track, be connected to a conductor from each end that is less than six feet from an exposed wall of the structure, and have a connection to a conductor or an independent grounding in any case; or

(*d*) if a water-tank, engine or other heavy compact stationary metal body, be connected to conductors within six feet, where practicable, and have an independent grounding. R.R.O. 1960, Reg. 404, s. 45.

46.—(1) Metal within a structure and not within six feet of or connected to a conductor shall,

(*a*) if a litter-carrier track, have an independent grounding for each 100 feet or part thereof;

(*b*) if pipes, stanchions or enclosed stalls, have an independent grounding for each pipe,

stanchion or stall or for each 100 feet or part thereof of interconnected pipes, stanchions and stalls, measured along the pipes, heads of the stanchions and perimeters of the stalls;

(*c*) if a hay-fork track, have an independent grounding or be connected to a conductor from an end of the track; or

(*d*) if a water-tank, engine or other stationary heavy compact metal body, have an independent grounding.

(2) Where the electrical continuity of milking-machine pipes is broken by the insertion of rubber hose or other insulating material, the break in the continuity shall not be bridged. R.R.O. 1960, Reg. 404, s. 46.

47.—(1) Independent groundings for rain-spouts and for other metal bodies more than six feet from and not connected to a conductor shall be equivalent to at least 50 per cent of groundings prescribed in sections 33 to 40, and a depth of six feet shall be deemed to be one-half of the value of a depth of ten feet and the value of a conductor in a trench shall be proportional to the length of the trench.

(2) Indepedent groundings for metal bodies connected to a conductor or less than six feet from a conductor shall be as prescribed in sections 33 to 40. R.R.O. 1960, Reg. 404, s. 47.

CONDUCTING MATERIALS AND METHODS FOR GROUNDING METAL BODIES

48.—(1) Connections of metal bodies to conductors, metal roofing or metal siding shall be made with cable or strap.

(2) Interconnections of metal bodies not connected to conductors, metal roofing or metal siding, and connections of metal bodies to independent groundings shall be made with,

(*a*) at least one 6-gauge copper wire or one 4-gauge aluminum wire;

(*b*) twisted or braided wires of gauges prescribed in subsection 1 of section 4 and of half the weight prescribed in subsection 2 of section 4 for cable; or

(*c*) metal strap at least three-quarters of an inch in width.

(3) Connections to independent groundings of rain-spouts and of metal bodies that are connected to conductors, metal roofing or metal siding shall be made with cable or strap of at least 17-gauge copper or 14-gauge aluminum and the straps shall be not less than one inch in width.

(4) Connectors and methods of installation used to make connections of conductors to metal objects shall be such as will ensure permanently tight contact between the conductor and the metal object.

(5) Except,

(*a*) as provided in section 13; and

(*b*) for hay-fork tracks connected in an upward path where they are grounded from both ends,

conductors used to ground metal bodies specified in sections 42 to 47 shall be coursed throughout their length in a horizontal or downward path from the metal body. R.R.O. 1960, Reg. 404, s. 48.

49.—(1) Metal roofs shall be provided with air-terminals as prescribed in section 26.

(2) A conductor shall be coursed over a metal roof in the same manner as over a roof other than of metal, but coursing is not required where a metal roof is grounded by conductors attached to the eaves or to grounded metal siding if the roof and siding are in good electrical contact or the eaves and siding are interconnected in at least three places at intervals not exceeding forty feet.

(3) A metal-roof slope or interconnected metal-roof slopes, when grounded through conductors attached to the eaves, shall have two down-conductors if the length of the eaves or interconnected eaves exceeds thirty feet and three down-conductors if the length exceeds 100 feet.

(4) Where groundings are connected to metal siding only, they shall be installed at the main corners of the building or structure and at intervals not exceeding 100 feet measured horizontally along the metal siding.

(5) Connections of down-conductors to metal eaves or metal siding shall be made,

(*a*) if the down-conductors are cable, by means of metal plates,

(i) shaped to fit over and in tight contact with at least three inches of the cable,

(ii) secured in tight contact with at least nine square inches of the eaves or siding by means of six bolts, rivets or screws, and

(iii) with the ends of the wires turned back over the edge of the metal plate; or

(*b*) if the down conductors are strap, by securing at least nine square inches of the strap in tight contact with the eaves or siding by means of four bolts, rivets or screws.

(6) Connections of conductors, other than down-conductors, to metal roofs and metal siding shall be made,

(*a*) if the conductor is cable, by means of metal plates,

(i) shaped to fit over and in tight contact with at least two inches of the cable,

(ii) secured in tight contact with at least six square inches of the eaves or siding by means of four bolts, rivets or screws, and

(iii) with the ends of the wires turned back over the edge of the metal plate; or

(*b*) if the conductor is strap, by securing at least six square inches of the strap in tight contact with the eaves or siding by means of three bolts, rivets or screws.

(7) Where,

(*a*) a copper conductor is coursed over an aluminum roof or siding;

(*b*) an aluminum conductor is coursed over a copper roof or siding;

(*c*) a copper air-terminal support is attached to an aluminum roof; or

(*d*) an aluminum air-terminal support is attached to a copper roof,

the copper and aluminum shall be separated under all fasteners and air-terminal supports by sheet lead of at least one-sixteenth of an inch in thickness or by galvanized iron of at least 28-gauge.

(8) Where,

(*a*) a copper air-terminal is attached to an aluminum roof;

(*b*) an aluminum air-terminal is attached to a copper roof;

(*c*) a system is grounded by attaching copper conductors to an aluminum roof at the eaves or siding; or

(*d*) a system is grounded by attaching aluminum conductors to a copper roof at the eaves or siding,

the copper and aluminum shall be separated by galvanized iron of at least 28-gauge. R.R.O. 1960, Reg. 404, s. 49.

50.—(1) Independent metal trusses or other units of framework of a building or structure shall be grounded from the lower end and be connected from the upper end to conductors, metal roof or metal siding if within six feet thereof.

(2) Steel-frame or skeleton-steel buildings and structures may be equipped with air-terminals connected to the grounded steel frame. R.R.O. 1960, Reg. 404, s. 50.

51.—(1) Metal bodies in, on or projecting from metal-roofed and metal-clad buildings and structures shall be connected, interconnected and grounded as prescribed in sections 42 to 47, but connections may be made to the metal roof or metal siding instead of to conductors.

(2) All parts of metal roofs and metal siding shall be bonded and grounded, but if more than six feet apart may be grounded independently. R.R.O. 1960, Reg. 404, s. 51.

MISCELLANEOUS STRUCTURES

52.—(1) Flag poles, radio masts, television masts, towers, spires and smoke-stacks may be equipped with a system independent of the structure of which they are a part or on which they are erected but, if the structure is equipped with a system, the systems shall be interconnected. R.R.O. 1960, Reg. 404, s. 52.

53.—(1) Where a silo,

(*a*) is within four feet of a building and extends above the adjacent roof-line; or

(*b*) is within eight feet of a building, and has a wall or roof of combustible construction in whole or in part, and extends above the adjacent roof-line,

the silo shall be part of the building for the purposes of the Act.

(2) Air-terminals shall be installed on silos as follows:

1. On conical or pointed roofs, one air-terminal.

2. On ridge-roofs and roofs with dormers, as prescribed in section 26.

3. On open silos, two or more air-terminals spaced not more than twenty-five feet apart, measured around the outside of the wall, and interconnected by cable or strap.

(3) Conductors on silos may have separate groundings or be connected to a conductor on an adjacent building or structure, or both, and if a silo has an outside diameter of more than fourteen feet or extends more than four feet above the nearest point of the adjacent roof-line, it shall have at least two groundings. R.R.O. 1960, Reg. 404, s. 53.

54. An annex is a part of the building or structure for purposes of the Act, except where,

(*a*) it is not more than eight feet in height, including chimneys, vents and other projections, that are outside a cone of protection;

(*b*) its height plus the distance it extends from the main building or structure is not greater than the height of the adjoining wall of the main building or structure; or

(*c*) it is wholly within a cone of protection. R.R.O. 1960, Reg. 404, s. 54.

55.—(1) Fence wires, metal clothes-lines, metal guy-wires and similar wires shall be disconnected or electrically insulated from a building or structure or shall be grounded.

(2) Where a wire is connected to a conductor on a building or structure, it shall also have an independent grounding at the end remote from the building or structure.

(3) Independent groundings for wires shall be at least 10-gauge copper wire extended to a depth of six feet or laid in six feet of trench, or its equivalent.

(4) Connections of wires to conductors or groundings shall be made with at least 10-gauge copper wire or 8-gauge aluminum wire, or their equivalent. R.R.O. 1960, Reg. 404, s. 55.

56.—(1) The seal mentioned in subsection 2 of section 10 of the Act shall be a metal disc having a looped copper wire running through it, which shall be attached to each down-conductor.

(2) One side of the seal shall bear the name "Fire Marshal of Ontario" and the number of the Inspector and the year of the inspection, and the other side shall bear the words:

"This installation is at the time of inspection in conformity with *The Lightning Rods Act* and the regulations." R.R.O. 1960, Reg. 404, s. 56.

APPLICATIONS AND LICENCES

57. An application for a licence to offer for sale, sell and install lightning rods shall be in Form 1. R.R.O. 1960, Reg. 404, s. 57.

58. A licence to offer for sale, sell and install lightning rods shall be in Form 2. R.R.O. 1960, Reg. 404, s. 58.

59. An application for a licence to act as an agent to offer for sale, sell and install lightning rods shall be in Form 3. R.R.O. 1960, Reg. 404, s. 59.

60. A licence to act as agent to offer for sale, sell and install lightning rods shall be in Form 4. R.R.O. 1960, Reg. 404, s. 60.

CERTIFICATE OF INSTALLATION

61. A certificate of installation as required by section 8 of the Act shall be in Form 5. R.R.O. 1960, Reg. 404, s. 61.

REPORT OF INSPECTOR

62. The report of the Inspector mentioned in subsection 1 of section 10 of the Act shall be in Form 6. R.R.O. 1960, Reg. 404, s. 62.

Form 1

The Lightning Rods Act

APPLICATION FOR LICENCE

To the Fire Marshal of Ontario,
Parliament Buildings, Toronto.

1. Under *The Lightning Rods Act* and the regulations,

.....
(name of company, firm or person)

of .....
(address of office or place of business)

applies for a licence to offer for sale, sell and install lightning rods during the year 19....

2. The following is a statement of the specifications of the lightning rods to be sold and installed in the year 19....

.....
(signature of applicant)

.....
(authority or position)

SWORN STATEMENT

County of	In the matter of *The Lightning Rods Act* and
Province of Ontario	In the matter of the foregoing application for a licence,

I, ...,

of....., (address)

make oath and say:

1. That I am..... (owner, partner or officer)

of..... (name of firm or corporation)

2. That the amount received from the sale of lightning rods in Ontario during the previous licence year was $.....

Sworn before me at.....

this.....day of....., 19....

Commissioner, etc.

R.R.O. 1960, Reg. 404, Form 1, *revised*.

Form 2

The Lightning Rods Act

LICENCE

For the year 19.... No.....

Under *The Lightning Rods Act* and the regulations, and subject to the limitations thereof, this licence is issued to

..... (name)

..... (address)

to offer for sale, sell and install until the 31st day of December next the following lightning rods:

Dated at Toronto, this....day of....., 19...

..... Fire Marshal

R.R.O. 1960, Reg. 404, Form 2, *revised*.

Form 3

The Lightning Rods Act

APPLICATION FOR AGENT'S LICENCE

To the Fire Marshal of Ontario,
Parliament Buildings, Toronto.

The undersigned, a licensee under section 3 of the Act for the year 19....., hereby applies for a licence for

..... (name in full)

..... (post office address of residence in full)

..... (post office address of place of business in full)

to act as agent of the licensee until the 31st day of December next.

Appended hereto is a statement in writing from the proposed agent.

..... (name of licensee)

..... (signature of person signing for and on behalf of licensee)

STATEMENT OF PROPOSED AGENT

1. Name in full..... (print plainly)

2. Residence..... (city or town and street number)

3. Place of business..... (city or town and street number)

4. Are you a member of a firm or partnership or an officer or employee of a corporation that

carries on a lightning-rods business?.....

If so, give particulars.....

5. Have you been previously licensed as an agent?

.....

If so, in what year were you last licensed?.....

6. Give the names of all lightning-rods firms, partnerships or corporations with which you have

been connected, and state when.....

.....

.....

.....

7. Are you indebted to any licensee under section 3 of the Act for whom you have acted as agent?

.....

If so, give particulars.....

8. Have you ever been refused a licence under *The Lightning Rods Act* or any predecessor thereof?

.....

9. Has your licence under either Act ever been suspended or revoked?.....

Date....., 19...

.....
(signature)

R.R.O. 1960, Reg. 404, Form 3, *revised*.

Form 4

The Lightning Rods Act

AGENT'S LICENCE

No.....

Under *The Lightning Rods Act* and the regulations and subject to the limitations thereof, this licence is issued to

.....of.....
(name) (address)

to act as agent for

.....of.....
(name) (address)

until the 31st day of December, 19...

Date....., 19... .....
Fire Marshal

R.R.O. 1960, Reg. 404, Form 4, *revised*.

Form 5

The Lightning Rods Act

CERTIFICATE OF INSTALLATION

I, the undersigned, ...

(*a*) as principal, Licence No.....; or

(*b*) as agent for.....
(name of principal)

Licence No.....
certify:

1. That on the.....day of....., 19.....
(month) (year)

I installed lightning rods as a

.....
(state whether new installation, addition or repair)

on a.....
(kind and name of building or structure)

owned by.....
(name) (address)

located at lot.....concession.....or street address

and Town.....Township.....

County, etc.....

2. That the location of each grounding is marked on the following diagram of the building or structure.

DIAGRAM

3. That the nature and condition of the soil at each grounding, and the method of each grounding are as follows:

Grounding	Nature and Condition of Soil	Method of Making Grounding
G1 G2 G3 G4 G5 G6		

4. That the facts shown in this certificate are true and that the installation has been made in accordance with the Act and the regulations.

.....
(signature of person who installed lightning rods)

I confirmed that the nature and condition of the soil and the method of each grounding are as described.

Date....., 19.....
(day) (month) (year)

.....
(signature of owner or his agent)

R.R.O. 1960, Reg. 404, Form 5, *revised*.

Form 6

The Lightning Rods Act

INSPECTOR'S REPORT

No.....

1. Name of principal or agent making installation

.....Licence No.....

2. Owner.....P.O. Address.....

3. Lot.....concession.....or street address and

Town.....Township.....

County, etc.....

4. Building or structure.....

.....

5. Description of system.....
(name of licensee)

6. Form of conductor.....

7. Ohmic resistance of earth terminals of the system

.....

8. The installation does not conform with the Act and the regulations in the following respects:

.....

.....

.....

9. I consider the following alterations or additions are necessary to make the installation conform

with the Act and the regulations:.....

.....

.....

10. Diagram of structure

11. Was the system approved by you?.....

12. Date of Inspection.....

Dated at.....

this.....day of....., 19...

.....

.....
(Signature of Inspector)

R.R.O. 1960, Reg. 404, Form 6, *revised*.

REGULATION 560

under The Liquor Control Act

GENERAL

INTERPRETATION

1. In this Regulation,

(*a*) "common carrier" means any person approved by the Board as a carrier to convey liquor;

(*b*) "home-made wine" means wine or any other beverage made from grapes, cherries, apples or other fruits that contain alcohol;

(*c*) "purchaser" means a person who purchases liquor from the Board or from a Government store. O. Reg. 35/66, s. 1.

OFFICIALS AND EMPLOYEES

2. The officials, inspectors, managers and other employees of the Board shall obey the instructions of the Board and shall perform such duties as it directs. O. Reg. 35/66, s. 2.

PRICE LISTS

3. The Board shall from time to time issue price lists, showing the price to be paid for each class, variety or brand of liquor kept for sale by the Board. O. Reg. 35/66, s. 3.

4. Price lists shall be available at all stores operated by the Board. O. Reg. 35/66, s. 4.

DAYS OF SALE

5. No liquor shall be sold in or from a Government store nor shall any store be kept open for the sale of liquor,

(*a*) on any day on which polling takes place at any Federal or Provincial election held in the electoral district in which the store is situated;

(*b*) on any day on which polling takes place at any municipal election or upon any question submitted to the electors of the municipality under any Act, held in the municipality in which the store is situated; and

(*c*) on such other days as the Board directs. O. Reg. 35/66, s. 5; O. Reg. 223/67, s. 1.

6. Liquor may be sold at Government stores and such stores shall be kept open for the sale of liquor during such hours as the Board from time to time directs. O. Reg. 35/66, s. 6.

PURCHASE ORDERS

7.—(1) Subject to subsection 2, all orders for the purchase of liquor at Government stores shall be made in writing upon forms approved or supplied by the Board. O. Reg. 48/69, s. 1.

(2) No order forms shall be required in,

(*a*) self-service stores;

(*b*) stores for the sale of Ontario wine only; and

(*c*) stores for the sale of beer only authorized by the Board and operated by the breweries at premises where beer is manufactured. O. Reg. 48/69, s. 1; O. Reg. 185/69, s. 1.

APPOINTMENT OF AGENT TO PURCHASE

8. Any person entitled to purchase liquor may appoint in writing as his agent to purchase liquor any other person over the age of twenty-one years who is entitled to purchase liquor. O. Reg. 35/66, s. 8.

9. The appointment to purchase shall contain,

(*a*) the name and address of the agent;

(*b*) the kinds and quantities of liquor to be purchased; and

(*c*) the signature of the principal. O. Reg. 35/66, s. 9.

10. Any person entitled to purchase liquor may employ as his agent to purchase liquor any person holding a registration card issued to him under section 78 of the Act without a written appointment. O. Reg. 35/66, s. 10.

11. Any person registered under section 78 of the Act may complete the order to purchase as an agent by signing the order as agent for the principal and writing thereon the number of his registration card. O. Reg. 35/66, s. 11.

12. After the agent has delivered the liquor to the principal at his residence the powers of the agent lapse. O. Reg. 35/66, s. 12.

ORDERS BY TELEPHONE

13. The manager of a Government store for the sale of Ontario wine only or for the sale of beer only may accept orders by telephone and may deliver the Ontario wine or beer to the purchaser at his residence. O. Reg. 35/66, s. 13.

DELIVERY OF LIQUOR

14. Delivery of liquor to a purchaser by a common carrier or other person shall be made only to the purchaser at his residence or to anyone over the age of twenty-one years who resides in such residence. O. Reg. 35/66, s. 14.

15. Liquor may be conveyed from any place where it is lawfully sold to any place where it may be lawfully kept. O. Reg. 35/66, s. 15.

16. No delivery of liquor, except that sold on a doctor's prescription, shall be made unless the person taking delivery has signed a receipt that contains,

(*a*) the name and address of the purchaser;

(*b*) the date of delivery; and

(*c*) the name and address of the common carrier or other person making delivery. O. Reg. 35/66, s. 16.

17. A common carrier may, in the course of delivery to a purchaser,

(*a*) deliver the liquor to any railway station or place where the common carrier maintains an agency; and

(*b*) provide at the railway station or place where the agency is maintained all necessary storage for the liquor. O. Reg. 35/66, s. 17.

18. Delivery of liquor to a purchaser may be made by a common carrier at any railway station or place where the common carrier maintains an agency. O. Reg. 35/66, s. 18.

BREWERS' WAREHOUSING STORES

19. Government stores for the sale of beer only may be established by the Brewers' Warehousing Company Limited in any location approved by the Board and any licensed brewer shall, upon payment of the required fee, be granted a licence to store and sell beer therein under the direction of the Board. O. Reg. 35/66, s. 19.

20. The Board may place in a Government store established for the sale of beer only an official or inspector who shall direct, supervise and approve all sales made therein. O. Reg. 35/66, s. 20.

21. The Board may appoint any official or employee of a brewery or the Brewers' Warehousing Company Limited to act as its representative in Government stores established for the sale of beer only. O. Reg. 35/66, s. 21.

ONTARIO WINE STORES

22. With the approval of the Board, a producer of Ontario wine may establish in any location a Government store for the retail sale of Ontario wine of his own production only. O. Reg. 35/66, s. 22, *amended*.

23. Where a producer of Ontario wine purchases or acquires additional Ontario wine licences and surrenders them to the Board, the Board may approve the establishment by him of an additional Government store for the sale of Ontario wine of his own production only for each Ontario wine licence surrendered. O. Reg. 35/66, s. 23.

24. The Board may place in a Government store established for the sale of Ontario wine only an official or inspector who shall direct, supervise and approve all sales made therein. O. Reg. 35/66, s. 24.

25. The Board may appoint any official or employee of a producer of Ontario wine to act as its representative in Government stores established for the sale of Ontario wine only. O. Reg. 35/66, s. 25.

26. Where the Board is satisfied as to the character of the articles or commodities in which alcohol or other liquor is required in the manufacture, the Board may issue a permit to a manufacturer, entitling him to purchase liquor from the Board and to have, keep and use the liquor for the purpose and on the premises designated in the permit. O. Reg. 35/66, s. 26, *amended*.

27. The Board may issue to a druggist a permit entitling him to purchase liquor from the Board to be used in compounding medicines or as a solvent or preservative and to have, keep and use the liquor for such purposes on the premises designated in the permit. O. Reg. 35/66, s. 27, *amended*.

28. The Board may issue for First Aid purposes to an industrial, commercial or educational establishment a permit providing for the purchase of liquor from the Board and for the keeping and having of the liquor for First Aid purposes on the premises designated in the permit. O. Reg. 35/66, s. 28, *amended*.

29. The Board may issue to a physician, dentist, veterinary, or a person in charge of an institution conducted as a hospital, sanatorium or home for the care of the aged a permit providing for the purchase of liquor from the Board and for the keeping and having of the liquor for medicinal purposes on the premises designated in the permit. O. Reg. 35/66, s. 29, *amended*.

30. The Board may issue upon such terms and subject to such conditions as it prescribes, to the Crown in right of Canada as represented by the Minister of Transport a permit authorizing the purchase of liquor for use at an international airport that is designated to the Board by the Minister of Transport. O. Reg. 35/66, s. 30, *amended*.

31. Proof of loss or destruction of a permit shall be by statutory declaration. O. Reg. 35/66, s. 31.

32. The fee for a permit is $2. O. Reg. 35/66, s. 32.

LICENCES

33. All licences granted to distillers, brewers or producers of Ontario wine shall be prepared in duplicate and the original shall be given to the licencee. O. Reg. 35/66, s. 33.

34. Every licence granted to a distiller, brewer or producer of Ontario wine or a copy thereof shall be posted up or displayed in a conspicuous place in that part of the premises to which the public has access in the distillery, brewery or winery. O. Reg. 35/66, s. 34, *amended*.

35. The licence granted to a distiller, brewer or producer of Ontario wine authorizes the distiller, brewer or producer to have and keep liquor manufactured by him in any building where such manufacture is carried on. O. Reg. 35/66, s. 35.

LICENCE FEES

36.—(1) A brewing company that produces beer in Ontario shall pay an annual licence fee of,

(*a*) $1500; and

(*b*) when the production,

(i) is less than two million gallons, 24 cents per gallon, or

(ii) exceeds two million gallons, 26 cents per gallon,

as determined by the final dip of the fermentation tun and recorded in the Federal Excise Department's Brewers' Daily Record (Form T 238);

less

(*c*) an allowance of 5 per cent to compensate for loss in production; and

(*d*) that part of the licence fee under clause *b* that is referable to beer exported from Ontario. O. Reg. 35/66, s. 36 (1); O. Reg. 455/67, s. 1 (1, 2).

(2) A brewing company selling beer in Ontario that has been produced outside Ontario shall pay an annual licence fee of,

(*a*) $1500; and

(*b*) 26 cents per gallon of beer sold in Ontario. O. Reg. 35/66, s. 36 (2); O. Reg. 455/67, s. 1 (3).

(3) A brewing company selling beer through the stores or the distributing warehouses of the Brewers' Warehousing Company Limited, or through a brewery retail store, shall pay an annual licence fee of $100 for each store or distributing warehouse. O. Reg. 35/66, s. 36 (3).

37.—(1) A producer of Ontario wine shall pay an annual licence fee of,

(*a*) $500;

(*b*) 10½ per cent of the gross selling price of all wine sold through its store; and

(*c*) $100 for each store operated by it.

(2) For the purpose of subsection 1, gross selling price does not include Ontario retail sales tax. O. Reg. 35/66, s. 37.

MEDICAL PRESCRIPTIONS

38. No person shall improperly obtain a medical prescription for liquor or use a medical prescription that has been improperly obtained. O. Reg. 35/66, s. 38.

39. A medical prescription shall be written in ink and shall contain,

(*a*) the date;

(*b*) the patient's name and address;

(*c*) the quantity of liquor required;

(*d*) a certificate that the liquor is required for medicinal purposes and is the minimum quantity necessary for the patient named; and

(*e*) the signature and address of the issuing physician. O. Reg. 35/66, s. 39.

40. When a medical prescription for liquor is presented to a manager he may, before supplying the liquor, retain the prescription for such time as is necessary to ascertain whether it was signed by the physician by whom it purports to be signed. O. Reg. 35/66, s. 40.

EXEMPTION

41. Preparations, mixtures and combinations capable of human consumption that contain less than 2½ per cent of alcohol by volume or 2 per cent of alcohol by weight shall be considered to be flavoured with liquor only and not preparations, mixtures or combinations to which section 56 of the Act applies. O. Reg. 35/66, s. 41.

OFFICIAL SEALS

42.—(1) The official seal attached to every bottle of liquor, except beer, kept for sale or sold at a Government store shall consist of,

(*a*) the excise strip seal of the Government of Canada;

(*b*) the strip seal of the manufacturer; or

(*c*) the crimped foil capsule, lead capsule, cello seal brand or aluminum pilfer proof cap of the manufacturer,

or such combination thereof as may be approved by the Board.

(2) The bottle shall be rendered pilfer proof by having the seal so attached to the bottle that the cork or stopper cannot be removed without breaking the seal. O. Reg. 35/66, s. 42, *amended*.

43. The official seal attached to every bottle of beer kept for sale or sold at a Government store shall consist of the body label and crown cork stopper of the manufacturer as approved by the Board. O. Reg. 35/66, s. 43.

44. The official seal attached to every keg, barrel or cask of beer kept for sale or sold at a Government store shall consist of,

(*a*) the label of the manufacturer as approved by the Board; and

(*b*) the wooden bung bearing the name and code number of the manufacturer. O. Reg. 35/66, s. 44.

HOTEL OWNERS, ETC

45. With the permission of the Board in writing, the proprietor or manager of a hotel, club or other premises maintained for the entertainment and accommodation of the public may have and keep liquor lawfully purchased by him for his own and his family's use and consumption in the rooms of the hotel, club or other premises that are occupied by him and that are so designated in writing by him to the Board, and it is not necessary for him to register in the office of the hotel, club or other premises as the occupant of those rooms. O. Reg. 35/66, s. 45.

REGISTERED REPRESENTATIVES

46. Every person registered with the Board under section 78 of the Act shall be issued with an identification card containing,

(*a*) a number;

(*b*) the name and address of the representative;

(*c*) the name of the distiller, brewer, wine producer or company that he represents; and

(*d*) the date upon which the card is issued. O. Reg. 35/66, s. 46.

47. Unless sooner cancelled, every identification card expires at midnight on the 31st day of March next following the date on which it is issued. O. Reg. 35/66, s. 47.

48. A registered representative shall be a full-time employee of his principal and may,

(*a*) maintain liaison regarding product and brand information with the manager of Government stores;

(*b*) assist in the arrangements for conventions, meetings and special functions;

(*c*) conduct normal customer-supplier relations with licencees under *The Liquor Licence Act*;

(*d*) solicit orders on a brand preference basis;

(*e*) arrange for the delivery of liquor; and

(*f*) act as agent for a purchaser of liquor. O. Reg. 35/66, s. 48.

SACRAMENTAL WINE

49.—(1) Upon payment of the prescribed fees, the Board may grant a sacramental wine vendor's permit to a person, authorizing him to sell sacramental wines.

(2) Every sacramental wine vendor shall record every sale or purchase of sacramental wine in a book kept for that purpose and the record shall show the date, the name and address of the person to whom the sale of wine was made or from whom the wine was purchased, the kind and quantity sold or purchased and the price charged.

(3) A sworn copy of the record mentioned in subsection 2 shall be furnished to the Board on or before the tenth day of each month in respect of the preceding month. O. Reg. 35/66, s. 49.

50. A priest, a minister of the gospel or a minister of any religious faith who is authorized to solemnize marriage in Ontario or a person duly authorized to purchase sacramental wine on behalf of a religious body for religious purposes only may purchase, have and keep in his possession sacramental wine for religious purposes but no person shall use or consume or permit to be used or consumed any sacramental wine as a beverage. O. Reg. 35/66, s. 50.

51. No sacramental wine sold by the holder of a sacramental wine vendor's permit shall be delivered until the purchaser has given to the vendor a written order, dated and signed by the purchaser, stating the kind and quantity of wine ordered. O. Reg. 35/66, s. 51.

52.—(1) The annual fee for a sacramental wine vendor's permit is,

(*a*) $25; and

(*b*) 10½ per cent of the gross selling price of all sacramental wine sold.

(2) For the purpose of subsection 1, gross selling price does not include Ontario retail sales tax. O. Reg. 35/66, s. 52.

ONTARIO WINE

53. No Ontario wine shall be sold in Ontario unless it is produced in premises approved by the Board. O. Reg. 35/66, s. 53.

54.—(1) A producer of Ontario wine may keep and offer for sale, sell and deliver only Ontario wine,

(*a*) that is,

(i) of a colour satisfactory to the Board,

(ii) of natural and pleasing odour, flavour and bouquet, and

(iii) free from sediment, turbidity or foreign matter;

(*b*) that conforms with the *Food and Drugs Act* (Canada) and the regulations made thereunder;

(*c*) that, if designated as port or sherry or similarly designated, contains not less than 14 per cent of alcohol by volume;

(*d*) that, if designated as claret or claret type, contains not more than 13 per cent of alcohol by volume and not more than 1 per cent of sugar;

(*e*) that, if designated as still burgundy or chianti or similarly designated, contains not more than 14 per cent of alcohol by volume and not more than 1 per cent of sugar;

(*f*) that, if designated as dry and is a still wine with a content of less than 14 per cent of alcohol by volume, contains not more than 1 per cent of sugar;

(*g*) that, if containing carbon dioxide under pressure from natural fermentation or otherwise, contains not more than 14 per cent of alcohol by volume and not more than 5 per cent of sugar; and

(*h*) that is obtained,

(i) where the volume of wine and lees from one ton of grapes or cherries, or

(ii) where the concentrated juice of one ton of grapes or cherries, including lees and any water, honey, sugar or the distillate of Ontario wine added,

is not more than 250 imperial gallons. O. Reg. 35/66, s. 54 (*part*).

(2) A producer of Ontario wine may keep and offer for sale, sell and deliver only Ontario wine that is not obtained from the Ontario fruits referred to in subsection 1 and that is obtained from other Ontario fruits as directed from time to time by the Board. O. Reg. 35/66, s. 54, cl. i, *amended*.

55. The Board may place an inspector on the winery premises for the purpose of checking and recording the weight of all grapes, cherries and other fruits received at the winery and used in the production of Ontario wine and concentrates. O. Reg. 35/66, s. 55.

56. With the approval of the Board, the holder of an Ontario wine licence may purchase Ontario wine from another holder of an Ontario wine licence. O. Reg. 35/66, s. 56.

57. Except as otherwise provided, no Ontario wine or distillate of Ontario wine shall be transferred from the premises of an Ontario wine licence holder to any other premises in Ontario without the approval of the Board. O. Reg. 35/66, s. 57.

58. When ordered by the Board, the holder of an Ontario wine licence shall forward to the Board for analysis samples of wine produced or offered for sale in Ontario, or an officer authorized by the Board may take samples of the wine for the purpose of analysis. O. Reg. 35/66, s. 58.

59. With the approval of the Board, the holder of an Ontario wine licence whose products are sold by the Board may establish in any city or town designated by the Board an Ontario wine warehouse for the purpose of warehousing or storing his goods therein. O. Reg. 35/66, s. 59.

60. All sales and deliveries of Ontario wine warehoused or stored in an Ontario wine warehouse shall be made to the Board upon the requisition of the Board or as otherwise directed by the Board. O. Reg. 35/66, s. 60.

61. Every holder of an Ontario wine licence who has established an Ontario wine warehouse under this Regulation shall deliver or send to the Board a monthly statement of all wine delivered to the warehouse. O. Reg. 35/66, s. 61.

62. Once in each month the holder of an Ontario wine licence shall furnish the Board with a certificate showing a record of all retail sales of wine made through the Government stores operated by him for the sale of Ontario wine only. O. Reg. 35/66, s. 62, *amended*.

63. The plant or premises upon which Ontario wine is produced, stored or sold shall be open to inspection by an authorized officer of the Board, and the officer may take inventory of all Ontario wine and other products contained therein, and all records, books of account and invoices shall be made available by the holder of an Ontario wine licence for inspection by the Board's officer when required. O. Reg. 35/66, s. 63.

64. Each cask, vat or container in excess of 150 imperial gallons capacity that is used by the holder of an Ontario wine licence for the storage of Ontario wine shall have painted thereon or affixed thereon by means of metal figures an individual number and the cask, vat or container so numbered shall have the capacity in imperial gallons plainly indicated thereon. O. Reg. 35/66, s. 64.

65. Every holder of an Ontario wine licence shall keep books and records that fully and clearly set forth a record of all grapes, cherries, other Ontario fruits, sugar and all other materials purchased for producing and processing Ontario wine as well as a record of the selling and disposing of Ontario wine, and the books and records shall be in such form as the Board requires. O. Reg. 35/66, s. 65, *amended*.

66.—(1) The holder of an Ontario wine licence shall be allowed as loss up to 5 per cent of the total volume of new wine within the first six months from the commencement of fermentation, up to 1½ per cent of the total volume of new wine in the second six months of the first year, and up to 3 per cent of the total volume of wine in each succeeding year and such allowances shall be considered as resulting from lees and evaporation.

(2) Where wine is baked on the premises of a winery licence holder, allowances for loss up to, but not exceeding 5 per cent may be made, provided that the holder of an Ontario wine licence shall keep a record showing,

(*a*) the serial number of each tank;

(*b*) the date on which wine is placed in the tank;

(*c*) the quantity of alcohol contained in the wine;

(*d*) the date on which baking is commenced;

(*e*) the date on which baking is completed;

(*f*) the method employed;

(*g*) the date on which the wine is removed from the tank; and

(*h*) the quantity removed and its alcoholic content,

and no allowance for losses due to the baking of wine shall be made unless shown by such record to have been sustained.

(3) Where wine is stored in barrels of under 150 gallons capacity, an additional allowance of 3 per cent after the first year of age shall be made. O. Reg. 35/66, s. 66.

67. Losses of Ontario wine that are suffered in any winery, other than losses from lees, evaporation and processing, shall be reported to the Board immediately. O. Reg. 35/66, s. 67.

68. Where the holder of an Ontario wine licence is found by an authorized officer of the Board to have less that the amount of Ontario wine that should be on hand on the premises of the licence holder, the shortage less the allowance permitted under sections 66 and 67 for lees, evaporation and processing, shall be deemed to have been sold and is subject to all levies due to the Board. O. Reg. 35/66, s. 68, *amended*.

69. Every holder of an Ontario wine licence shall, not later than the 10th day of every month, furnish the Board with a statement in the form provided by the Board, showing quantities of Ontario wine sold during the next preceding calendar month and the quantities of Ontario grown grapes, cherries, other fruits, and concentrates thereof purchased and used in the production of Ontario wine during the month for which the statement is made. O. Reg. 35/66, s. 69.

70. Within ten days after the close of the Board's fiscal year, every holder of an Ontario wine licence shall furnish the Board with a sworn annual statement, in the form provided by the Board, showing the volume of his business, and he may be required by the Board to produce for examination his books of account, invoices and all papers necessary to show the quantity of Ontario grown grapes and cherries or concentrates thereof used in the production of Ontario wine, and to show the quantity of Ontario wine sold for export from Ontario. O. Reg. 35/66, s. 70.

HOME-MADE WINE, CIDER AND BEER

71. Any person who receives permission from a competent authority to make home-made wine in his residence for the use of his family residing therein may,

(*a*) without a permit, have and keep in his residence 100 gallons of such wine; and

(*b*) with a permit issued by the Board, have and keep in his residence in accordance with the terms of the permit more than 100 gallons of such wine. O. Reg. 35/66, s. 71.

72. No person shall have in his possession any home-made wine that has not been made by him in his residence. O. Reg. 35/66, s. 72.

73. Home-made wine may be had, given or consumed by the maker or his immediate family in the residence in which it was made. O. Reg. 35/66, s. 73.

74. Any person brewing beer for use of himself and his immediate family under the *Excise Act* (Canada) may have and keep the beer only in his residence. O. Reg. 35/66, s. 74.

GENERAL

75. Every justice shall forward monthly to the Board a certificate containing particulars of all cases heard by him arising out of offences under this Act and the regulations or *The Liquor Licence Act* and the regulations under that Act. O. Reg. 35/66, s. 75.

76. Except in a municipality that has entered into an agreement under section 88 of *The Liquor Licence Act*, all penalties in money that are imposed under the Act or *The Liquor Licence Act* by a justice shall, after he has deducted all necessary costs, be paid to the Board by the justice. O. Reg. 35/66, s. 76.

77. The Board may insure all property both real and personal owned or acquired by the Board and all loss under any contract of insurance so entered into is payable to the Board. O. Reg. 35/66, s. 77.

REGULATION 561

under The Liquor Control Act

NEGOTIATION AND ARBITRATION PROCEDURES

1. In this Regulation,

(*a*) "Arbitration Board" means the Liquor Control and Liquor Licence Arbitration Board;

(*b*) "Association" means the Liquor Control Board of Ontario and the Liquor Licence Board of Ontario Employees' Association;

(*c*) "Negotiating Council" means the Liquor Control and Liquor Licence Negotiating Council. O. Reg. 318/66, s. 1.

2.—(1) There shall be a Liquor Control and Liquor Licence Negotiating Council composed of,

(*a*) three Crown employees appointed by the Lieutenant Governor in Council to be known as the "official side"; and

(*b*) three members of the Association appointed by the Lieutenant Governor in Council on the recommendation of the Association, to be known as the "staff side".

(2) The Lieutenant Governor in Council shall appoint a person who is not a member of the Negotiating Council as chairman and the chairman shall not vote.

(3) The Lieutenant Governor in Council may appoint a person who is not a member of the Negotiating Council to act as chairman in the absence of the chairman.

(4) The chairman of the Negotiating Council shall,

(*a*) convene a meeting of the Negotiating Council at the request of the official side or of the staff side or of both of them;

(*b*) put on the agenda at the request of the official side or of the staff side, or of both of them, any matter concerning the terms of employment of employees of the Liquor Control Board or Liquor Licence Board, including working conditions, remuneration, leaves, and hours of work; and

(*c*) preside at the meeting.

(5) The Negotiating Council shall negotiate such matters as are put on its agenda by the chairman under subsection 4.

(6) Every agreement reached by the official side and the staff side of the Negotiating Council shall be put in writing and three copies thereof signed by the senior member of each side, and one copy thereof shall be delivered to the chairman of the Negotiating Council who shall forthwith transmit it to the appropriate authority to be implemented. O. Reg. 318/66, s. 2.

3.—(1) If the two sides of the Negotiating Council are unable to reach agreement upon any matter the chairman shall refer it to the Minister of Labour who may, within fifteen days thereafter, appoint a mediator to confer with the two sides and endeavour to bring about agreement, and the mediator shall report to the chairman of the Negotiating Council on the reference within thirty days after the matter is referred to the mediator.

(2) If the Minister of Labour does not appoint a mediator under subsection 1 or if the mediator is unable to bring about agreement, the chairman of the Negotiating Council shall refer the matter to the Arbitration Board. O. Reg. 318/66, s. 3.

4.—(1) There shall be a Liquor Control and Liquor Licence Arbitration Board appointed by the Lieutenant Governor in Council composed of,

(*a*) a chairman who shall be appointed for a renewable period of two years;

(*b*) one member designated from time to time by the official side of the Negotiating Council; and

(*c*) one member designated from time to time by the staff side of the Negotiating Council.

(2) The Arbitration Board shall decide upon any matter referred to it by the chairman of the Negotiating Council.

(3) Every decision of the Arbitration Board shall be signed by the chairman, and he shall transmit it to the chairman of the Negotiating Council who shall forthwith transmit it to the appropriate authority to be implemented. O. Reg. 318/66, s. 4.

REGULATION 562

under The Liquor Licence Act

FEES ON VOTES AND LICENSING DISTRICTS

1. The fees and expenses allowed under section 82 of the Act are as set forth in the Schedule. R.R.O. 1960, Reg. 406, s. 1.

2. The areas comprising the following counties, provisional county and territorial districts are designated licensing districts as follows:

Licensing District No.	Comprising
1.	Essex, Kent and Lambton.
2.	Bruce, Grey, Huron, Perth, Waterloo and Wellington.
3.	Elgin, Middlesex and Oxford.
4.	Brant, Haldimand, Lincoln, as it existed on the 31st day of December, 1969, Norfolk and Welland, as it existed on the 31st day of December, 1969
5.	Wentworth and Halton.
6.	York, as it existed on the 31st day of December, 1970.
7.	Durham, Ontario, Peterborough, Victoria and Haliburton.
8.	Dufferin, Peel, Simcoe, Muskoka, as it existed on the 31st day of December, 1970, and Parry Sound.
9.	Hastings, Northumberland and Prince Edward.
10.	Lennox and Addington, Dundas, Frontenac, Glengarry, Grenville, Leeds and Stormont.
11.	Carleton, as it existed on the 14th day of June, 1968, Lanark, Prescott, Renfrew and Russell.
12.	Kenora, Rainy River and Thunder Bay.
13.	Algoma, Manitoulin and Sudbury.
14.	Cochrane, Nipissing and Timiskaming R.R.O. 1960, Reg. 406, s. 2; O. Reg. 204/61, s. 1, *amended*.

Schedule

COUNTY JUDGE

1. For making necessary arrangements for holding courts and performing other duties in connection with the holding of the poll as prescribed by the Act and *The Election Act* ..... $ 25.00

2. For revising lists, per day 10.00

3. Where poll is taken other than in county town a per day living allowance of .... 8.00 and actual and necessary travelling expenses.

RETURNING OFFICER

4. Where the clerk of the municipality acts as returning officer such amount as is agreed upon, and in default of agreement 100.00

5. Where the returning officer is not the clerk of the municipality 150.00

DEPUTY RETURNING OFFICERS, POLL CLERKS AND CONSTABLES

6. Where a poll is not held on the day of polling for the municipal election, such fees as are fixed by by-law of the municipality, but where no by-law fixing the fees has been passed, the same fees as would be payable at the municipal election.

7. Where a poll is held on the same day as the municipal election and the same officers are used for the vote under the Act, an extra allowance,

(*a*) to the deputy returning officer of. 3.00

(*b*) to the poll clerk of. 2.00

(*c*) to the constable of. 1.00

ELECTION CLERK

8. Where the election clerk is an officer of the municipality, such amount as is

agreed upon, and in default of agreement 25.00

9. Where the election clerk is not an officer of the municipality 35.00
and all actual, reasonable and necessary disbursements connected with the taking of the poll.

POLLING PLACES

10. For every polling place used for the taking of the poll where the poll is not held on the same day as that of the taking of the vote at a municipal election, for the first poll 10.00
and for each additional poll held on the same premises 5.00

OFFICERS FURNISHING LISTS OR COPIES THEREOF

11. For every copy of a voters' list or part thereof, or of changes made therein on appeal or complaint exclusive of any printed list or any printed matter, payable by the person to whom the same is supplied but not including copies of the list or a part thereof furnished to a returning officer for use as required by law, for every ten names ..... .10

12. For clerk of the peace furnishing copies of polling list when so directed by the Chief Election Officer, per polling place but to include all copies furnished ... 1.00
and for every ten names not printed but written or corrected or added on each copy so furnished ..... .10

R.R.O. 1960, Reg. 406, Sched.

REGULATION 563

under The Liquor Licence Act

GENERAL

INTERPRETATION

1. In this Regulation,

(*a*) "fratenal club" means a chartered branch of an established fraternal organization in Canada;

(*b*) "labour club" means a chartered branch or union of any of the established labour organizations in Canada;

(*c*) "veterans' club" means a chartered branch of an established war-veterans' organization in Canada or any association composed entirely of and organized for the benefit of veterans of the Canadian Armed Forces. O. Reg. 187/65, s. 1, *revised*.

REGISTRAR

2. It is the duty of the registrar to,

(*a*) attend such meetings of the Board as it directs;

(*b*) attest all orders, directions, certificates and subpoenas or other documents issued in the name of the Board as may be required;

(*c*) give such notices as are required by the Act and this Regulation;

(*d*) keep a central record of the minutes of the meetings and proceedings of the Board;

(*e*) inform and advise the Board on any matters arising out of the administration of the Act and this Regulation; and

(*f*) generally perform and carry out the directions and instructions of the Board. O. Reg. 187/65, s. 2.

DEPUTY REGISTRARS

3. It is the duty of each deputy registrar to,

(*a*) provide suitable premises for the meetings of the Board;

(*b*) attend such meetings of the Board as it directs;

(*c*) give and receive such notices as are required by the Act;

(*d*) attest all orders, directions, certificates, subpoenas or other documents as may be required;

(*e*) keep the minutes of the meetings and proceedings of the Board in his licensing district;

(*f*) attend to the correspondence affecting his licensing district;

(*g*) inform and advise the Board on any matters arising out of the administration of the Act and this Regulation;

(*h*) file with the registrar copies of all the Board's orders, directions, certificates and such other documents as may be required; and

(*i*) generally perform and carry out the directions and instructions of the Board. O. Reg. 187/65, s. 3.

OTHER OFFICIALS AND EMPLOYEES

4. The officials, inspectors and other employees of the Board shall obey the instructions of the Board and perform such duties as it directs. O. Reg. 187/65, s. 4.

REGULATIONS APPLICABLE TO ALL ESTABLISHMENTS AND LICENSED PREMISES

5. Sections 7 to 27 apply to all classes of licensed premises. O. Reg. 187/65, s. 5.

LIQUOR ON LICENSED PREMISES

6. All liquor sold upon licensed premises shall be consumed on the premises and the licence holder shall not permit any liquor so sold to be taken from the premises. O. Reg. 187/65, s. 6.

7. No liquor, other than that sold by the licence holder under the authority of the licence, shall be brought upon the licensed premises and the licence holder shall not knowingly permit any other liquor to be brought upon the licensed premises. O. Reg. 187/65, s. 7, *amended*.

CONTAINERS

8. All liquor served in licensed premises shall be dispensed from the original container in which the liquor is purchased from or under the authority of the Liquor Control Board of Ontario. O. Reg. 187/65, s. 8.

DRINKS CONTAINING SPIRITS

9.—(1) Each drink containing spirits served in licensed premises shall contain not less than one fluid ounce of spirits as supplied by the Liquor Control Board of Ontario.

(2) Each drink containing spirits served in licensed premises shall be poured from the original container into a measuring glass of clear glass having a height of 2-7/16", a diameter at the rim of 1-15/16" and three tide lines etched in the glass so that when filled to the bottom tide line will contain 1 ounce, when filled to the middle tide line will contain 1¼ ounces and when filled to the top tide line will contain 1½ ounces and shall be marked "LLBO" on the base.

(3) In establishments licensed to sell wine, the wine may be sold by the bottle or half-bottle.

(4) Any non-alcoholic liquid that is added to liquor in the preparation of a drink shall be added in full view of the customer. O. Reg. 187/65, s. 9.

PRICE LISTS

10.—(1) Upon every licensed premises lists shall be available to customers or signs shall be prominently displayed, indicating,

(*a*) the varieties of liquor for sale;

(*b*) the amount and type of spirits in each type of drink containing spirits that is offered for sale; and

(*c*) the prices at which drinks may be purchased,

but the lists and signs shall be published and displayed only in the licensed premises.

(2) A copy of every list and sign used under subsection 1 shall be filed with the Board before being used and no alterations shall be made in a list or sign until the approval in writing of the Board to the alteration has been obtained. O. Reg. 187/65, s. 10.

BRANDS AND TYPES

11.—(1) An adequate stock of liquor, when available, shall be maintained upon every licensed premises,

(*a*) of the brands and types; and

(*b*) in the form or containers,

that are commonly in demand in the place where the premises are located.

(2) Liquor of the brands and types and in the containers referred to in subsection 1 shall be displayed at the bar.

(3) The brand and type of beer dispensed by each tap shall be clearly indicated by a label visible to persons using the premises. O. Reg. 187/65, s. 12.

FLOOR SPACE

12.—(1) In every licensed dining lounge or dining room there shall be not less than fifteen square feet of floor space for each chair or seat therein.

(2) In every licensed lounge or public house there shall be not less than twelve square feet of floor space for each chair, stool or seat therein. O. Reg. 187/65, s. 13.

13. No more persons than adequate seating accommodation is provided for shall be admitted to any licensed premises. O. Reg. 187/65, s. 14.

EMPLOYEES

14. In licensed premises to which men only are admitted men only shall be employed during the hours when liquor may be sold. O. Reg. 187/65, s. 15.

15. In licensed premises to which women only are admitted, women only shall be employed during the hours when liquor may be sold unless, in the case of any premises, the Board otherwise directs. O. Reg. 187/65, s. 16.

16. No person under the age of twenty-one years shall be employed in the selling or serving of liquor in a licensed premises. O. Reg. 187/65, s. 17.

DAYS OF SALE

17. No liquor may be sold, served or consumed in licensed premises,

(*a*) on a day when a general polling for a Dominion election is being held in the electoral district in which the licensed premises are situated; or

(*b*) on a day when a general polling for a provincial or municipal election or the voting upon any question submitted to the electors of the municipality under any Act of Ontario is being held in the electoral district or municipality in which the licensed premises are situated during the hours that the polls remain open. O. Reg. 407/67, s. 1; O. Reg. 184/69, s. 1.

18. Notwithstanding section 17, liquor may be sold or served on any day in the licensed premises of the military messes of the Canadian Armed Forces. O. Reg. 187/65, s. 19, *revised*.

19. Liquor may be served on Sunday in a religious institution of a denomination that does not observe Sunday as its Sabbath day at a religious function, including a Wedding or a Confirmation, under the authority of a special occasion permit that does not permit the sale of liquor. O. Reg. 187/65, s. 20; O. Reg. 34/67, s. 2.

HOURS OF SALE

20. When the last day of December is a Sunday, liquor may be served on that Sunday during the hours from 5 p.m. to 1.00 a.m. of the following day under the authority of a special occasion permit at a function at which a meal is served. O. Reg. 407/67, s. 2.

21. Liquor may be sold or served on Sunday under the authority of a special occasion permit between the hours of 12 noon and 10.00 p.m. at a function of an international, national or provincial convention at which no meal is provided. O. Reg. 184/69, s. 2.

22. Liquor may be served on Sunday under the authority of a special occasion permit between the hours of 12 noon and 10.00 p.m. at a function, provided that,

(i) liquor shall be served only to a person having a meal while seated at a table,

(ii) "meal" means the usual assortment of foods commonly ordered at regular meal hours, but does not include the service only of food such as pretzels, cheese, crackers, soup, sandwiches, hors d'oeuvres and similar food items,

(iii) the receipts from the sale of liquor shall not exceed the receipts from the sale of food. O. Reg. 184/69, s. 2.

23.—(1) Liquor may be sold and served in premises licensed as a dining lounge or dining room,

(*a*) during the hours from 12 noon to 1.00 a.m. of the following day on Monday to Saturday;

(*b*) during the hours from 12 noon to 10.00 p.m. on Sunday, Christmas Day and Good Friday where the licensee is so authorized by the Board, provided that,

(i) liquor shall be served only to a person having a meal while seated at a table,

(ii) "meal" means the usual assortment of foods commonly ordered at regular meal hours, but does not include the service only of food such as pretzels, cheese, crackers, soup, sandwiches, hors d'oeuvres and similar food items,

(iii) the average receipts from the sale of liquor shall not exceed the average receipts from the sale of food, and

(iv) a daily record showing the sales of liquor and food shall be maintained.

(2) Liquor may be sold and served in premises licensed as a lounge or public house during the hours from 12 noon to 1.00 a.m. of the following day on Monday to Saturday.

(3) Liquor may be sold and served in premises licensed as a club,

(*a*) during the hours from 12 noon to 1.00 a.m. on Monday to Saturday;

(*b*) during the hours from 12 noon to 10.00 p.m. on Sunday, Christmas Day and Good Friday where the licensee is so authorized by the Board, provided that,

(i) liquor shall be served only to a person having a meal while seated at a table,

(ii) "meal" means the usual assortment of foods commonly ordered at regular meal hours, but does not include the service only of food such as pretzels, cheese, crackers, soup, sandwiches, hors d'oeuvres and similar food items,

(iii) the average receipts from the sale of liquor shall not exceed the average receipts from the sale of food, and

(iv) a daily record showing the sales of liquor and food shall be maintained.

(4) When the last day of December is a Sunday, liquor may be sold and served on that Sunday in premises licensed as a dining lounge, dining room or club during the hours from 12 noon to 3.00 p.m. and from 5.00 p.m. to 1.00 a.m. of the following day where the licensee is so authorized by the Board, provided that the licensee complies with subsection 1 or subsection 3, as the case may be, in respect of the serving of meals.

(5) All premises licensed as a lounge or public house shall be cleared of patrons and all signs of the service and consumption of liquor shall be removed within one-half hour after the sale and service of liquor ceases under subsection 2.

(6) In all premises licensed as a dining lounge, dining room or club all signs of the service and consumption of liquor shall be removed within

one-half hour after the sale and service of liquor ceases under subsections 1 and 3. O. Reg. 184/69, s. 3.

24. The signs displayed on the exterior of a licensed establishment shall make no reference to the holding of a licence or the rights granted thereunder other than in,

(*a*) the words " a Hotel (or an Inn or a Tavern or a Restaurant or a Public House) under *The Liquor Licence Act*";

(*b*) the words "a Hotel (or an Inn or a Tavern or a Restaurant or a Public House) under *The Liquor Licence Act*", together with a statement of the licences held; or

(*c*) a statement of licences held,

all of which shall be in letters not exceeding five inches in height. O. Reg. 363/66, s. 2.

25. No licensed establishment in respect of which a licence is issued, other than one that is classified by the Board as a hotel or an inn, shall use the term "hotel" or "inn" in any advertisement or upon any sign or stationery or elsewhere. O. Reg. 187/65, s. 23.

26. No licensed establishment or other organization or business, other than an establishment that is classified by the Board as a "tavern" or "public house", shall use the term "tavern" or "public house", as the case may be, in any advertisement or upon any sign or stationery or elsewhere. O. Reg. 187/65, s. 24.

27. Signs reading "Dining Lounge", "Dining Room", "Lounge" and "Public House" may be used within an establishment to indicate the location of licensed premises. O. Reg. 187/65, s. 25.

AIRCRAFT, RAILWAY CARS, STEAMSHIPS

28. Liquor may be sold upon an aircraft, a railway car or steamship in respect of which a licence is issued only while the aircraft, railway car or steamship is in transit on a trip the main purpose of which is the transporting of passengers from one point to another point. O. Reg. 187/65, s. 26.

CLUBS

29. Every club in respect of which a licence is issued, other than a fraternal club, a labour club or a veterans' club, shall be incorporated under the laws of Ontario or Canada. O. Reg. 187/65, s. 27.

30.—(1) No liquor shall be sold in licensed premises in a club except to a member of the club.

(2) No liquor shall be served in licensed premises in a club except to a member of the club or his guest.

(3) Guest registers shall be kept by all clubs and shall be open to inspection by the Board. O. Reg. 187/65, s. 28.

31. For the purpose of the Act and this Regulation, a member of any chartered branch of any established fraternal organization in Canada, a member of any chartered branch of any established war veterans' organization or established labour organization in Canada shall be deemed to be a member of a chartered branch thereof in respect of which a licence is issued under the Act and this Regulation, if the rules of the organization and of the branch so permit. O. Reg. 187/65, s. 29.

32. Unless otherwise required by the Board, every club in respect of which a licence is held shall forward annually to the Board, not later than the 31st day of January,

(*a*) a list of the officers of the club;

(*b*) a list of the members of the club;

(*c*) a copy of the by-laws of the club; and

(*d*) a financial statement covering the last fiscal period of the club,

and the lists, copy of by-laws and financial statement shall be verified in the manner prescribed in section 50. O. Reg. 187/65, s. 30.

33. Every club in respect of which a licence is held shall, in respect of its dining facilities, be subject to section 34. O. Reg. 187/65, s. 31.

DINING LOUNGES AND DINING ROOMS

34. In every dining lounge or dining room,

(*a*) the tables shall be covered with tablecloths or other equivalent suitable covering or surfacing;

(*b*) an adequate supply of flat-ware, china and other table service shall be available and used; and

(*c*) meals, for which adequate menus shall be provided, shall be served at regular breakfast, luncheon, dinner or supper hours but, where the establishment is classified as a hotel and has no other dining room, meals, for which adequate menus shall be provided, shall be served at regular breakfast, luncheon and dinner hours. O. Reg. 187/65, s. 32.

35. In a dining lounge or dining room, spirits, wine or beer shall be served only to a person having a meal therein while seated at a table. O. Reg. 187/65, s. 33.

36. A dining lounge or a dining room licence may be issued only to and held only by a person who has had,

(*a*) adequate experience in the hotel or restaurant business; or

(*b*) other business experience and employs a management that has had adequate experience in the hotel or restaurant business. O. Reg. 187/65, s. 34.

LOUNGES AND PUBLIC HOUSES

37. In every lounge or public house there shall be,

(*a*) a service bar with or without stools or seats for the persons using the lounge or public house; and

(*b*) an area equipped with an adequate number of chairs and tables, having regard to the dispensing facilities of the lounge or public house. O. Reg. 187/65, s. 35.

38. All spirits, wine or beer sold in a lounge or public house shall be dispensed at the bar in such a manner that it can be viewed by the persons using the lounge or public house. O. Reg. 187/65, s. 36.

BOX STALLS

39. In a dining room, lounge or public house there shall not be any box stall or any partition or obstruction that prevents a full view of the entire room by any person therein. O. Reg. 187/65, s. 37.

ENTERTAINMENT

40. Where entertainment is provided in licensed premises, the entertainment shall be in charge of and supervised by a person who has had adequate experience in the type of entertainment provided. O. Reg. 187/65, s. 38.

41. Where facilities for dancing are provided in licensed premises, the dance floor shall occupy not less than one-fifth of the total floor space thereof and the number of chairs, stools and seats that are provided shall be calculated in respect of that portion of the licensed premises that is not occupied by the dance floor. O. Reg. 187/65, s. 39.

42. Application for entertainment, dancing and other special privileges shall be made to the Board. O. Reg. 187/65, s. 40.

SPECIAL OCCASION PERMITS

43.—(1) A special occasion permit, upon application therefor, may be issued only in respect of a function that is not conducted for the purpose or with the intention of gain or profit.

(2) An application for a special occasion permit shall be filed with the Board at least five days prior to the day upon which the function is to be held. O. Reg. 187/65, s. 41.

44. Liquor procured under a special occasion permit shall not be sold except where food is served in the premises for which the permit is issued. O. Reg. 187/65, s. 42.

45. The liquor that may be served under a special occasion permit, except a special occasion permit for diplomats and consular officers of career, shall be purchased from The Liquor Control Board of Ontario. O. Reg. 187/65, s. 43.

46.—(1) The fee payable in respect of a special occasion permit is,

(*a*) where the liquor obtained thereunder is for a wedding reception, $5;

(*b*) where the liquor obtained thereunder may not be sold either directly or indirectly, $10;

(*c*) where the liquor obtained thereunder does not exceed ten bottles of spirits or wine and 120 12-ounce bottles of beer, or either of them, and may be sold for the retail cost thereof together with a reasonable charge for dispensing, $10; and

(*d*) where the liquor obtained thereunder exceeds ten bottles of spirits or wine and 120 12-ounce bottles of beer, or either of them, and may be sold for the retail cost thereof together with a reasonable charge for dispensing, $15.

(2) No fees are payable in respect of a special occasion permit for diplomats and consular officers of career. O. Reg. 187/65, s. 44, *revised*.

47. The Board may vary or cancel any special occasion permit issued by it. O. Reg. 187/65, s. 45.

48.—(1) The person to whom a special occasion permit is issued, or in the case of an organization, the person who made the application for the permit, shall within forty-eight hours of the holding of the function make a written report to the Board, stating the amount of liquor purchased for the function under the permit that was not consumed at the function and shall, if required by the Board, forthwith deliver the liquor to The Liquor Control Board of Ontario.

(2) Possession of the liquor for the purpose of delivering it to The Liquor Control Board of Ontario

shall be deemed to be lawful possession. O. Reg. 187/65, s. 46.

LICENCES APPLICATIONS

49. Where application is made for a licence and construction or alteration of a building is contemplated,

(*a*) the Board shall not issue the licence until,

(i) a building permit has been issued by the local municipal authority, unless it is not the practice to issue building permits in the place where the proposed establishment is to be located, and

(ii) the Board is satisfied upon evidence submitted, that the applicant has complied with all federal, provincial and municipal requirements that are of a general nature and that create or govern priorities or restrictions in respect of labour and materials required in the construction or alteration of the building proposed to be used for the establishment; and

(*b*) the Board,

(i) shall not issue a licence, or

(ii) where a licence has been issued, shall cancel it, where after the making of the application the construction or alteration and equipping of the building proposed to be used for an establishment is not proceeded with with such expedition as is required by the Board. O. Reg. 187/65, s. 47.

50. The information contained in an application for a licence or renewal thereof shall be verified,

(*a*) where the establishment is owned by an individual, by his affidavit or in his absence by the affidavit of some person who has full knowledge of the facts;

(*b*) where the establishment is owned by a partnership, by the affidavit of the partners;

(*c*) where the establishment is owned by an incorporated company, by the affidavit of the president or in his absence by the affidavit of a director;

(*d*) where the establishment is a military mess, by the affidavit of the officer commanding the unit or in his absence by the affidavit of a senior officer of the unit;

(*e*) where the establishment is a fraternal club, a labour club, or a veterans' club, by the affidavit of the president or in his absence by the affidavit of a senior officer of the club; and

(*f*) in all other cases, by the affidavit of a person who has full knowledge of the facts. O. Reg. 187/65, s. 48.

APPROVAL OF PLANS

51. No licence shall be issued in respect of any establishment unless the plans, location, accommodation, equipment and facilities of the establishment have been approved by the Board. O. Reg. 187/65, s. 49.

CONVICTIONS FOR OFFENCES

52. Under clause *b* of subsection 1 of section 29 of the Act, the offences against the laws of Canada or Ontario are,

(*a*) any offence against the Act, involving the making of a false statement or the failure to make full disclosure to the Board;

(*b*) any offence against the provisions of any Act of Ontario, involving the selling, keeping for sale or supplying of liquor;

(*c*) any offence against subsection 4 of section 56 of the Act, involving gambling, a slot machine or a device used for gambling; or

(*d*) any offence against the laws of Canada or Ontario, involving moral turpitude,

that occurred during the five years next preceding the filing of an application for the issue, transfer or renewal of a licence. O. Reg. 187/65, s. 50; O. Reg. 184/69, s. 4.

53. Section 52 does not apply to a licensee who has been convicted of an offence referred to in clause *b* of section 52 where the Board is satisfied that the conviction was made as the result of an unauthorized act or omission by a servant or agent of the licensee. O. Reg. 187/65, s. 51.

54. Where the holder of a licence or his servant or agent is charged with any offence referred to in section 52, the Board may suspend the licence and may, after a hearing by the Board, continue the suspension or cancel the licence. O. Reg. 187/65, s. 52.

LICENCE FEES

55.—(1) The following fees are payable in respect of each licence or permit:

1. Where the establishment is a hotel or an inn, for a dining lounge licence, a dining room licence, a lounge licence or a public house licence an amount equual to 10 per cent of the gross value of spirits and wine purchased and the amount indicated in the following table for each gallon of beer purchased:

TABLE

On first	10,000	gallons	10 cents
" 10,001 —	20,000	"	11 cents
" 20,001 —	30,000	"	13 cents
" 30,001 —	40,000	"	14 cents
" 40,001 —	50,000	"	16 cents
" 50,001 —	60,000	"	17 cents
" 60,001 —	70,000	"	18 cents
" 70,001 —	80,000	"	20 cents
" 80,001 —	90,000	"	21 cents
" 90,001 —	100,000	"	22 cents
" 100,001 —	110,000	"	24 cents
" 110,001 —	120,000	"	25 cents
" 120,001 gallons and over			26 cents

2. Where the establishment is a tavern or theatre, for a dining lounge licence, a dining room licence or a lounge licence an amount equal to 10 per cent of the gross value of spirits and wine purchased and the amount indicated in the following table for each gallon of beer purchased:

TABLE

On first	10,000	gallons	11 cents
" 10,001 —	20,000	"	13 cents
" 20,001 —	30,000	"	16 cents
" 30,001 —	40,000	"	18 cents
" 40,001 —	50,000	"	21 cents
" 50,001 —	60,000	"	23 cents
" 60,001 —	70,000	"	25 cents
" 70,001 —	80,000	"	28 cents
" 80,001 —	90,000	"	30 cents
" 90,001 —	100,000	"	32 cents
" 100,001 —	110,000	"	35 cents
" 110,001 —	120,000	"	37 cents
" 120,001 gallons and over			39 cents

3. Where the establishment is a restaurant, for a dining room licence, an amount equal to 10 per cent of the gross value of wine purchased and 10 cents for each gallon of beer purchased.

4. Where the establishment is a public house, for a public house licence, the amount indicated in the following table for each gallon of beer purchased:

TABLE

On first	10,000	gallons	13 cents
" 10,001 —	20,000	"	16 cents
" 20,001 —	30,000	"	19 cents
" 30,001 —	40,000	"	22 cents
" 40,001 —	50,000	"	26 cents
" 50,001 —	60,000	"	29 cents
" 60,001 —	70,000	"	32 cents
" 70,001 —	80,000	"	36 cents
" 80,001 —	90,000	"	39 cents
" 90,001 —	100,000	"	42 cents
" 100,001 —	110,000	"	46 cents
" 110,001 —	120,000	"	49 cents
" 120,001 gallons and over			52 cents

5. Where the establishment is a club,

(*a*) for a club licence an amount equal to 10 per cent of the gross value of spirits and wine purchased and the amount indicated in the following table for each gallon of beer purchased:

TABLE

On first	10,000	gallons	11 cents
" 10,001 —	20,000	"	13 cents
" 20,001 —	30,000	"	16 cents
" 30,001 —	40,000	"	18 cents
" 40,001 gallons and over			21 cents

(*b*) for a club licence (restricted), an amount equal to 10 per cent of the gross value of wine purchased and the amount indicated in the following table for each gallon of beer purchased except in respect of a veterans' club.

TABLE

On first	10,000	gallons	13 cents
" 10,001 —	20,000	"	16 cents
" 20,001 —	30,000	"	19 cents
" 30,001 —	40,000	"	22 cents
" 40,001 —	50,000	"	26 cents
" 50,001 gallons and over			26 cents

(*c*) for a club licence (restricted) in respect of a veterans' club, an amount equal to 10 per cent of the gross value of wine purchased and the amount indicated in the following table for each gallon of beer purchased:

TABLE

On first	10,000	gallons	8 cents
" 10,001 —	20,000	"	10 cents
" 20,001 —	30,000	"	11 cents
" 30,001 —	40,000	"	12 cents
" 40,001 gallons and over			13 cents

6. Where the establishment is a military mess,

(*a*) for a dining lounge, a dining room, a lounge or a public house licence, an amount equal to 10 per cent of the gross value of spirits and wine purchased and the amount indicated in the following table for each gallon of beer purchased:

TABLE

On first	10,000	gallons	.....	8 cents
" 10,001 —	20,000	"	10	cents
" 20,001 —	30,000	"	11	cents
" 30,001 —	40,000	"	12	cents
" 40,001	gallons and over		13	cents

where the mess is that of a reserve unit of the Canadian Armed Forces;

(*b*) for a dining lounge, a dining room, a lounge or a public house licence where the mess is that of an active unit of the Canadian Armed Forces, a licence fee of $50; and

(*c*) for a dining lounge, a dining room, a lounge or a public house licence where the mess is designated under subsection 1 of section 23 of the Act, a permit fee of $50.

7. Where the establishment is an aircraft, a railway car or steamship, for a dining lounge licence, a dining room licence, a lounge licence or a public house licence, an amount equal to 10 per cent of the gross value of the spirits and wine purchased and the amount indicated in the following table for each gallon of beer purchased:

TABLE

On first	10,000	gallons	.....	10 cents
" 10,001 —	20,000	"	11	cents
" 20,001 —	30,000	"	13	cents
" 30,001 —	40,000	"	14	cents
" 40,001	gallons and over		16	cents

(2) Where, in respect of any establishment,

(*a*) more than one public house licence is held; or

(*b*) a dining room licence and a public house licence or public house licences are held,

the total fees for the licences held in respect of both or all of the premises shall be computed by applying the appropriate fees prescribed in subsection 1 to the total amount of beer purchased and the total gross value of wine purchased for both or all of the premises.

(3) Where, in respect of any establishment,

(*a*) more than one licence is held; and

(*b*) one of the licences is a dining room licence or a public house licence,

in computing the licence fees, all beer purchased shall be presumed to be purchased for the dining room premises or public house premises.

(4) In this section,

(*a*) "beer purchased" means all beer purchased by or for the establishment during the period of the licence for the purposes of the licensed premises whether or not it is sold in the licensed premises during the period;

(*b*) "gross value of spirits or wine purchased" means the gross value of all spirits and wine, including the value of the containers, purchased by or for the establishment during the term of the licence for the purposes of the licensed premises whether or not sold in the licensed premises during the period.

(5) A filing fee of $10 is payable in respect of the application for each licence or permit or renewal thereof.

(6) A filing fee of $10 is payable in respect of all other applications made to the Board except applications for special occasion permits. O. Reg. 187/65, s. 53.

56.—(1) Fees that are prescribed in fixed amounts are payable upon the making of the application for a licence or renewal.

(2) Fees that vary according to the amount or value of liquor purchased are payable monthly and the fees payable in respect of purchases made each month shall be paid not later than the 10th day of the month next following. O. Reg. 187/65, s. 54.

TRANSFER OF LICENCES

57.—(1) For the purposes of section 48 of the Act, the transfer fee is,

(*a*) an amount equal to,

(i) 10 per cent of the net value of beer purchased in the preceding twelve months where the purchases are up to 10,000 gallons, with a minimum fee of $100,

(ii) 20 per cent of the net value of beer purchased in the preceding twelve months where the purchases are from 10,001 to 20,000 gallons,

(iii) 30 per cent of the net value of beer purchased in the preceding twelve months where the purchases are from 20,001 to 30,000 gallons,

(iv) 40 per cent of the net value of beer purchased in the preceding twelve months where the purchases are from 30,001 to 40,000 gallons,

(v) 50 per cent of the net value of beer purchased in the preceding twelve months where the purchases are from 40,001 to 50,000 gallons,

(vi) 60 per cent of the net value of beer purchased in the preceding twelve months where the purchases are from 50,001 to 60,000 gallons,

(vii) 70 per cent of the net value of beer purchased in the preceding twelve months where the purchases are from 60,001 to 70,000 gallons,

(viii) 80 per cent of the net value of beer purchased in the preceding twelve months where the purchases are from 70,001 to 80,000 gallons,

(ix) 90 per cent of the net value of beer purchased in the preceding twelve months where the purchases are from 80,001 to 90,000 gallons,

(x) 100 per cent of the net value of beer purchased in the preceding twelve months where the purchases are from 90,001 to 100,000 gallons,

(xi) 110 per cent of the net value of beer purchased in the preceding twelve months where the purchases are from 100,001 to 110,000 gallons,

(xii) 120 per cent of the net value of beer purchased in the preceding twelve months where the purchases are from 110,001 to 120,000 gallons,

(xiii) 130 per cent of the net value of beer purchased in the preceding twelve months where the purchases are from 120,001 gallons or more; and

(*b*) an amount equal to,

(i) 10 per cent of the value of spirits and wine purchased in the preceding twelve months where the purchases are purchases up to $20,000,

(ii) 20 per cent of the value of spirits and wine purchased in the preceding twelve months where the purchases are purchases from $20,001 to $40,000,

(iii) 30 per cent of the value of spirits and wine purchased in the preceding twelve months where the purchases are purchases from $40,001 to $60,000,

(iv) 40 per cent of the value of spirits and wine purchased in the preceding twelve months where the purchases are purchases from $60,001 to $80,000,

(v) 50 per cent of the value of spirits and wine purchased in the preceding twelve months where the purchases are purchases from $80,001 to $100,000,

(vi) 60 per cent of the value of spirits and wine purchased in the preceding twelve months where the purchases are purchases from $100,001 to $110,000,

(vii) 70 per cent of the value of spirits and wine purchased in the preceding twelve months where the purchases are purchases from $110,001 to $120,000,

(viii) 80 per cent of the value of spirits and wine purchased in the preceding twelve months where the purchases are purchases from $120,001 to $130,000,

(ix) 90 per cent of the value of spirits and wine purchased in the preceding twelve months where the purchases are purchases from $130,001 to $140,000,

(x) 100 per cent of the value of spirits and wine purchased in the preceding twelve months where the purchases are purchases from $140,001 to $150,000,

(xi) 110 per cent of the value of spirits and wine purchased in the preceding twelve months where the purchases are purchases from $150,001 to $160,000,

(xii) 120 per cent of the value of spirits and wine purchased in the preceding twelve months where the purchases are purchases from $160,001 to $170,000,

(xiii) 130 per cent of the value of spirits and wine purchased in the preceding twelve months where the purchases are purchases of $170,001 and over,

and, where more than one licence held in respect of an establishment is being transferred, the percentages prescribed in clauses *a* and *b* shall be applied to the total net value of beer purchased and the total value of spirits and wine purchased for all premises in respect of which such licences are held.

(2) Where a licensed premises has been in operation for a period of less than twelve months, the transfer fee shall be computed by prorating the net value of beer purchased and the value of spirits and wine purchased during the period of operation to a period of twelve months and applying subsection 1 thereto.

(3) In this section "net value of beer purchased" means the net value of beer purchased by or for the establishment after deducting the value of the containers. O. Reg. 187/65, s. 55.

58. No transfer fee shall be charged where the holder of a licence dies and the premises are being operated by the husband, wife, father, mother, children, sister or brother of the deceased. O. Reg. 187/65, s. 56.

59. A transfer fee of $100 shall be charged where the holder of a licence transfers in his lifetime the whole or a part interest in the licensed premises to his husband, wife, father, mother, sister, brother, child or grandchild. O. Reg. 187/65, s. 57.

60.—(1) In cases of partnership where a partner retires or dies, a proportionate transfer fee shall be charged and the proportion shall be based on the respective interests of the partners.

(2) Where changes in a partnership occur by the inclusion of an additional person or persons, a transfer fee shall be charged upon the interest acquired. O. Reg. 187/65, s. 58.

61. Where a temporary licence has been issued under paragraph *f* of section 45 of the Act and the temporary licensee transfers the licensed premises to the original licensee, a transfer fee of $100 shall be charged. O. Reg. 187/65, s. 59.

62. Where subsection 2 of section 48 of the Act applies by virtue of the operation of section 49 of the Act, the issuer or transferor shall pay the proportion of the transfer fee that the shares issued or transferred bears to the issued capital stock of the company. O. Reg. 187/65, s. 60.

CANCELLATION OR SUSPENSION

63. Upon the cancellation or suspension of a licence, all liquor on the licensed premises shall forthwith be forwarded by the licensee to the Liquor Control Board of Ontario unless otherwise directed by the Liquor Licence Board of Ontario. O. Reg. 187/65, s. 61.

COMPENSATION FOR DISQUALIFICATION

64. The sum awarded to any person by way of compensation under section 51 of the Act shall be determined by an arbitrator appointed by the Board and the provisions of *The Arbitrations Act* apply to the arbitration, but no compensation shall be allowed for forcible taking. O. Reg. 187/65, s. 62.

CORPORATIONS

65. An incorporated company that applies for the issue or transfer to it of a licence shall be incorporated under the laws of Ontario or Canada. O. Reg. 187/65, s. 63.

PURCHASE OF LIQUOR

66. All purchases of liquor by the holder of a licence shall be made from or on the authority of the Liquor Control Board of Ontario. O. Reg. 187/65, s. 64.

PURCHASE ORDERS

67. All orders for the purchase of liquor by the holder of a licence shall be made in writing upon the forms supplied by theLiquor Control Board of Ontario and shall be signed by the holder of a licence or his duly authorized employee. O. Reg. 187/65, s. 65.

68. Receipt of all liquor purchased by the holder of a licence shall be acknowledged in writing by the holder or his duly authorized employee and the receipt shall be returned forthwith and all acknowledgments shall be delivered daily to the Liquor Control Board of Ontario by the person making the delivery. O. Reg. 187/65, s. 66.

69. Unless otherwise authorized by the Liquor Control Board of Ontario, all liquor purchased by the holder of a licence shall be paid for in cash at the time it is ordered or delivered. O. Reg. 187/65, s. 67.

70. Every holder of a licence shall provide proper storage space for the storage of liquor at a place convenient to the bar or taproom in the establishment where the licensed premises are located, and shall designate the storage space upon the application for a licence. O. Reg. 187/65, s. 68.

71. The holder of a licence granted in respect of an aircraft, a railway car or a steamship may establish and maintain storage premises upon its property wherein liquor may be stored for subsequent sale and shall designate the storage premises upon the application for a licence. O. Reg. 187/65, s. 69.

BOOKS AND RECORDS

72. Every holder of a licence shall keep books and records that fully and clearly set forth a daily record of all purchases, sales and stock-in-trade of liquor and of all transactions relating thereto. O. Reg. 187/65, s. 70, *amended*.

73. The Board may require every holder of a licence to make a written return, not later than the 10th day of every month, of all purchases, sales and daily inventory of stock-in-trade of liquor during the next preceding calendar month. O. Reg. 187/65, s. 71.

74. All licensed premises shall at all times be open to inspection by such officers or agents of the Board as the Board authorizes and every holder of a licence shall conform to the requirements in respect of his premises and of the conduct of the business for which the licence is granted. O. Reg. 187/65, s. 72.

75. The books and records required to be kept under this Regulation by the holder of a licence shall be open at all times to inspection and audit by such officers or agents of the Board as the Board authorizes, and for the purpose of inspection and audit and for the verification of the books and records, all books, accounts, invoices, vouchers, documents, papers and writings of the holder of the licence shall be open to inspection and audit, and the holder and his employees shall give such information in respect thereto as is required. O. Reg. 187/65, s. 73.

BALLOTS

76. Where a vote is taken under section 73 or 74 of the Act,

(*a*) there shall be a separate ballot for each question; and

(*b*) the ballots used for each question shall be upon paper of contrasting colours. O. Reg. 187/65, s. 74.

FORMS

77. The forms appended to this Regulation are prescribed for use under the Act and this Regulation. O. Reg. 187/65, s. 75.

Form 1

The Liquor Licence Act

APPLICATION FOR LICENCE

(Except for Club or Military Mess)

Application is hereby made in respect of a,

☐ hotel or inn ☐ public house

☐ tavern ☐ railway car

☐ theatre ☐ steamship

☐ restaurant ☐ aircraft

for a licence (or licences) of the following class (or classes):

☐ dining lounge licence for the sale and consumption of liquor with meals.

☐ dining room licence for the sale and consumption of beer and wine with meals.

☐ lounge licence for the sale and consumption of liquor.

☐ public house licence for the sale and consumption of beer in premises to which MEN ONLY are admitted.

☐ public house licence for the sale and consumption of beer in premises to which WOMEN ONLY are admitted.

☐ public house licence for the sale and consumption of beer in premises to which WOMEN ONLY or WOMEN ESCORTED BY MEN are admitted by the Regulations.

If Hotel, state number of bedrooms to be provided for:

Guests.... staff.... family.... Total....

1. Full name and address of applicant:

.....

.....

(*a*) If an INDIVIDUAL, state if applicant is to be sole owner.....
(Yes or No)

(*b*) If not to be sole owner, state particulars of any agreement with any other party or parties .....

.....

(*c*) If a PARTNERSHIP, state separately each partner's investment and proportion of profit distribution:

Name Investment Profit-sharing ratio %

.....

.....

.....

.....

(*d*) If a CORPORATION, give:

Name.....

Date of incorporation.....

Provincial or Federal Charter.....

Public or private company.....

Number of shares authorized.....

common.....preferred.....

Number of shares issued.....

common.....preferred.....

Par value of shares $.....common

$.....preferred

Bonds issued and outstanding No.....

Value $....

Do preferred shares have voting rights?

.....
(Yes or No)

Officers, Directors and Shareholders:

Name.....Address.....

No. of Common Shares Owned.....

No. of Preferred Shares Owned.....

Name.....Address.....

No. of Common Shares Owned.....

No. of Preferred Shares Owned.....

Name.....Address.....

No. of Common Shares Owned.....

No. of Preferred Shares Owned.....

Name.....Address.....

No. of Common Shares Owned.....

No. of Preferred Shares Owned.....

2. Name of Establishment.....

Street Address.....

City, Town or Village.....

Township.....County, etc. or District.....

Name of municipality to which property taxes are paid.....

3. State whether applicant will occupy building as owner or tenant.....

4. If tenant, state:

(*a*) Date of expiry of lease.....

(*b*) Amount of annual rental.....

(*c*) Name and address of owner.....

.....

5. Will the dining lounge or dining room be operated by the applicant?.....

6. Has applicant ever applied for a licence for the sale of spirits, wine or beer in Canada or elsewhere, either as an individual, a member of a partnership, or as an officer, director or stockholder of a Corporation?.....

7. Has the applicant any connection, financial or otherwise, direct or indirect, with any distillery, brewery or wine manufacturing interests?.....

8. Is the applicant indebted to any person, firm or corporation in or connected with any distillery, brewery or wine manufacturing interests?.....

9. Has any distiller, brewer or wine manufacturer any interest, financial or otherwise, direct or indirect, in the applicant's establishment or premises?.....

10. Specify and describe location of the room or rooms to which sale, serving and consumption of liquor shall be restricted and confined:

(*a*) Dining Lounge.....

.....

(*b*) Dining Room.....

.....

(*c*) Lounge.....

.....

(*d*) Public House premises to which MEN ONLY are admitted.....

.....

.....

.....

Public House premises to which WOMEN ONLY are admitted.....

.....

Public House premises to which WOMEN ONLY or WOMEN ESCORTED BY MEN are admitted as provided by the Regulations.....

.....

.....

(*e*) Specify location of liquor storage room....

.....

.....

11. State number of tables and seating capacity in room or rooms where liquor will be served:

(*a*) Dining Lounge.....

.....

(*b*) Dining Room.....

.....

(*c*) Lounge.....

.....

(*d*) Public House premises to which MEN ONLY are admitted.....

.....

.....

Public House premises to which WOMEN ONLY are admitted.....

.....

.....

Public House premises to which WOMEN ONLY or WOMEN ESCORTED BY MEN are admitted as provided by the Regulations.....

.....

12. By whom will applicant's establishment be managed?

.....
(name in full) (address) (age)

13. State name, address and occupation of officials or employees who will purchase the liquor to be sold on applicant's premises:

Name.....Address.....

Occupation.....Age.....

Name.....Address.....

Occupation.....Age.....

14. Will the establishment be operated throughout the year or only seasonally?.....

If seasonally, state the period of operation....

15. State particulars of any mortgage or charge to which the premises or chattels therein are to be subject.....

.....

16. Own capital invested or to be invested $.....

Borrowed capital invested or to be invested..... $.....

Total investment made or to be made in enterprise..... $.....

Dated at.....this....day of.....,

19....

.....

.....

.....

.....

.....
(signature of applicant)
(if partnership, all partners must sign; if company, by authorized officer)

CANADA

PROVINCE OF ONTARIO

County, etc. (*or* District) of

.....

In the matter of *The Liquor Licence Act*

And in the matter of AN APPLICATION FOR A LICENCE (*or* LICENCES)

KNOWN AS.....

I,....., of the

of..... in the.....of

....., make oath and say:

1. That I have knowledge of the matters herein deposed to;

2. That I have read over the application attached hereto;

3. That all facts stated and information furnished therein are true and correct;

4. That.....

SWORN before me at the

of.....in the.....

of.....this day of

....., 19....

.....

.....
A Commissioner for taking Affidavits

O. Reg. 187/65, Form 1.

Form 2

The Liquor Licence Act

APPLICATION FOR LICENCE

(CLUB)

Application is hereby made in respect of a

☐ fraternal club

☐ labour club

☐ social club

☐ veterans' club

for a licence of the following class:

☐ club licence for the sale and consumption of liquor with or without meals in an establishment classified as a club.

☐ club licence (restricted) for the sale and consumption of beer and wine with meals and beer without meals in an establishment classified as a club.

1. Name of Club.....

Street Address.....

City, Town or Village.....

Township.....County, etc. or District....

.....
(address of main office of organization)

.....
(address of Ontario main office of organization)

.....
(date of issue of branch or union charter)

Name of municipality to which property taxes are paid.....

2. Date of Incorporation.....

Provincial or Federal Charter.....

3. State whether club will occupy building as owner or tenant.....

4. If tenant, state:

(*a*) Date of expiry of lease.....

(*b*) Amount of annual rental.....

(*c*) Name and address of owner.....

.....

5. Has club ever applied for a licence for the sale of spirits, wine or beer in Canada or elsewhere?.....

6. Has the club any connection, financial or otherwise, direct or indirect, with any distillery, brewery or wine manufacturing interests?.....

7. Is the club indebted to any person, firm or corporation in or connected with any distillery, brewery or wine manufacturing interests?....

8. Has any distiller, brewer or wine manufacturer any interest, financial or otherwise, direct or indirect, in the club's establishment or premises?

.....

9. Specify and describe location of the room or rooms to which sale, serving and consumption of liquor shall be restricted and confined, and seating capacity:

(*a*) Dining Area..... No. of seats.....

(*b*) "Area" without meals.....

No. of seats.....

Is dining room wholly operated by club...

If NO, give details.....

.....

(*c*) Specify location of liquor storage room....

.....

10. By whom will club be managed,

.....
(name in full) (address) (age)

11. State name, address and occupation of officials or employees who will purchase the liquor to be sold on club premises:

Name.....Address.....

Occupation.....Age.....

Name.....Address.....

Occupation.....Age.....

12. (*a*) State date on which club commenced active operation.....

(*b*) Describe activities of club:.....

.....

(*c*) Is the club operated for pecuniary gain?..

(*d*) Do all members vote for ALL purposes of the club?.....

(*e*) Present Membership.....

Individual Members' fees and dues.....

.....

(*f*) What privileges are extended to non-members?.....

(*g*) Are your annual membership fees or dues and other income, exclusive of any estimated proceeds from the sale of liquor, sufficient to defray the annual cost of operation?

Sate particulars.....

.....

(*h*) Has this application been approved by the Board of Directors or governing body?...

13. Will the establishment be operated throughout the year or only seasonally?.....

If seasonally, state the period of operation....

.....

14. State particulars of any mortgage or charge to which the premises or chattles therein are to be subject.....

15. Own capital invested or to be invested..... $.....

Borrowed capital invested or to be invested..... $.....

Total investment made or to be made in enterprise..... $.....

Dated at.....this.....day of.....,
19....

.....
(signature of applicant)
(authorized officer)

CANADA

PROVINCE OF ONTARIO

County, etc. (*or* District) of .....

In the matter of *The Liquor Licence Act*,

And in the matter of AN APPLICATION FOR A LICENCE (*or* LICENCES) THEREUNDER FOR THE ESTABLISHMENT

KNOWN AS.....

I,.....,of the.....

of.....in the.....

of....., make oath and say:

1. That I have knowledge of the matters herein deposed to;

2. That I have read over the application attached hereto;

3. That all facts stated and information furnished therein are true and correct;

4. That.....

SWORN before me at the .....of..... in the.....of..... this....day of....., 19.... | .....

.....
A Commissioner for taking Affidavits

O. Reg. 187/65, Form 2.

Form 3

The Liquor Licence Act

APPLICATION FOR LICENCE

(MILITARY MESS)

Application is hereby made for a licence (or licences) in respect of the following:

☐ an officers' mess.

☐ a sergeants' mess.

☐ a canteen.

Where application is in respect of an officers' or sergeants' mess indicate the type of licence applied for:

☐ dining lounge licence for the sale and consumption of liquor with meals.

☐ dining room licence for the sale and consumption of beer and wine with meals.

☐ lounge licence for the sale and consumption of liquor.

☐ public house licence for the sale and consumption of beer in premises to which men only are admitted.

1. Unit.....

2. Address of barracks or armouries (Street and Number).....

City, Town or Village.....Township.....

3. Name of officer commanding unit.....

.....

Rank.....Address.....

4. State present strength of unit:

No. of Officers.....

No. of N.C.O's.....

Other Ranks.....

Total.....

Authorized Establishment, Total.....

5. State location and full description of:

(*a*) Officers' Mess.....

(*b*) Sergeants' Mess.....

(*c*) Canteen.....

6. Specify the rooms and places to which the sale, serving and consumption of liquor will be restricted and confined.....

.....

7. Describe storage space where liquor will be stored, including location thereof.....

.....

8. Are parades held throughout the year or only seasonally?.....

9. Will liquor be served on the designated premises throughout the entire year?.....

10. Is the applicant under any agreement, contract or covenant with any distillery, brewery or wine manufacturer concerning the exclusive use or otherwise of the products of such distillery, brewery or wine manufacturer?

.....

11. State name and address of person who will purchase liquor to be sold upon designated premises.

☐ Officers' Mess:

Name in full.....

Age.....

Address.....

Occupation.....

☐ Sergeants' Mess:

Name in full.....

Age.....

Address.....

Occupation.....

☐ Canteen:

Name in full.....

Age.....

Address.....

Occupation.....

12. Are all the profits from the sale of liquor to be paid into the funds of the officers' mess, the sergeants' mess and the canteen respectively?

.....

13. State particulars of catering services furnished upon the mess or canteen premises.....

.....

14. Is the sale of liquor to be restricted to members of the above messes, and in the canteen to men who have been properly attested and sworn in as members of the above unit?.....

Dated at.....this....day of.....,

19....

.....
(applicant)

.....
(address of applicant)

CANADA PROVINCE OF ONTARIO County, etc. (*or* District).....	In the matter of *The Liquor Licence Act*, And in the matter of AN APPLICATION FOR A LICENCE (*or* LICENCES) THEREUNDER FOR THE ESTABLISHMENT KNOWN AS.....

I,....., of the.....

of.....in the.....of.....

the Officer Commanding.....the.....

make oath and say:

1. That I have knowledge of the matters herein deposed to;

2. That I have read over the application attached hereto;

3. That all facts stated and information furnished therein are true and correct;

4. That.....

SWORN before me at the .....of..... in the.....of..... this....day of....., 19....	.....

.....
A Commissioner for taking Affidavits

O. Reg. 187/65, Form 3.

Form 4

The Liquor Licence Act

APPLICATION FOR MESS OR CANTEEN PERMIT

The Minister of National Defence for Canada having designated to the Board under subsection 1 of section 23 of the Act, the following unit, station or establishment of the Canadian Armed Forces.

.....
(unit) (station) (establishment)

Application is hereby made for a permit to

.....,
(rank) (name)

the commanding officer of.....
(unit) (station)

....., authorizing him to purchase
(establishment)

liquor from the LIQUOR CONTROL BOARD OF ONTARIO for consumption in messes and canteens under his control as follows:

1. Officers' Mess(es).....
(location)

2. Sergeants' Mess(es).....
(location)

3. Canteen(s).....
(location)

Dated at.....this....day of.....,

19....

.....
Commanding Officer

O. Reg. 187/65, Form 4, *revised.*

Form 5

The Liquor Licence Act

APPLICATION FOR SPECIAL OCCASION PERMIT

Application is hereby made for a Special Occasion permit. The following facts are stated and information furnished:

1. Full name and address of applicant: (Print)

.....
(name)

.....
(street name and number) (telephone)

.....
(city, town or village)

2. If application is for an organization, give full name and address:.....

.....

3. State number of Special Occasion Permits procured by applicant during past twelve months..

4. Name and address of building where function will be held:

.....
(street and no. or R.R. no.)

In what municipality is building situated:

.....
(city, town, township, etc.)

5. Is the building or any part thereof, where the function is to be held, licensed under *The Liquor Licence Act?* Yes or No.....

6. Room or rooms within building where function will be held and liquor served and consumed:

.....

Will location be used exclusively by applicant?

.....
(Yes or No)

7. Have you obtained consent to hold this function and the serving of liquor thereat from the Management of the building?.....

8. What steps will be taken by applicant to ensure that the function is conducted in an orderly proper manner?

.....

9. Nature of function:

.....

10. Date of function.....

Time and duration:.....

11. Estimated number of persons to be in attendance:.....

12. Indicate type of meal to be served:

Full Course..... Buffet.....

13. Quantity and type of liquor required:

Spirits.....(Bottles) Wine.....(Bottles)

Beer.....(Cases)

This Application dated at.....this.....

day of....., 19....

In the matter of *The Liquor Licence Act;* and

In the matter of AN APPLICATION FOR A SPECIAL OCCASION PERMIT

made by

.....

I,.....
(print in block letters)

of the.....of.....

in the.....of.....

1. Hereby certify that I have knowledge of the matters herein set out;

2. That I have read over application attached hereto;

3. That all facts stated and information furnished therein are true and correct;

4. That I have read over section 22 of the Act and sections 17, 19 and 43 to 48 of the Regulation, and understand them;

5. That I am.....
(state in what capacity you are applying for permit)

.....
(signature of applicant)

O. Reg. 187/65, Form 5.

Form 6

The Liquor Licence Act

APPLICATION FOR SPECIAL OCCASION PERMIT FOR DIPLOMATS AND CONSULAR OFFICERS OF CAREER

An application is hereby made for a special occasion permit for a reception to be held outside the mission premises. The following facts are stated and information furnished:

1. Full name and address of applicant.....

.....

2. Name of mission.....

3. Name and address of building where reception will be held.....

4. Specific location within the building where liquor will be served.....

5. Date, time and duration of function.....

.....

6. Indicate whether,

(*a*) Liquor to be served was obtained free of customs or excise duties.....
(Yes or No)

(*b*) Liquor is to be purchased from THE LIQUOR CONTROL BOARD OF ONTARIO

.....
(Yes or No)

7. If 6 (*b*) is applicable:

Quantities of (*a*) Beer.....

(*b*) Wine.....

(*c*) Other Liquor.....

8. The estimated number of persons expected to be in attendance.....

9. The reception is being given by:.....
(State whether head of mission or military attache, etc.)
.....

(Seal of Mission) .....

.....
(signature of head of mission)

O. Reg. 187/65, Form 6.

Form 7

The Liquor Licence Act

DINING LOUNGE LICENCE

for the sale and consumption of liquor with meals issued to

.....

the owner of the establishment classified as a

.....

known as

.....

located at

.....

in respect of

.....

(*This space to be used for the purposes of subsection 4 of section 24 of the Act.*)

Subject to prior suspension or cancellation pursuant to *The Liquor Licence Act* and the regulations thereunder, this licence expires with the 31st day of

March, 19....

Dated at Toronto this....day of....., 19...

.....
Chairman
Liquor Licence Board
of Ontario

Dining Lounge

Licence No.....

O. Reg. 187/65, Form 7.

Form 8

The Liquor Licence Act

DINING ROOM LICENCE

for the sale and consumption of beer and wine with meals issued to

.....

the owner of the establishment classified as a

.....

known as

.....

located at

.....

in respect of

.....

(*This space to be used for the purposes of subsection 4 of section 24 of the Act.*)

Subject to prior suspension or cancellation pursuant to *The Liquor Licence Act* and the regulations thereunder, this licence expires with the 31st day of

March, 19....

Dated at Toronto this....day of....., 19...

.....
Chairman
Liquor Licence Board
of Ontario

Dining Room

Licence No.....

O. Reg. 187/65, Form 8.

Form 9

The Liquor Licence Act

LOUNGE LICENCE

for the sale and consumption of liquor issued to

.....

the owner of the establishment classified as a

.....

known as

.....

located at

.....

in respect of

.....

(*This space to be used for the purposes of subsection 4 of section 24 of the Act.*)

Subject to prior suspension or cancellation pursuant to *The Liquor Licence Act* and the regulations thereunder, this licence expires with the 31st day of

March, 19....

Dated at Toronto this....day of....., 19...

.....
Chairman
Liquor Licence Board
of Ontario

Lounge
Licence No.....

O. Reg. 187/65, Form 9.

Form 10

The Liquor Licence Act

PUBLIC HOUSE LICENCE

(MEN ONLY)

for the sale and consumption of beer in premises to which men only are admitted issued to

.....

the owner of the establishment classified as a

.....

known as

.....

located at

.....

in respect of

.....

(*This space to be used for the purposes of subsection 4 of section 24 of the Act.*)

Subject to prior suspension or cancellation pursuant to *The Liquor Licence Act* and regulations thereunder, this licence expires with the 31st day of

March, 19....

Dated at Toronto this....day of....., 19...

.....
Chairman
Liquor Licence Board
of Ontario

Public House Licence
(Men Only)

No.....

O. Reg. 187/65, Form 10.

Form 11

The Liquor Licence Act

PUBLIC HOUSE LICENCE

(WOMEN ONLY)

for the sale and consumption of beer in premises to which women only are admitted issued to

.....

the owner of the establishment classified as a

.....

known as

.....

located at

.....

in respect of

.....

(*This space to be used for the purposes of subsection 4 of section 24 of the Act.*)

Subject to prior suspension or cancellation pursuant to *The Liquor Licence Act* and the regulations thereunder, this licence expires with the 31st day of

March, 19....

Dated at Toronto this....day of....., 19...

.....
Chairman
Liquor Licence Board
of Ontario

Public House Licence
(Women Only)

No.....

O. Reg. 187/65, Form 11.

Form 12

The Liquor Licence Act

PUBLIC HOUSE LICENCE

(WOMEN ONLY OR WOMEN ESCORTED BY MEN)

for the sale and consumption of beer in premises to which women only or women escorted by men are admitted issued to

.....

the owner of the establishment classified as a

.....

known as

.....

located at

.....

in respect of

.....

Subject to prior suspension or cancellation pursuant to *The Liquor Licence Act* and regulations thereunder, this licence expires with the 31 st day of

March, 19....

Dated at Toronto this....day of....., 19...

.....
Chairman
Liquor Licence Board
of Ontario

Public House Licence
(Women only or women escorted by men)

No.....

O. Reg. 187/65, Form 12.

Form 13

The Liquor Licence Act

CLUB LICENCE

Under *The Liquor Licence Act* and the regulations, and subject to the limitations thereof, this licence is issued to

.....

an establishment classified as a club

known as

.....

located at

.....

for the sale and consumption of,

(*a*) liquor without meals;

(*b*) liquor with meals,

in respect of

.....

.....

This licence expires with the 31st day of March,

19....

Dated at Toronto this....day of....., 19...

.....
Chairman
Liquor Licence Board
of Ontario

Club

Licence No.....

O. Reg. 187/65, Form 13.

Form 14

The Liquor Licence Act

CLUB LICENCE (RESTRICTED)

Under *The Liquor Licence Act* and the regulations, and subject to the limitations thereof, this licence is issued to

.....

an establishment classified as a club

known as

.....

located at

.....

for the sale and consumption of,

(*a*) beer without meals men and women;

(*b*) beer without meals men only;

(*c*) beer without meals women only;

(*d*) beer and wine with meals,

in respect of

....

.....

This licence expires with the 31st day of March,

19....

Dated at Toronto this....day of....., 19...

.....
Chairman
Liquor Licence Board
of Ontario

Club Licence
(restricted) No.....

O. Reg. 187/65, Form 14.

Form 15

The Liquor Licence Act

MESS OR CANTEEN PERMIT

The Minister of National Defence for Canada having designated to the Board under subsection 1 of section 23 of the Act, the following unit, station or establishment of the Canadian Armed Forces:

.....
(unit) (station) (establishment)

This permit is issued to the Officer Commanding the unit, station or establishment, authorizing him to purchase liquor for consumption in the following messes and canteens under his control:

1. Officers' Mess(es).....
(location)

2. Sergeants' Mess(es).....
(location)

3. Canteen(s).....
(location)

Subject to suspension or cancellation under the Act or the regulations thereunder, this permit expires with the 31st day of March, 19....

Dated at Toronto this....day of....., 19...

.....
Chairman
Liquor Licence Board
of Ontario

Mess or Canteen

Permit No.....

O. Reg. 187/65, Form 15, *revised.*

Form 16

The Liquor Licence Act

No.....

SPECIAL OCCASION PERMIT

Issued to.....

.....

.....

Permits the serving and consumption of

Spirits	Wine	Beer	
Btls.	Btls.	Cases	on the....day of.....,

19.... between the hours of.....only.

At.....

.....

.....

☐ The spirits, wine or beer obtained under this permit shall not be sold directly or indirectly.

☐ The spirits, wine or beer obtained under this permit may be disposed of only at retail cost, together with a reasonable charge for actual dispensing.

Dated at Toronto this....day of....., 19..

The above to provide for.....people.

Authorized Initials.....

.....
Chairman
Liquor Licence Board
of Ontario

O. Reg. 187/65, Form 16.

Form 17

The Liquor Licence Act

SPECIAL OCCASION PERMIT

FOR

DIPLOMATS AND CONSULAR OFFICERS OF CAREER

Issued to.....

.....

permits the serving of liquor at a reception to be held at.....

between the hours of.....o'clock in the....noon and.....o'clock in the.....noon on.....day the.....day of....., 19....

Dated at Toronto this....day of....., 19...

Special Occasion

Permit No.....

DC No..... .....
Chairman
Liquor Licence Board
of Ontario

O. Reg. 187/65, Form 17.

Form 18

The Liquor Licence Act

NOTICE OF ANNUAL MEETING

Licensing District No.....

TAKE NOTICE that the annual meeting of the Liquor Licence Board of Ontario for Licensing District No.....

will be held at....., in the.....

of.....in the.....of.....

on.....day the.....day of....., 19...

commencing at the hour of.....o'clock in the .....noon at which time it will hear and determine applications for the renewal of licences in accordance with *The Liquor Licence Act* and the regulations thereunder.

AND FURTHER TAKE NOTICE that any person who is resident in the Licensing District and objects to any application shall file his grounds of objection in writing with the deputy registrar at least ten days before the meeting.

.....
Deputy Registrar

.....
(address)

O. Reg. 187/65, Form 18.

Form 19

The Liquor Licence Act

NOTICE OF APPLICATION

Licensing District No.....

TAKE NOTICE that.....

of the.....of.....in the.....

of.....will make application at a special meeting of the Liquor Licence Board of Ontario to be held at the.....in the.....

of.....in the.....of.....

on.....day the.....day of....., 19....

at the hour of.....o'clock in the.....noon for the issuance of a

(*Here indicate the type or types of licence or licences to be applied for.*)

for the following premises:

(*Here furnish name and address or location and class of establishment and a description thereof.*)

Any person who is resident in the Licensing District may object to the application, and the grounds of objection in writing shall be filed with

.....

the deputy registrar of the Licensing District,

whose address is....., at least ten days before the meeting at which the application is to be heard.

Dated at.....this.....day of....., 19....

.....
(applicant)

.....
(address)

O. Reg. 187/65, Form 19.

Form 20

The Liquor Licence Act

AGREEMENT AND BY-LAW

MEMORANDUM OF AGREEMENT made in duplicate this.....day of....., 19....

BETWEEN:

The Liquor Licence Board of Ontario,
hereinafter called the "Board",
of the First Part;

and

The Municipal Corporation of the.....

of.....,
hereinafter called the "Municipality",
of the Second Part;

WHEREAS by *The Liquor Licence Act* it is provided,

88. Subject to the approval of the Lieutenant Governor in Council, the Board may enter into an agreement with the council of any municipality for the enforcement in the municipality by the council of this Act, *The Liquor Control Act* and the regulations hereunder and thereunder, and may in such agreement provide for the payment to the council of,

(*a*) a portion of the fees for licences issued in respect of establishments in the municipality; and

(*b*) the fines or a portion of the fines imposed in prosecutions instituted by officers designated by the council pursuant to the agreement, for a contravention of this Act, *The Liquor Control Act* or the regulations hereunder or thereunder in the municipality.

AND WHEREAS the Board and the Municipality desire to enter into an agreement pursuant to the said provision;

AND WHEREAS the Municipality has passed by-law No..... (a copy of which is attached hereto) to authorize the entering into and the execution of this agreement;

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the premises and of the covenants hereinafter mentioned, the parties hereto covenant and agree as follows:

1. The Municipality shall designate the members of the police force of the Municipality as officers to enforce within the municipality *The Liquor Licence Act* and the regulations thereunder and *The Liquor Control Act* and the regulations thereunder.

2. The members of the police force of the Municipality shall at all times diligently and effectively enforce in the Municipality the said Acts and regulations.

3. The Board shall cause to be paid annually to the Municipality 20 per cent of the fees for licences issued in respect of establishments, as defined in *The Liquor Licence Act*, in the municipality.

4. The Board shall cause to be paid to the Municipality the fines or a portion of the fines, imposed in prosecutions instituted by the members of the police force of the Municipality, for contraventions in the Municipality of *The Liquor Licence Act* or the regulations thereunder or *The Liquor Control Act* or the regulations thereunder.

5. This agreement may be terminated by either party upon giving the other party one months notice in writing.

6. This agreement comes into force upon notice in writing to the parties of its approval by the Lieutenant Governor in Council.

IN WITNESS WHEREOF the parties hereto have duly executed these presents.

SIGNED, SEALED AND DELIVERED

LIQUOR LICENCE BOARD OF ONTARIO:

(seal) .....

.....

THE CORPORATION OF THE

OF

.....
Mayor (or Reeve)

(seal) .....
Clerk

BY-LAW

THE CORPORATION OF THE

OF

BY-LAW NO.....

A By-law to authorize the entering into and the execution of an agreement with the Liquor Licence Board of Ontario

WHEREAS it is expedient that an agreement be entered into with the Liquor Licence Board of Ontario, pursuant to the authority of section 88 of *The Liquor Licence Act*, for the enforcement in the municipality by the members of the police force of the municipality of *The Liquor Licence Act* and the regulations thereunder and *The Liquor Control Act* and the regulations thereunder;

AND WHEREAS the terms of the proposed agreement have been settled and are contained in the draft Memorandum of Agreement attached hereto:

BE IT THEREFORE ENACTED by the Council of

The Corporation of the .....of.....:

1. That the entering into of the proposed agreement in the terms of the draft Memorandum of Agreement is hereby approved and authorized.

2. That the Mayor (or Reeve) and Clerk be and they are hereby authorized and directed to sign a Memorandum of Agreement in duplicate in the terms of the draft Memorandum of Agreement and affix thereto the seal of the Corporation.

Passed by the Council of the Corporation of the .....of.....this.....day of ....., 19....

.....
Mayor (or Reeve)

(seal)

.....
Clerk

O. Reg. 187/65, Form 20.

Form 21

The Liquor Licence Act

FORM OF BALLOT

(FRONT)

(Here insert question in bold face roman type not smaller than ten-point.)	**YES**
	NO

(BACK)

No. *(Serial number of ballot)*

(Perforations)

No. *(Serial number of ballot)*

Poll Book No.

(Perforations)

Municipality of

(Date of Vote)

PRINTER

(Address of Printer)

O. Reg. 187/65, Form 21.

REGULATION 564

under The Liquor Licence Act

VOTES

1. The sufficiency of a petition filed under section 73 of the Act with the clerk of the municipality shall be determined by the clerk, and his determination shall be evidenced by his certificate in Form 1. R.R.O. 1960, Reg. 408, s. 1.

2. No person shall withdraw his name from or add his name to a petition after the clerk has certified as to its sufficiency. R.R.O. 1960, Reg. 408, s. 2.

3. When certified, a petition shall be filed with the Board by the clerk of the municipality. R.R.O. 1960, Reg. 408, s. 3.

4. Where a petition has been filed with the clerk and certified by him and filed with the Board under section 73 of the Act, the Board shall notify the clerk of the municipality and the Chief Election Officer of the day for taking the vote. R.R.O. 1960, Reg. 408, s. 4.

5. Upon receipt by the clerk of a notice from the Board fixing the date upon which a vote is to be taken, a by-law in Form 2 for the taking of the vote shall be passed by the council of the municipality. R.R.O. 1960, Reg. 408, s. 5.

6. When the by-law has been passed, a certified copy shall be filed by the clerk with the Board and the Chief Election Officer. R.R.O. 1960, Reg. 408, s. 6.

7. Where a vote is to be taken on the initiative of the council, a certified copy of the by-law, in Form 3, authorizing the submission to a vote shall be filed with the Board and the Chief Election Officer. R.R.O. 1960, Reg. 408, s. 7.

8. Where managers are appointed by parties interested in a vote, the clerk of the municipality or returning officer shall inform the managers of any special directions that he has received from the Chief Election Officer in which they may be interested and shall notify the Chief Election Officer of any alteration in the procedure recommended or suggested by the managers. R.R.O. 1960, Reg. 408, s. 8.

9. The clerk or returning officer shall promptly notify the Chief Election Officer of the appointment of managers, giving the name and place of residence of each. R.R.O. 1960, Reg. 408, s. 9.

10. Every man and every woman is qualified as to residence who, at the time of voting, is ordinarily resident in the municipality and has been ordinarily resident in the municipality for the period of two months next preceding the date fixed for taking any vote under the Act. R.R.O. 1960, Reg. 408, s. 10.

Form 1

The Liquor Licence Act

I hereby certify and declare that I have examined the attached petition of ..... and others for the submission under *The Liquor Licence Act* of the question (or questions) stated in the petition and that I have checked it with the last revised voters' list for the municipality as revised for the last election to the Assembly and that the petition is signed by at least 25 per cent of the total number of persons appearing by the list to be resident in the municipality and qualified to vote at elections to the Assembly.

Dated this ..... day of ....., 19....

(Corporate Seal)

.....
Clerk of the of

R.R.O. 1960, Reg. 408, Form 1.

Form 2

The Liquor Licence Act

The corporation of ..... of .....

By-law No.

A by-law for the submission to vote of a question (or questions) under *The Liquor Licence Act.*

Whereas at the time of the coming into force of

The Ontario Temperance Act a by-law No..... passed under *The Liquor Licence Act* or any other Act was in force within the limits of the municipality prohibiting the sale of liquor by retail therein (or,—as the case may be,—liquor, beer and wine is sold as provided by *The Liquor Control Act* or *The Liquor Licence Act,* within the limits of the municipality).

And whereas under sections 73 and 74 of *The Liquor Licence Act* the council of a municipality in which the by-law was in force (or,—as the case may be,—in which liquor, beer and wine is sold as provided by *The Liquor Control Act* or *The Liquor Licence Act,* within the limits of the municipality) may submit to a vote of the persons qualified to be entered on the voters' list and to vote at elections to the Assembly in the municipality any question (or questions) set forth in *The Liquor Licence Act.*

And whereas it is also provided by sections 73 and 74 of the Act that where a petition in writing signed by at least 25 per cent of the total number of persons appearing by the last revised list of the municipality to be resident therein and qualified to vote at elections to the Assembly requesting the council to submit any question or questions set out in sections 73 and 74 is filed with the clerk of the municipality and with the Board, the council shall submit the question or questions to a vote of the electors.

And whereas a petition has been filed with the clerk of the municipality requesting the council to submit to a vote of the persons qualified to vote thereon the following question or questions:

(here set out the question or questions)

And whereas the petition certified by the clerk as having been sufficiently signed has been filed with the Board.

And whereas the Board has fixed .....day the ..... day of ....., 19...., as the day upon which the vote upon the question or questions shall be taken and has notified the clerk to that effect (or,—as the case may be,—).

And whereas the council considers it expedient and desirable that the vote on the question or questions shall be taken upon the day upon which (under *The Municipal Act* or under a by-law of the municipality as the case may be) a poll will be held at the next annual election of members of the council.

And whereas it is necessary to provide by by-law for the submission of the question or questions to the persons qualified to vote thereon and for the taking of their votes thereon.

Therefore, the Council of the Corporation of the ..... of ..... enacts as follows:

1. Under *The Liquor Licence Act* there is hereby submitted to a vote of the persons qualified to be entered on the voters' list and to vote at elections to the Assembly in the municipality the following question or questions:

(here set out the question or questions)

2. The vote shall be taken on ..... the ..... day of ....., 19...., as directed by the Liquor Licence Board of Ontario (or,—as the case may be,—on the same day upon which under *The Municipal Act* or,—as the case may be,—a by-law of the municipality a poll will be held at the next annual elections of members of the council, namely, on..... day, the ..... day of ....., 19....,) and in accordance with *The Liquor Licence Act*.

Passed this ..... day of ....., 19....

....
Clerk Mayor or Reeve

(Corporate Seal)

R.R.O. 1960, Reg. 408, Form 2.

Form 3

The Liquor Licence Act

The Corporation of ..... of .....

By-law No.....

A by-law for the submission to a vote of a question or questions under *The Liquor Licence Act*.

Whereas at the time of the coming into force of *The Ontario Temperance Act* a by-law No..... passed under *The Liquor Licence Act* or any other Act, was in force within the limits of the municipality prohibiting the sale of liquor by retail therein (or,—as the case may be,—liquor, beer and wine is sold as provided by *The Liquor Control Act* or *The Liquor Licence Act*).

And whereas under sections 73 and 74 of *The Liquor Licence Act* the council of a municipality in which the by-law was in force (or,—as the case may be,—in which liquor, beer and wine is sold as provided by *The Liquor Control Act* or *The Liquor Licence Act* within the limits of the municipality) may submit to a vote of the persons qualified to be entered on the voters' list and to vote at elections to the Assembly in the municipality any question or questions set forth in *The Liquor Licence Act*.

And whereas the council considers it expedient and desirable to submit to a vote of the persons qualified to vote thereon as aforesaid the following question or questions:

(here set out the question or questions)

And whereas the council having requested the Board to fix a day for taking the vote on the question or questions, the Board has fixed .....day, the .... day of ....., 19...., (or,—as the case may be,—) whereas the council deems it expedient and desirable that the vote on the said question or questions shall be taken upon the day upon which (under *The Municipal Act* or under a by-law of the municipality as the case may be) a poll will be held at the next annual election of members of the council.

And whereas it is necessary to provide by by-law for the submission of the said question or questions to the persons qualified to vote thereon and for the taking of their votes thereon.

Therefore, the Council of the Corporation of the ..... of ..... enacts as follows:

1. Under *The Liquor Licence Act* there is hereby submitted to a vote of the persons qualified to be entered on the voters' list and to vote at elections to the Assembly in the municipality the following question or questions:

(here set out the question or questions)

2. The vote shall be taken on .....day, the .... day of ....., 19...., as directed by the Liquor Licence Board of Ontario (or,—as the case may be,—on the same day upon which under *The Municipal Act*—or, as the case may be,—a by-law of the municipality), a poll will be held at the next annual election of members of the council, namely, on ..... day, the .... day of ....., 19....), and in accordance with *The Liquor Licence Act*.

Passed this ..... day of ....., 19....

....
Clerk Mayor or Reeve

(Corporation Seal)

Certificate of True Copy

I certify the foregoing to be a true and correct copy of by-law No. .... of the Corporation of the ..... of .....

Dated this ..... day of ....., 19....

.....
Clerk

(Corporation Seal)

R.R.O. 1960, Reg. 408, Form 3.

REGULATION 565

under The Live Stock and Live Stock Products Act

EGGS

INTERPRETATION

1. In this Regulation,

1. "black rot" means having solid black colour;
2. "blood clot" means a streak or clot of blood on the yolk or in the white;
3. "blood ring" means a ring of blood on the yolk;
4. "bloody egg" means an egg through which blood is diffused;
5. "box" means a container capable of containing fifteen dozen eggs in individual compartments of such size as to prevent the eggs in the compartments from being damaged in the handling of the container;
6. "candling" when used in respect of an egg means examining the internal condition of the egg when it is rotating before a round opening having a diameter not greater than seven-eighths of an inch in a metal shield through which a beam of light is projected;
7. "carton" means a container constructed to contain six eggs or twelve eggs, with a separate compartment for each egg;
8. "case" means a container that is capable of containing thirty dozen eggs in individual compartments of such size as to prevent the eggs in the compartments from being damaged in the handling of the container;
9. "consumer" means a person who buys eggs for use by himself and his household and not for resale;
10. "delivery" means a transfer from one premises to another premises for any purpose;
11. "dried egg" means an egg from which the shell and the water-content has been removed;
12. "egg-grading station" means premises for the grading, packing and marking of eggs under this Regulation;
13. "eggs for processing" means eggs sold or delivered for purposes of freezing or drying;
14. "first receiver of eggs" means a person, other than the operator of an egg-grading station, who receives ungraded eggs from a producer;
15. "floating air-cell" means an air-cell that has no fixed position in the egg as a result of rupture of the inner shell-membrane;
16. "frozen egg" includes frozen whole egg, frozen egg-yolk and frozen egg-whites;
17. "frozen egg-whites" means the product obtained when whites of eggs, separated from the yolks of the eggs, are frozen;
18. "frozen egg-yolk" means the product obtained when yolks of eggs, separated from the whites of the eggs, are frozen;
19. "frozen whole egg" means the product obtained when the yolks and the whites of eggs are mixed together and frozen;
20. "grass yolk" means yolk with a green or olive colour;
21. "label" means a card or paper that fully covers one end or one side of a box or case;
22. "operator" means a person who operates an egg-grading station;
23. "processor" means the person who operates an egg-breaking plant;
24. "producer" means a person who sells, ships or transports no eggs other than eggs produced on his own farm;
25. "red rot" means the condition resulting from the rupture of the yolk-sac to permit mixture of the yolk and white;
26. "retailer" means a person who sells or offers for sale eggs to a consumer;
27. "sour rot" means the condition that exists when egg has a bubbly condition at the air-cell line, an extremely prominent yolk and the egg when clicked against other eggs gives a dull hollow sound and when broken gives off a sour odour;
28. "spot rot" means mould spot inside the shell or along cracks in the shell;

29. "stuck yolk" means the condition that exists when the yolk membrane adheres to the shell so that it is not freed by rotating the egg;

30. "tag" means card or paper that does not fully cover one end of a box or case;

31. "ungraded eggs" means eggs that have not been graded and marked with a grade in accordance with this Regulation;

32. "white rot" means the condition that exists when the yolk is covered with a light-coloured crust, the white is watery and the egg when broken gives off a putrid odour;

33. "wholesaler" means a person who sells eggs to,

(*a*) a retailer;

(*b*) any person in quantities of fifteen dozen or more for use as food or in the preparation of food; or

(*c*) a processor.

R.R.O. 1960, Reg. 409, s. 1.

APPLICATION

2. This Regulation does not apply to eggs used for the purpose of incubation. R.R.O. 1960, Reg. 409, s. 2.

3.—(1) Sections 4 to 33 apply only to eggs of the domestic hen other than eggs for processing.

(2) Sections 34 to 45 apply only to eggs of the domestic hen for processing. R.R.O. 1960, Reg. 409, s. 3.

EGGS FOR HUMAN CONSUMPTION

4.—(1) No person shall sell or offer for sale eggs within Ontario except eggs graded, packed and marked in accordance with sections 5 to 33.

(2) Where eggs have been packed in a box, case or carton and marked with a grade, the eggs shall be deemed to be graded.

(3) Where eggs are stored on premises of a retailer, whether or not in view of the public, the eggs shall be deemed to be for sale.

(4) No person shall sell, offer for sale, ship or transport ungraded eggs from any place to any other place except,

(*a*) an egg-grading station; or

(*b*) a first receiver of eggs for the purpose of identifying the eggs of each producer and shipping or transporting them to an egg-grading station. R.R.O. 1960, Reg. 409, s. 4.

GRADES OF EGGS

5.—(1) Eggs of the domestic hen that do not comply with the standards prescribed in this section for Grade A, Grade B, Grade C or Cracks, and that,

(*a*) have a musty or foreign odour;

(*b*) have been in an incubator; or

(*c*) on candling show any defect such as black rot, blood clot, blood ring, bloody egg, red rot, spot rot, sour rot, stuck yolk or white rot,

shall be rejected, and eggs so rejected shall be known as Rejects.

(2) Subject to section 18, eggs other than Rejects, sold for human consumption within Ontario shall be graded under subsections 3, 4, 5 and 6 and section 7.

(3) Grade A eggs consist of eggs each of which,

(*a*) on candling shows,

(i) a round yolk that is reasonably centred,

(ii) an indistinct yolk-outline,

(iii) an air-cell not more than three-sixteenths of an inch in depth,

(iv) no floating air-cells, and

(v) no blood spot, meat spot or germ development, grass yolk or readily visible defect or abnormal condition;

(*b*) has a clean shell that,

(i) is not broken or thin,

(ii) is practically normal in shape and not definitely mis-shapen,

(iii) may have rough areas and ridges other than heavy ridges, and

(iv) has not more than three stain spots each of which covers an aggregate area of not more than one-eighth inch by one-sixteenth inch of the shell; and

(*c*) weighs when graded for the size in column 1 of the Table not less than the weight in column 2 but less than the weight, if any, in column 3 as follows:

TABLE

Item No.	Column 1	Column 2	Column 3
1	Grade A Extra Large Size	2¼ ounces	
2	Grade A Large Size	2 ounces	
3	Grade A Medium Size	1¾ ounces	2 ounces
4	Grade A Small Size	1½ ounces	1¾ ounces
5	Grade A Peewee Size		1½ ounces

(4) Grade B eggs consist of eggs that do not comply with the standards for Grade A but each of which,

(*a*) on candling,

(i) shows a round or moderately oblong yolk that floats freely within the shell,

(ii) may show a visible yolk-outline,

(iii) shows an air-cell not more than three-eighths of an inch in depth,

(iv) may show floating air cells,

(v) may show definite spots or areas on the surface of the yolk,

(vi) does not show germ development other than a slight indication thereof, and

(vii) does not show blood spots, meat spots or a grass yolk;

(*b*) has a shell that,

(i) is not broken and has no pronounced thin spots,

(ii) may have rough areas and definite ridges, and

(iii) may have reasonably prominent stains or spots that do not seriously detract from the appearance of the egg; and

(*c*) weighs not less than 1¾ ounces.

(5) Grade C eggs consist of eggs that do not comply with the standards for Grade A or Grade B but each of which,

(*a*) on candling,

(i) shows a yolk that may be definitely oblong in shape,

(ii) shows that the yolk does not adhere to the shell membrane and the yolk membrane is unbroken,

(iii) may show a distinctly visible yolk-outline,

(iv) may show an air-cell of any size and floating air-cells,

(v) may show definitely pronounced germ spots, and

(vi) may show blood spots, meat spots and a moderate grass yolk; and

(*b*) has a shell that,

(i) is not broken,

(ii) may be irregular in construction, and

(iii) may be dirty or stained.

(6) Cracks consist of eggs that have shells with one or more breaks or cracks but that otherwise comply with the standards for Grade A, Grade B or Grade C. R.R.O. 1960, Reg. 409, s. 5.

LICENCES

6.—(1) No person shall operate an egg-grading station without a licence therefor from the Commissioner.

(2) An application for a licence for the operation of an egg-grading station shall be in Form 1.

(3) A licence for the operation of an egg-grading station shall be in Form 2.

(4) The fee for a licence is $1 and shall be forwarded with the application for the licence.

(5) A licence is not transferable and remains in force until suspended or revoked by the Commissioner or until the licensee ceases to operate the egg-grading station. R.R.O. 1960, Reg. 409, s. 6.

7.—(1) A producer who complies with subsections 6 and 7 may obtain a licence as a producer of Grade A1 eggs from the Commissioner.

(2) An application for a licence as a producer of Grade A1 eggs shall be in Form 3.

(3) A licence as a producer of Grade A1 eggs shall be in Form 4.

(4) A licence shall be issued without charge. R.R.O. 1960, Reg. 409, s. 7 (1-4).

(5) A licence is not transferable and remains in force until suspended or revoked by the Commissioner for any contravention of the terms and conditions under which the licence was issued. R.R.O. 1960, Reg. 409, s. 7 (5), *amended*.

(6) The conditions under which a licence as a producer of Grade A1 eggs is issued are,

(*a*) that the poultry houses and yards of the producer are clean and sanitary and the yards fenced;

(*b*) that no male birds are in the pens in which hens are kept at any time except the breeding season;

(*c*) that the hens are fed only grain feeds with supplementary feeds in the mash;

(*d*) that the producer has adequate facilities for cooling eggs; and

(*e*) that the producer markets the eggs,

(i) in sealed cartons only, or

(ii) through a co-operative association or a marketing group composed entirely of producers and which is the holder of a licence to operate an egg-grading station.

(7) A licensed producer of Grade A1 eggs may grade his eggs and where the eggs comply with the standards in subsection 8 may mark the cartons with the grade designation "Grade A1".

GRADE A1 EGGS

(8) Grade A1 eggs consist of eggs, each of which,

(*a*) on candling shows,

(i) a small, round yolk that is well-centred,

(ii) an indistinct yolk shadow,

(iii) an air-cell not more than one-eighth of an inch in depth,

(iv) no floating air-cells,

(v) no mottled or grass yolk, and

(vi) no blood spot, meat spot, visible germ spot or readily visible defect or abnormal condition;

(*b*) has a clean shell that is not broken and is normal in shape; and

(*c*) weighs, when graded for the size in column 1 of the Table not less than the weight in column 2 but less than the weight, if any, in column 3 as follows:

TABLE

Item No.	Column 1	Column 2	Column 3
1	Grade A1 Extra Large Size	2¼ ounces	
2	Grade A1 Large Size	2 ounces	
3	Grade A1 Medium Size	1¾ ounces	2 ounces
4	Grade A1 Small Size	1½ ounces	1¾ ounces

R.R.O. 1960, Reg. 409, s. 7 (6-8).

8.—(1) No person shall sell or offer for sale Rejects without a licence from the Commissioner to sell Rejects.

(2) An application for a licence to sell Rejects shall be in Form 5.

(3) A licence to sell Rejects shall be in Form 6.

(4) A licence to sell Rejects,

(*a*) shall be issued without charge;

(*b*) is not transferable; and

(*c*) remains in force until suspended or revoked by the Commissioner for any contravention of the Act or this Regulation.

(5) The conditions under which a licence to sell Rejects is issued are,

(*a*) that the holder of the licence make a record with respect to the sale of all Rejects showing,

(i) the name and address of each purchaser of each lot of Rejects sold,

(ii) the quantity of eggs in each lot, and

(iii) the date of selling,

and retain the record for not less than ninety days from the making thereof; and

(*b*) that the holder of the licence mark all containers in which he ships or transports

Rejects on both ends with the word "Rejects" in letters at least three-quarters of an inch high. R.R.O. 1960, Reg. 409, s. 8.

9.—(1) No person shall purchase or otherwise obtain Rejects in any quantities amounting to more than fifteen dozen eggs in any calendar month without a licence to purchase Rejects from the Commissioner.

(2) An application for a licence to purchase Rejects shall be in Form 7.

(3) A licence to purchase Rejects shall be in Form 8.

(4) A licence to purchase Rejects,

(*a*) shall be issued without charge;

(*b*) is not transferable; and

(*c*) remains in force until suspended or revoked by the Commissioner for any contravention of the Act or this Regulation.

(5) The condition under which a licence to purchase Rejects is issued is that the holder of the licence furnish to the Commissioner a statement showing,

(*a*) the quantities of all Rejects purchased or otherwise obtained during each calendar month;

(*b*) the name and address of the person from whom the Rejects were purchased or otherwise obtained, and the date of purchasing or otherwise obtaining the Rejects; and

(*c*) the purpose for which the Rejects were purchased or otherwise obtained,

not later than the 15th day of the month next following. R.R.O. 1960, Reg. 409, s. 9.

10. No person shall purchase, sell, offer for sale, ship or transport Rejects for use as food or in the preparation of food for human consumption. R.R.O. 1960, Reg. 409, s. 10.

CONDITIONS OF GRADING, PACKING AND MARKING

11.—(1) No person other than a producer shall operate premises where eggs for human consumption within Ontario are graded, packed and marked, except premises constructed, maintained and operated in compliance with the following conditions:

1. Any room in which eggs are graded shall be constructed so that light from outside the room can be excluded during candling operations.

2. Any room in which eggs are graded shall be separate from rooms used for the receiving of eggs and for the holding of eggs after grading.

3. The part of the premises used for grading, packing and marking of eggs shall be separate from the part of the premises used for operations other than those for the grading, packing and marking of eggs.

4. Where an inside entrance to that part of premises used for grading, packing and marking eggs is provided, the premises shall be provided with a convenient public entrance to the premises.

5. Any room used for,

   (*a*) receiving eggs;

   (*b*) grading, packing and marking eggs; or

   (*c*) holding eggs after grading,

   shall have no door or opening or passageway leading to a warehouse or storage place for furs or hides or other products that may affect the proper handling of eggs, or to premises of a retail-store business.

6. The size and arrangement of the premises and of the room in which grading, packing and marking eggs is done shall be adequate for the work to be done.

7. The grading room shall be equipped with proper equipment and appliances for candling and weighing and, unless an egg-weighing machine is used, a weighing-scale shall be provided for each grader.

8. A grading bench and a shelf shall be provided in the grading room and shall be arranged in relation to any equipment for candling and weighing so as to provide for efficient handling of eggs.

9. A temperature-control system shall be provided and maintained so that the temperature of premises is at no time higher than 67° F.

10. The grading room and the room for holding eggs after grading shall be equipped with,

    (*a*) a reliable thermometer for temperature readings; and

    (*b*) a wet-bulb and dry-bulb hygrometer for humidity readings.

11. Premises shall be clean, in a sanitary condition and free from odours.

12. The grading of eggs shall be done by, or under the supervision of, graders capable of grading eggs accurately.

(2) Where premises have been inspected and found to comply with subsection 1, the person operating the premises may apply to the Commissioner for a licence to operate the premises as an egg-grading station.

(3) No person other than the person to whom a licence is issued shall use the number of the licence on any box, case or carton.

(4) The operator of an egg-grading station shall place his licence number on every box and case of eggs graded and packed at his egg-grading station.

(5) Where the operator of an egg-grading station packs eggs in cartons and the cartons have not marked thereon the name or the brand name of a retailer and his address, he shall place his licence number on each carton. R.R.O. 1960, Reg. 409, s. 11.

12.—(1) No person shall pack Grade A eggs in boxes or cases except,

(*a*) new boxes or cases with new fillers, flats and pads; or

(*b*) clean boxes or cases of sound construction with fillers, flats and pads that are as clean and sound as when new.

(2) Grade B eggs and Grade C eggs may be packed in used boxes or cases that are clean and without damage with used fillers, flats and pads that are clean, in good condition, complete and without broken parts.

(3) Grade A eggs, Grade B eggs or Grade C eggs shall not be packed in a used box or case unless all markings in respect of former use have been completely removed, except where the markings for the eggs to be packed are the same as the markings on the used box or case.

(4) Every container used for the packing of eggs under this Regulation shall be constructed of the materials and shall be of the dimensions and capacities specified in Schedule 1.

(5) In the packing of boxes and cases,

(*a*) excelsior pads; or

(*b*) moulded flats or trays,

shall be placed below the first filler and on top of the last filler in each box or case. R.R.O. 1960, Reg. 409, s. 12.

GRADE MARKS

13. Each grade into which eggs have been graded shall have one grade mark, which shall be one of the following:

1. Grade A Extra Large Size.
2. Grade A Large Size.
3. Grade A Medium Size.
4. Grade A Small Size.
5. Grade A Peewee Size.
6. Grade A1 Extra Large Size.
7. Grade A1 Large Size.
8. Grade A1 Medium Size.
9. Grade A1 Small Size.
10. Grade B.
11. Grade C.
12. Cracks. R.R.O. 1960, Reg. 409, s. 13.

14.—(1) The grade mark on each box or case of eggs that is packed shall appear on at least one side of each box and at least one end of each case, and shall be printed on a tag, printed on a label or printed, stamped or stencilled on the box or case.

(2) All letters and figures in grade marks required by subsection 1 shall be not less than three-quarters of an inch high with stems not less than one-eighth of an inch thick.

(3) When paperboard boxes or cases are used in packing eggs, the word "eggs" in letters at least one inch high shall appear on the same side or end as the grade mark.

(4) When boxes or cases are wrapped in paper, the grade marks and the licence number of the operator shall appear on the paper wrapper and on the box or case.

(5) Every tag and label shall be securely affixed to the box or case, by,

(*a*) adhesive material; or

(*b*) two tacks or two staples, one near each end of the tag or label. R.R.O. 1960, Reg. 409, s. 14.

15.—(1) Every tag shall be at least three inches high and five inches long.

(2) All lettering on tags shall be in black.

(3) For eggs marked with the grade shown in column 1 of the Table the colour of the tag used for marking shall be that set opposite thereto in column 2, as follows:

TABLE

Item No.	Column 1	Column 2
1	Grade A Extra Large Size	red
2	Grade A1 Extra Large Size	red
3	Grade A Large Size	red
4	Grade A1 Large Size	red
5	Grade A Medium Size	green
6	Grade A1 Medium Size	green
7	Grade A Small Size	white
8	Grade A1 Small Size	white
9	Grade A Peewee Size	white
10	Grade B	blue
11	Grade C	yellow
12	Cracks	yellow

R.R.O. 1960, Reg. 409, s. 15.

16.—(1) The grade mark on each carton of eggs that is packed shall,

(*a*) be printed or stamped on the top of the carton, but where a carton constructed to contain twelve eggs is capable of being separted into two parts so that each part becomes a carton to contain six eggs, the grade mark shall be printed or stamped,

(i) on the top of each part, or

(ii) on the top of one part and on the side of the other part; and

(*b*) not be obscured by other wording or design on the carton.

(2) The grade marks of eggs offered for sale or sold by a retailer in open containers shall appear printed or stamped on a card firmly placed immediately above or in front of the eggs and in clear view of consumers.

(3) All letters and figures in grade marks referred to in subsections 1 and 2 shall be not less than one-half inch high with stems not less than one-eighth inch thick.

(4) No box or case may be marked with more than one grade mark unless the eggs are packed in cartons in the box or case.

(5) When cartons are packed in boxes or cases the grade marks shall appear on the cartons and on the boxes or cases.

(6) No box, case or carton and no label or tag attached to a box, case or carton shall have marked thereon any mark or words indicating or suggesting that the eggs contained in the box, case or carton are of higher quality than that of eggs of the grade shown on the grade mark. R.R.O. 1960, Reg. 409, s. 16.

17.—(1) No retailer shall sell or offer for sale eggs in a carton that has not printed or stamped thereon,

(*a*) the licence number of the egg-grading station at which the eggs were placed in the carton;

(*b*) the name or brand name of the retailer and his address; or

(*c*) the name and address of the producer.

(2) All letters and figures in marks under subsection 1 shall be not less than one-eighth inch high. R.R.O. 1960, Reg. 409, s. 17.

GRADE TOLERANCES

18. For variations incidental to the grading, packing and handling of eggs, a tolerance shall be allowed at the rate of not more than,

(*a*) eight eggs in each fifteen dozen eggs at the egg-grading station where the eggs were packed;

(*b*) eight eggs in each fifteen dozen eggs at any place where eggs are received from egg-grading stations for the purpose of inspection thereof; and

(*c*) twelve eggs in each pack of fifteen dozen eggs at any place other than places mentioned in clauses *a* and *b* but, in the count of eggs that do not comply with the standards for the grade shown on the grade mark, the following shall not be included:

1. Four eggs having shell soiling greater than allowed in standards for the

grade, or weighing less than required in standards for the grade, where the eggs comply with the standards for the next lower grade.

2. Six eggs having cracked shells when in the possession of any person after delivery from the shipper thereof. R.R.O. 1960, Reg. 409, s. 18.

MARKING

19.—(1) Subject to subsection 2, no person shall sell or offer for sale or display for sale eggs that do not comply with the grade marked on the container thereof.

(2) Where grade defects of the eggs are found in respect of,

(*a*) conditions found upon candling of the eggs, or cracks in the shells of the eggs, within thirty-six hours; or

(*b*) the shells of the eggs other than cracks in the shells, or the weight of the eggs, within seven days,

of the time of delivery to the person in possession, the person selling the eggs shall be deemed to be the person mentioned in subsection 1. R.R.O. 1960, Reg. 409, s. 19.

20.—(1) The figures in the licence number of the operator of an egg-grading station on each box and case of eggs packed at the egg-grading station shall be not less than one-quarter of an inch high.

(2) The licence number shall appear,

(*a*) below the grade mark on every label or tag, if any, affixed to the box or case; or

(*b*) below the grade mark printed, stamped or stencilled on the box or case.

(3) The licence number appearing on a box or case when packed shall remain on the box or case until the eggs are removed.

(4) When for any reason eggs are removed from a box or case, the licence number shall be removed or erased from the box, case, label, or tag, as the case may be. R.R.O. 1960, Reg. 409, s. 20.

21.—(1) Subject to subsections 2 and 3, no wholesaler of eggs shall store, transport, deliver or ship eggs other than graded eggs in containers that are marked in accordance with this Regulation and that bear the licence number of the operator or the egg-grading station in which the eggs were graded and packed.

(2) When a wholesaler is a producer and is not the operator of an egg-grading station, the containers of all eggs shall bear the name and address of the producer printed with letters not less than three-quarters of an inch with stems not less than one-eighth of an inch thick instead of a licence number, but otherwise subsection 1 applies.

(3) Where a wholesaler of eggs is the operator of an egg-grading station, he may store at or transport to his egg-grading station ungraded eggs for the purpose of grading, packing and marking the eggs at his egg-grading station. R.R.O. 1960, Reg. 409, s. 21.

22. No wholesaler, other than the operator of an egg-grading station or a producer, shall transport, deliver or ship eggs to or from premises in which grading is carried on and that do not comply with section 11. R.R.O. 1960, Reg. 409, s. 22.

23. No retailer shall store on his premises eggs that do not comply with this Regulation. R.R.O. 1960, Reg. 409, s. 23.

ADVERTISING

24.—(1) No person shall advertise eggs for sale unless the advertisement contains a statement in a prominent position therein setting out the grade of the eggs advertised.

(2) No person shall, in any advertisement offering eggs for sale,

(*a*) make any untrue, deceptive or misleading statement or implication; or

(*b*) use words or phrases that are misleading to a purchaser,

in respect of the quality or weight of the eggs.

(3) No person shall, in any advertisement offering eggs for sale, state or use words or phrases implying,

(*a*) that the eggs of a grade advertised are superior in condition or quality to eggs of the grade under this Regulation;

(*b*) that Grade B eggs, Grade C eggs or eggs that have been in cold storage are fresh; or

(*c*) that eggs other than those graded as Grade A1 are "New Laid". R.R.O. 1960, Reg. 409, s. 24.

UNGRADED EGGS

25. No person shall ship or transport ungraded eggs in containers unless each container has marked on at least one end thereof the words "ungraded eggs—for shipment only" in block letters not less than three-quarters of an inch high. R.R.O. 1960, Reg. 409, s. 25.

26.—(1) Eggs that have been in storage may be shipped or transported to an egg-grading station without grading or inspection.

(2) No person shall ship or transport eggs that have been in storage unless each container bears the words "ungraded out of storage" in letters not less than one-quarter of an inch high, stamped or stencilled,

(*a*) over the grade mark, if any; or

(*b*) if no grade mark shows, on the ends of the container. R.R.O. 1960, Reg. 409, s. 26.

RECORDS

27.—(1) The operator shall maintain and is responsible for complete records showing,

(*a*) the number of eggs in each producer's lot delivered to his egg-grading station; and

(*b*) the grades of all eggs in each producer's lot.

(2) The operator shall require each grader employed by him to make a bench report in Form 9 of all eggs of each producer graded by the grader at the egg-grading station.

(3) The operator shall retain one copy of each bench report at the egg-grading station for a period of ninety days from the making thereof. R.R.O. 1960, Reg. 409, s. 27.

EGGS OF PRODUCERS IDENTIFIED

28. Every first receiver of eggs who ships or delivers ungraded eggs to an egg-grading station shall clearly identify the eggs from each producer in the shipment by,

(*a*) packing them in separate containers;

(*b*) placing each producer's eggs in a separate end of a case or in separate fillers; or

(*c*) packing and identifying them in some other satisfactory manner. R.R.O. 1960, Reg. 409, s. 28.

GRADING CERTIFICATES

29.—(1) The operator of an egg-grading station shall furnish to the person who shipped the ungraded eggs to the egg-grading station not later than seven days after the date of receipt of the eggs,

(*a*) where the shipper is the producer, one copy of the grading certificate; and

(*b*) where the shipper is a first receiver of eggs, two copies of the grading certificate.

(2) Where the ungraded eggs in a shipment under clause *b* of subsection 1 were produced by more than one producer and the eggs of each producer were identified, the operator shall furnish to the first receiver of eggs two copies of the grading certificate in Form 10 in respect of each producer.

(3) Every first receiver of eggs shall retain for a period of ninety days one copy of each grading certificate received from an egg-grading station.

(4) Where a shipper was a first receiver of eggs, he shall send one copy of the grading certificate in respect of each producer's lot to the producer.

(5) Every operator shall retain at his egg-grading station one copy of each grading certificate for a period of ninety days. R.R.O. 1960, Reg. 409, s. 29.

30. The first receiver of eggs, shall, not later than fourteen days after the date of receipt of the eggs, furnish to the producer.

(*a*) the grading certificate for the eggs; and

(*b*) a statement showing,

(i) the name and address of the first receiver of eggs,

(ii) the date of the statement,

(iii) the name and address of the producer,

(iv) the number of dozens of eggs received,

(v) the date of receipt of the eggs,

(vi) the amount, and the rate for each dozen, paid in any advance payment,

(vii) the manner of making advance payment, whether in cash, in merchandise or on account,

(viii) the number of eggs graded into each grade, and

(ix) the price to be paid for each grade. R.R.O. 1960, Reg. 409, s. 30.

PAYMENT FOR EGGS

31.—(1) Ungraded eggs bought or received on consignment by the operator of an egg-grading station shall be deemed to have been bought on the basis of the grades shown on the grading certificate.

(2) No operator shall pay for ungraded eggs bought or received on consignment by him on any basis other than on the basis of the grades shown on the grading certificate.

(3) Where there is no price differential between the prices paid for eggs of more than one grade, the eggs shall be deemed to have been bought on a basis other than a grade basis. R.R.O. 1960, Reg. 409, s. 31.

32. No person other than the operator of an egg-grading station shall buy or receive ungraded eggs from a first receiver of eggs. R.R.O. 1960, Reg. 409, s. 32.

33.—(1) Where the first receiver of eggs or the operator of an egg-grading station makes a payment on account to the producer at the time the first receiver of eggs or the operator receives the eggs, the amount of the payment shall not exceed 80 per cent of the total value of the eggs computed at the price for Grade B eggs.

(2) The first receiver of eggs or the operator, as the case may be, shall,

(*a*) where a payment on account has not been made, make payment for the eggs; and

(*b*) where a payment on account has been made, make final settlement for the eggs,

not later than fourteen days after the date of receipt of the eggs.

(3) The payment, or the final settlement, as the case may be, shall accompany the grading certificate and the statement to the producer under section 30. R.R.O. 1960, Reg. 409, s. 33.

EGGS FOR PROCESSING

34. No person shall store, purchase, sell, offer for sale, ship or transport frozen egg for human consumption within Ontario except frozen egg graded, packed and marked in accordance with sections 35 to 45. R.R.O. 1960, Reg. 409, s. 35.

35. The grades for frozen eggs are,

(*a*) Grade A Frozen Egg, consisting of frozen egg that,

(i) shows no evidence of mould or foreign odour,

(ii) is free from foreign matter and shell,

(iii) is well emulsified,

(iv) has a smooth texture,

(v) on analysis shows a total viable bacterial count of not more than 2,500,000 a gram,

(vi) in the case of frozen egg-whites, produces a foam volume of 800 cubic centimetres from 127 grams of frozen egg-whites when subjected to a whipping test, and

(vii) when tested by the vacuum-oven method, has egg solids for the product in column 1 of the Table not less than the percentage of egg solids in column 2 as follows:

TABLE

Item No.	Column 1	Column 2
1	frozen whole egg	25.8 per cent
2	frozen egg-yolk	43 per cent
3	frozen egg-whites	11.5 per cent

(*b*) Grade B Frozen Egg, consisting of frozen egg that does not comply with the standards for Grade A Frozen Egg and that,

(i) shows no evidence of mould or objectionable odour,

(ii) is free from foreign matter and contains not more than one-half of 1 per cent by weight of shell,

(iii) on analysis shows a total viable bacterial count of not more than 50,000,000 a gram, and

(iv) when tested by the vacuum-oven method, has egg solids for the product in column 1 of the Table not less than the percentage of egg solids in column 2 as follows:

TABLE

Item No.	Column 1	Column 2
1	frozen whole egg	24.5 per cent
2	frozen egg-yolk	40 per cent
3	frozen egg-whites	10.5 per cent

(*c*) Grade C Frozen Egg, consisting of frozen egg that does not comply with the standards for Grade A Frozen Egg or Grade B Frozen Egg, and that,

(i) shows no evidence of mould or objectionable odour, and

(ii) on analysis shows a total viable bacterial count of not more than 50,000,000 a gram. R.R.O. 1960, Reg. 409, s. 36.

36. Where ingredients have been added to frozen whole egg, frozen egg-yolk or frozen egg-whites before freezing, the products resulting from the addition of the ingredients shall comply with section 35, except that the minimum percentage of egg solids in column 2 of the Table in clause *a*, or column 2 of the Table in clause *b*, as the case may be, may be decreased in the proportion that the ingredients bear to the products resulting from the addition of the ingredients. R.R.O. 1960, Reg. 409, s. 37.

37. Where frozen egg does not comply with section 35 or 36, the container of the frozen egg shall be marked on the side and on the lid with the words "not for human consumption" in letters not less that 1½ inches high and printed with indelible ink. R.R.O. 1960, Reg. 409, s. 38.

LICENCE TO OPERATE AN EGG-BREAKING PLANT

38.—(1) No person shall operate an egg-breaking plant without a licence therefor from the Commissioner.

(2) An application for a licence for the operation of an egg-breaking plant shall be in Form 11.

(3) A licence for the operation of an egg-breaking plant shall be in Form 12.

(4) The fee for a licence is $1 and shall be forwarded with the application for the licence.

(5) A licence is not transferable and remains in force until suspended or revoked by the Commissioner or until the licensee ceases to operate the egg-breaking plant. R.R.O. 1960, Reg. 409, s. 39.

GRADING, PACKING AND MARKING

39.—(1) No person shall operate premises where eggs are broken and processed into frozen egg for human consumption within Ontario, except premises constructed, maintained and operated in compliance with the following conditions:

1. Any room in which eggs are broken shall have a smooth floor impervious to liquid and smooth, washable walls and ceilings.

2. Any room in which eggs are broken shall be used only for the purpose of breaking eggs during the season when egg-breaking is in operation, and the room shall be separated by partitions from rooms used for any purpose other than egg-breaking.

3. All windows and doors giving direct access to any room in which eggs are broken shall be provided with screens and all doors shall be equipped with automatic self-closing devices.

4. Every table shall have a smooth top of monel metal or stainless steel and shall be constructed so that it may be thoroughly cleaned.

5. The size and arrangement of the premises and of any room in which eggs are broken, graded, packed and marked shall be adequate for the operations required.

6. Toilet facilities shall be so located that no opening from the room in which the toilet facilities are located opens directly into any room in which eggs are broken.

7. Every room in which toilet facilities are located shall be provided with odourless soap and paper towels,

8. Any room in which eggs are broken shall be equipped with one or more tanks having compartments for the washing, rinsing and sterilizing of utensils used in egg-breaking operations.

9. Proper sanitary equipment shall be provided for,

(*a*) draining all utensils after washing, rinsing and sterilizing them; and

(*b*) holding, without nesting, all trays, knives and cups used in egg-breaking operations, and all pails that may be used to contain broken eggs.

10. Any overhead conveyors of eggs shall be installed so as to avoid contamination of eggs after breaking them.

11. Filters or centrifugal clarifiers shall be provided through which all broken eggs shall pass for removal of shell and foreign matter.

12. All metal equipment and utensils, including cups and pails, that may come into contact with broken eggs shall be free from rough soldering, rust spots, dents, open seams or other defects that prevent or hinder thorough cleansing.

13. Proper containers shall be provided for the disposal of Rejects.

14. Premises shall be clean, in a sanitary condition and free from odours and shall be adequately ventilated for removal of objectionable odours.

15. All utensils and equipment used in egg-breaking operations or that may come into contact with broken eggs shall be washed by brushing in a detergent solution that is capable of removing any part of a broken egg, rinsed in clear water and immersed for not less than one minute in a sterilizing solution composed of hypochlorite and water in the proportions of one part of hypochlorite to 10,000 parts of water or in a sterilizing solution having equivalent sterilizing effect.

16. Paper hand-towels only shall be provided for every person engaged in breaking eggs at the egg-breaking table.

17. Clean, sterilized egg-breaking utensils shall be provided for every person engaged in breaking eggs at the commencement of egg-breaking operations and after each recess therefrom, and after a Reject is broken.

18. Each container of eggs that does not comply with the provisions of this section shall be removed from the room in which eggs are broken within two hours after it is brought into the room.

19. Containers with smooth metal surfaces shall be provided for egg shells and shall be cleaned and disinfected at least once each day.

20. Shells shall be disposed of frequently so that no offensive odours result in the room in which eggs are broken.

21. Containers of broken eggs shall not be permitted to stand on the floor of a room in which eggs are broken.

22. All persons employed in a room in which eggs are broken shall be required to wash their hands thoroughly before entering the room and immediately after breaking a Reject.

23. No person known to be infected with a communicable disease listed in Table 1 of Regulation 703 of Revised Regulations of Ontario, 1970 shall be permitted to enter for any purpose a room in which eggs are broken or to be in contact with eggs.

24. Any room in which freezing of eggs is done shall be clean, in a sanitary condition and free from objectionable odours.

(2) Where premises have been inspected and found to comply with subsection 1, the person operating the premises may apply to the Commissioner for a licence to operate the premises as an egg-breaking plant.

(3) No person other than the person to whom a licence is issued shall use the number of the licence on any container of frozen egg.

(4) The operator of an egg-breaking plant shall place his licence number on every container of frozen egg graded and packed at his egg-breaking plant. R.R.O. 1960, Reg. 409, s. 40.

40. No person shall pack frozen egg in any container other than a new, clean container of metal or of paperboard. R.R.O. 1960, Reg. 409, s. 41.

MARKING

41.—(1) In sections 43 and 44, "lot", when used in respect of frozen egg, means the amount of frozen egg produced during a day at an egg-breaking plant.

(2) In section 43, "approved", when used in respect of the amount of ingredients added to frozen egg, means approved under regulations made under the *Food and Drugs Act* (Canada). R.R.O. 1960, Reg. 409, s. 42.

42. Each operator of an egg-breaking plant shall identify each lot of frozen egg by numbers or letters, or both, to show the day, month and year during which the lot was produced. R.R.O. 1960, Reg. 409, s. 43.

43.—(1) Marks on containers of frozen egg shall consist of,

(*a*) the words "Canadian Frozen Whole Egg", "Canadian Frozen Egg-Yolk" or "Canadian Frozen Egg-Whites", as the case may be on the lid or on the side of the container;

(*b*) when other ingredients are added to frozen egg,

(i) the words "with approved percentage of added" appearing immediately after the words specified in clause *a*, and

(ii) the names of the ingredients appearing after the word "added";

(*c*) the word "Grade", followed by the letter of the grade, in one line and in letters of the same size and not less than three-quarters of an inch high, on the side of the container;

(*d*) the licence number of the processor; and

(*e*) the words "Lot No." followed by the number or letters, or both, to show the day, month and year during which the lot was produced, to be in letters of the same size and to be in one line.

(2) Marks on containers of frozen egg shall appear prominently on the container and, if one or more containers are packed in a master container, the marks prescribed in subsection 1 shall appear on both the container and the master container.

(3) The name or brand name under which frozen egg is sold may appear anywhere on the container but no wording shall separate the wording prescribed in clause *a* from the wording in clause *b* of subsection 1, and the name or brand name shall not be of such a size or arrangement as to obscure the marks prescribed in subsection 1.

(4) Any person may state in figures on a container of frozen egg a guaranteed minimum solids-content but the figures shall not be for an amount less than the minimum amount for the grade under section 35. R.R.O. 1960, Reg. 409, s. 44.

SAMPLING AND INSPECTION

44.—(1) At the time of freezing each lot of frozen egg, or at any time while it is in storage, an inspector shall select and mark at least 1 per cent of the containers of each day's production in each egg-breaking plant.

(2) The processor shall store the containers selected and marked by the inspector under subsection 1 so that the inspector may have ready access to them for the purpose of taking samples.

(3) No later that one month after the date that a lot of frozen egg is placed in storage, and by arrangement with the processor, the inspector shall draw from the lot stored for analysis cores from not more than ten containers, for the purposes of making one composite analytical sample.

(4) The inspector shall make at least two composite analytical samples from the lots of frozen egg produced in each week.

(5) The sample or samples taken from each lot of frozen egg shall be frozen and shall be stored in the same room as the remainder of the containers in the lot.

(6) The inspector shall test for solids-content of both samples made from each lot of frozen egg under subsection 4 by means of a refractometer and, where any test shows the solids-content to be below the grade marked on the container, the processor may request the inspector to have the sample analysed for solids-content by the vacuum-oven method at a laboratory at the expense of the processor.

(7) Where any composite sample representing more than one lot of frozen egg falls below the grade under which the product was packed, the inspector shall, at the request of the processor, re-sample each lot for the purpose of making another analysis.

(8) The inspector shall report to the Commissioner the results of tests made under subsection 6 and shall inform the processor of the lot numbers of the containers of frozen egg that have been marked with the grade found on analysis.

(9) Every processor shall, not later than Tuesday in each week, furnish to the Commissioner for the week ending with the Saturday preceding a statement showing,

(*a*) the number of containers in each lot of frozen egg during the week and the number of each lot;

(*b*) the total number of pounds of frozen whole egg, frozen egg-yolk and frozen egg-whites, produced during the week; and

(*c*) the total number of cases of each grade of eggs broken during the week. R.R.O. 1960, Reg. 409, s. 45.

45. No person shall sell, offer or display for sale, ship or transport frozen egg for human consumption if the frozen egg is below the standard for Grade C Frozen Egg or produced from Rejects. R.R.O. 1960, Reg. 409, s. 46.

DETENTION

46. Where an inspector detains any eggs or frozen egg that does not comply with the Act and this Regulation, he shall attach to one box, case or carton in each lot of eggs, or one container in each lot of frozen egg, under detention a numbered detention tag in Form 13 and no person shall sell, offer for sale, move or allow or cause to be moved the eggs, or boxes, cases or cartons of eggs, or containers of frozen egg, as the case may be, in the lot or remove the detention tag without the written authority of an inspector or of the Commissioner. R.R.O. 1960, Reg. 409, s. 47.

47. Immediately after placing any eggs or frozen egg under detention, the inspector shall deliver or mail,

(*a*) to the owner or his agent, a notice of detention in Form 14; and

(*b*) when the eggs or frozen egg are in premises other than those of the owner, to the person in possession of the eggs or frozen egg a copy of the notice of detention in Form 14. R.R.O. 1960, Reg. 409, s. 48.

48. When an inspector is satisfied that any eggs or frozen egg under detention comply with the Act and this Regulation, he may release the eggs or frozen egg from detention by,

(*a*) removing the detention tag; and

(*b*) issuing a notice of release from detention in Form 15 and delivering or mailing it to the owner or his agent with a copy thereof to the person in possession of the premises, if other than the owner. R.R.O. 1960, Reg. 409, s. 49.

SUSPENSION OR CANCELLATION OF LICENCES

49.—(1) The Commissioner may, after a hearing, suspend or revoke a licence for any contravention of the Act or of this Regulation by the licensee.

(2) Before holding a hearing, the Commissioner shall send by registered mail to the licensee at his address shown on his application for the licence a notice,

(*a*) giving the details of the alleged violation and the nature of the evidence in support thereof; and

(*b*) appointing the date, time and place for the hearing.

(3) The Commissioner shall allow at least seven clear days between the date of sending the notice and the date for the hearing.

(4) If the licensee fails to attend the hearing on the date and at the time and place appointed, the hearing may proceed and a decision may be made in his absence.

(5) At the hearing, the licensee is entitled to hear the evidence against him, to cross-examine thereon, to call witnesses in his behalf and to present his argument.

(6) The licensee may be represented at the hearing by counsel or by an agent.

(7) Where the Commissioner decides to suspend the licence, the period of suspension shall not be longer than thirty days. R.R.O. 1960, Reg. 409, s. 50.

GRADING CERTIFICATE

50. When an inspector inspects before shipment eggs or frozen egg and at the request of the shipper, the inspector may issue a grading certificate in Form 16. R.R.O. 1960, Reg. 409, s. 51.

Schedule

CONDITIONS OF PACKING EGGS

MATERIALS

1. Wooden boxes and wooden cases shall be made of well-seasoned wood having not more than 15 per cent water content.

2.—(1) Wood used in making boxes and cases shall be,

(*a*) of merchantable grade spruce, or an equivalent grade of white pine, basswood, poplar, western hemlock or cottonwood;

(*b*) sound, live and bright; and

(*c*) without rot, bark or doze.

(2) When lumber is re-sawn for the purpose of obtaining pieces of wood to make boxes or cases, no piece of wood used shall have a knot with a diameter greater than one-third of the width of the piece.

(3) Paperboard boxes shall be made of corrugated paper capable of withstanding a resistance bursting test of 175 pounds a square inch.

(4) Paperboard cases shall be made of corrugated paper capable of withstanding a resistance bursting-test of 200 pounds a square inch.

(5) Ends of boxes and cases and centre divisions of cases shall be made of lumber not less than one inch in thickness, dressed on two sides and re-sawn, two pieces to the inch.

(6) Sides, tops and bottoms of boxes and cases shall be made of lumber not less than one inch in thickness, dressed on two sides and re-sawn, three pieces to the inch.

3. Paperboard boxes and cases shall be made of corrugated paper capable of withstanding a resistance bursting-test of 200 pounds a square inch.

4. Fillers and flats shall be made of ground-wood or solid-pulp fibre of medium finish.

DIMENSIONS

5.—(1) Inside dimensions of a box shall be: length 11⅝″, width 11⅝″, depth 12½″.

(2) Inside dimensions of a case shall be: length 24″, width 11⅝″, depth 12½″.

6.—(1) Fillers shall be not less than .022″ thick and 11¼″ square.

(2) Flats shall be not less than .025″ thick and 11¼″ square.

(3) Openings in fillers used in cases for Grade A Extra Large Size eggs shall be not less than 2$\frac{15}{32}$″ square and 1$\frac{26}{32}$″ high.

CONSTRUCTION OF WOODEN BOX AND CASE

7.—(1) Dimensions of an end of a wooden box or case shall be: height 12½″, width 11⅝″, thickness $\frac{7}{16}$″.

(2) An end shall be made of not more than three pieces of wood without openings between them, the grain of wood shall be vertical, and the outside shall be dressed.

(3) Each end shall have a horizontal cleat of wood dressed on the outside that extends across the full width of the end with dimensions: length 12″, width 1¾″, thickness ⅜″.

8.—(1) Dimensions of the centre division of a case shall be: width 11⅝″, height 12½″, thickness $\frac{7}{16}$″.

(2) A centre division shall be made of not more than three pieces of wood,

(*a*) fitted together by means of tongue and groove; and

(*b*) fastened by means of corrugated fasteners,

and the grain of the wood shall be horizontal.

9.—(1) Dimensions of a side of a box shall be: length 12⅞″, thickness ¼″, width of each piece of wood when two pieces of wood are used, not less than 5⅞″, and when three pieces of wood are used, not less than 3⅞″.

(2) Dimensions of a side of a case shall be: length 24⅞″, thickness ¼″, width of each piece of wood when two pieces of wood are used, not less than 5⅞″, and when three pieces of wood are used, not less than 3⅞″.

10. Dimensions of tops and bottoms of a box shall be: length 12⅜″, thickness ¼″, width of each piece of wood, when one piece of wood is used, not less than 12″, when two pieces of wood are used, not less than 5⅞″, and when three pieces of wood are used, not less than 3⅜″.

11.—(1) Dimensions of tops and bottoms of a case shall be: length 25⅝″, thickness ¼″, width of each piece of wood, when one piece of wood is used, not less than 12″, when two pieces of wood are used, not less than 5⅞″, and when three pieces of wood are used, not less than 3⅞″.

(2) The top shall have a cleat at each end.

12.—(1) The sides and bottom of a case shall be nailed to the centre division and to the ends or the horizontal cleats with 1¼″ 15-gauge cement-coated box nails, with six nails used for each nailing edge.

(2) The top shall be nailed to the ends with 1½″ 14-gauge uncoated nails,

(*a*) with six nails used; or

(*b*) in the case of units, with not less than three nails used,

for each nailing edge.

(3) Each horizontal cleat shall be nailed to an end with one-inch nails or staples, with not less than six nails or staples used in staggered locations and clinched.

13. Dimensions in paragraphs 7 to 12 may be increased to such extent as is necessary to construct a box or a case having ends, sides, top or bottom of greater thickness than provided under those paragraphs.

14. Dimensions in subsection 2 of paragraph 5 and paragraphs 7 to 12 may be increased to such extent as is necessary to construct a case of sufficient size to contain thirty dozen Grade A Extra Large Size eggs. R.R.O. 1960, Reg. 409, Sched.

Form 1

The Live Stock and Live Stock Products Act

EGGS

APPLICATION FOR LICENCE FOR OPERATION OF AN EGG-GRADING STATION

To: The Live Stock Commissioner,
Parliament Buildings,
Toronto.

.....
(name of applicant)

.....
(address)

applies for a licence for the operation of an egg-grading station under *The Live Stock and Live Stock Products Act* and the regulations, and in support of this application the following facts are stated:

1. Business address of applicant .....

2. Name of egg-grading station .....

3. Location of egg-grading station .....

.....
(lot and concession, municipality, county)

4. Owner of egg-grading station.....
(give name of person,

.....
partnership or corporation and, if partnership, give names of all partners)

5. The premises of the egg-grading station comply with the regulations.

.....
(signature of applicant)

By.....
(title of person signing if a partnership or corporation)

R.R.O. 1960, Reg. 409, Form 1.

Form 2

The Live Stock and Live Stock Products Act

EGGS

LICENCE FOR OPERATION OF AN EGG-GRADING STATION

Under *The Live Stock and Live Stock Products Act* and the regulations, and subject to the limitations thereof, this licence is issued

to.....
(name)

.....
(address)

for the operation of an egg-grading station

at.....
(location)

This licence is not transferable.

This licence remains in force until suspended or revoked by the Commissioner, or the holder hereof ceases to operate the egg-grading station.

Issued at Toronto the....day of....., 19...

.....
Live Stock Commissioner

R.R.O. 1960, Reg. 409, Form 2.

Form 3

The Live Stock and Live Stock Products Act

EGGS

APPLICATION FOR LICENCE AS A PRODUCER OF GRADE A1 EGGS

To: The Live Stock Commissioner,
Parliament Buildings,
Toronto.

.....
(name of applicant)

.....
(address)

applies for a licence as a producer of Grade A1 eggs under *The Live Stock and Live Stock Products Act* and the regulations, and in support of this application the following facts are stated:

1. Location of premises where eggs produced.....

.....

2. Owner of premises.....
(give name of person, partner-

.....
ship or corporation and, if partnership, give names

.....
of all partners)

3. Name under which business is carried on.....

.....

4. The applicant has complied with the regulations.

Date..... .....
(signature of applicant)

R.R.O. 1960, Reg. 409, Form 3.

Form 4

The Live Stock and Live Stock Products Act

EGGS

LICENCE AS A PRODUCER OF GRADE A1 EGGS

Under *The Live Stock and Live Stock Products Act* and the regulations, and subject to the limitations thereof, this licence is issued to

.....
(name)

.....
(address)

as a producer of Grade A1 eggs.

This licence remains in force until suspended or revoked by the Commissioner for any violation of the terms and conditions under which the licence is issued.

Issued at Toronto.....day of....., 19...

.....
Live Stock Commissioner

R.R.O. 1960, Reg. 409, Form 4.

Form 5

The Live Stock and Live Stock Products Act

APPLICATION FOR
LICENCE TO SELL REJECTS

To: The Live Stock Commissioner,
Parliament Buildings,
Toronto.

.....
(name of applicant)

.....
(address)

applies for a licence to sell Rejects under *The Live Stock and Live Stock Products Act* and the regulations, and in support of this application the following facts are stated:

1. Location of premises of applicant.....

2. Owner of premises.....
(give name of person,

.....
partnership or corporation and, if partnership,

.....
give names of all partners)

3. Name under which business is carried on.....

4. The applicant has complied with the regulations.

Date..... .....
(signature of applicant)

R.R.O. 1960, Reg. 409, Form 5.

Form 6

The Live Stock and Live Stock Products Act

LICENCE TO SELL REJECTS

Under *The Live Stock and Live Stock Products Act* and the regulations, and subject to the limitations thereof, this licence is issued to

.....
(name)

.....
(address)

to sell Rejects.

This licence is not transferable.

This licence remains in force until suspended or revoked by the Commissioner.

Issued at Toronto the...day of....., 19...

.....
Live Stock Commissioner

R.R.O. 1960, Reg. 409, Form 6.

Form 7

The Live Stock and Live Stock Products Act

APPLICATION FOR
LICENCE TO PURCHASE REJECTS

To: The Live Stock Commissioner,
Parliament Buildings,
Toronto.

.....
(name of applicant)

.....
(address)

applies for a licence to purchase Rejects under *The Live Stock and Live Stock Products Act* and the regulations, and in support of this application the following facts are stated:

1. Location of premises of applicant.....

2. Owner of premises.....
(give name of person,

.....
partnership or corporation and, if partnership,

.....
give names of all partners)

3. Name under which business is carried on.....

4. The applicant has complied with the regulations.

Date..... .....
(signature of applicant)

R.R.O. 1960, Reg. 409, Form 7.

Form 8

The Live Stock and Live Stock Products Act

LICENCE TO PURCHASE REJECTS

Under *The Live Stock and Live Stock Products Act* and the regulations, and subject to the limitations thereof, this licence is issued to

.....
(name)

.....
(address)

to purchase Rejects.

This licence is not transferable.

This licence remains in force until suspended or revoked by the Commissioner.

Issued at Toronto the.....day of....., 19...

.....
Live Stock Commissioner

R.R.O. 1960, Reg. 409, Form 8.

Form 9

The Live Stock and Live Stock Products Act

EGGS

BENCH REPORT

First Receiver of Eggs..... Name of Operator.....

Address..... Address.....

Quantity Received..... Licence No.....

Name	Total No. Dozens Rec'd	Grade A Extra Large Size		Grade A Large Size		Grade A Medium Size		Grade A Small Size		Grade A Peewee	
		Bench Count	Producer's Count	Bench Count	Producer's Count	Bench Count	Producer's Count	Bench Count	Producer's Count	Bench Count	Producer's Count
No. of Eggs in case at start											
TOTALS											

Date Received at Egg-grading Station.....

Date Graded.....

Grader: No.....
(give number or name)

Grade B		Grade C		Cracks		Rejects		Broken		TOTAL AMOUNT	Date of Settlement
Bench Count	Producer's Count	Bench Count	Producer's Count	Bench Count	Producer's Count	Bench Count	Producer's Count	Bench Count	Producer's Count		

R.R.O. 1960, Reg. 409, Form 9.

Form 10

The Live Stock and Live Stock Products Act

GRADING CERTIFICATE
OF EGGS GRADED AT EGG-GRADING STATION

1. Name and address of operator of egg-grading station.....
.....
2. Licence No.....
3. Date of grading.....
4. Name and address of seller of eggs.....
.....
5. Date of delivery of eggs to egg-grading station
.....
6. Quantity of eggs delivered.....
7. (*a*) amount paid on account (if any) to first receiver of eggs $.....
(*b*) rate of payment per dozen of eggs.....

8. Number of eggs graded into each grade and price to be paid per dozen for each grade:

	No. Dozen	Price Per Dozen
Grade A Extra Large Size		
Grade A Large Size		
Grade A Medium Size		
Grade A Small Size		
Grade A Peewee Size		
Grade B		
Grade C		
Cracks		
Rejects		
Total		

Date of payment .....

R.R.O. 1960, Reg. 409, Form 10.

Form 11

The Live Stock and Live Stock Products Act

EGGS

APPLICATION FOR LICENCE FOR OPERATION OF AN EGG-BREAKING PLANT

To: The Live Stock Commissioner,
Parliament Buildings,
Toronto.

.....
(name of applicant)

.....
(address)

applies for a licence for the operation of an egg-breaking plant under *The Live Stock and Live Stock Products Act* and the regulations, and in support of this application the following facts are stated:

1. Business address of applicant .....
2. Name of egg-breaking plant .....
3. Location of egg-breaking plant .....
4. Owner of egg-breaking plant .....
(give name of person,
.....
partnership or corporation and, if partnership, give
.....
names of all partners)
5. The premises of the egg-breaking plant comply with the regulations.

.....
(signature of applicant)

By .....
(title of person signing if a partnership or corporation)

R.R.O. 1960, Reg. 409, Form 11.

Form 12

The Live Stock and Live Stock Products Act

EGGS

LICENCE FOR OPERATION OF AN EGG-BREAKING PLANT

Under *The Live Stock and Live Stock Products Act* and the regulations, and subject to the limitations thereof, this licence is issued to

.....
(name)

.....
(address)

for the operation of an egg-breaking plant

at .....
(location)

This licence is not transferable.

This licence remains in force until suspended or revoked by the Commissioner, or the holder ceases to operate the egg-breaking plant.

Issued at Toronto the....day of....., 19...

.....
Live Stock Commissioner

R.R.O. 1960, Reg. 409, Form 12.

Form 13

The Live Stock and Live Stock Products Act

EGGS

EGGS OR FROZEN EGG UNDER DETENTION

TAG NO.....

Under *The Live Stock and Live Stock Products Act* and the regulations, I have placed under detention*

(*a*) the eggs in the lot of eggs included with the box, case or carton; or

(*b*) frozen egg included with the container,

to which this tag is attached, described as follows:

.....

.....

.....

Date..... .....
(signature of inspector)

*Section 46 of Regulation 565 of Revised Regulations of Ontario, 1970 reads as follows:

46. Where an inspector detains any eggs or frozen egg that does not comply with the Act and this Regulation, he shall attach to one box, case or carton in each lot of eggs, or one container in each lot of frozen egg, under detention a numbered detention tag in Form 13 and no person shall sell, offer for sale, move or allow or cause to be moved the eggs or boxes, cases or cartons of eggs, or containers of frozen egg, as the case may be, in the lot or remove the detention tag without the written authority of an inspector or of the Commissioner.

R.R.O. 1960, Reg. 409, Form 13.

Form 14

The Live Stock and Live Stock Products Act

EGGS

NOTICE OF DETENTION

Place..... Date.....

To.....
(name) (address)

You are hereby notified that the lot of eggs or frozen egg described below has been placed under detention:

.....

.....

.....

and that Tag No..... has been attached to one box, case or carton or container of the lot of eggs or frozen egg.

You are hereby authorized to move the eggs or frozen egg for correction to.....

Reason for detention.....

.....

.....

This notice of detention was.....

.....
(state whether delivered or mailed)

and.....
(state whether copy was delivered or

.....
mailed to the person in possession)

.....
(signature of inspector)

R.R.O. 1960, Reg. 409, Form 14.

Form 15

The Live Stock and Live Stock Products Act

EGGS

NOTICE OF RELEASE FROM DETENTION

Place..... Date.....

To..... Address.....

You are hereby notified that the lot of eggs or frozen egg placed under detention at.....
(place of detention)

on.....to one box, carton or case
(date of detention)

or container, of which Tag No.....was attached, has been released from detention.

This notice of release from detention was

.....
(state whether delivered or mailed)

.....
(signature of inspector)

R.R.O. 1960, Reg. 409, Form 15.

Form 16

The Live Stock and Live Stock Products Act

EGGS

GRADING CERTIFICATE ISSUED BY INSPECTOR

CERTIFICATE NO.....

NAME OF SHIPPER..... DATE.....

POINT OF INSPECTION..... LOT NO.....

PLACE OF INSPECTION..... ROUTE.....

CAR NO.....

I certify that I inspected the lots of eggs or frozen egg described below and found the eggs or frozen egg in accordance with the grades stated:

.....

.....

.....

Destination of shipment.....

Containers and conditions for shipment.....

.....

.....
(signature of inspector)

R.R.O. 1960, Reg. 409, Form 16.

REGULATION 566

under The Live Stock and Live Stock Products Act

HOGS

INTERPRETATION

1. In this Regulation,

(*a*) "assembly yard" means an assembly yard operated under The Ontario Pork Producers' Marketing Plan;

(*b*) "establishment" means any abattoir or other premises for slaughtering hogs registered under the *Meat Inspection Act* (Canada) or, where grading of hog-carcasses is carried out, under the *Canada Agricultural Products Standards Act*;

(*c*) "hog-carcass" means the whole of a slaughtered hog after removal of the offal;

(*d*) "inspector" means an inspector assigned to an establishment for the purpose of grading hog-carcasses;

(*e*) "length" in respect of a hog-carcass means the length of the carcass from the front edge of the first rib to the inside of the aitch bone;

(*f*) "loin fat" in respect of a hog-carcass means the maximum fat thickness between the last rib and the tail;

(*g*) "offal" includes,

(i) alimentary canal,

(ii) heart,

(iii) liver, and

(iv) lungs,

but does not include,

(v) head,

(vi) kidneys,

(vii) leaf-lard,

(viii) tail, and

(ix) tongue;

(*h*) "packer" means a person who operates an establishment or who causes hogs to be slaughtered for him at an establishment not operated by him;

(*i*) "producer" means a person who is engaged in the production of hogs for sale;

(*j*) "shipper" means a shipper licensed under The Ontario Pork Producers' Marketing Plan;

(*k*) "shoulder fat" in respect of a hog-carcass means the maximum fat thickness at the shoulder but does not include any fat infiltration into the lean;

(*l*) "weight" in respect of a hog-carcass means warm dressed weight of the hog-carcass at the time of slaughter. R.R.O. 1960, Reg. 410, s. 1.

SHIPPERS

2.—(1) A shipper, upon taking delivery of hogs from a producer, shall place a tattoo mark of identity on the shoulder of each hog of each producer's lot before any of the lot has mingled with any other producer's hogs.

(2) No shipper shall ship, transport or deliver to an assembly yard or establishment hogs that do not bear a tattoo mark of identity.

(3) A shipper shall complete a manifest in Form 1 before the hogs in a shipment are delivered to an assembly yard or establishment.

(4) The shipper shall deliver the manifest to the person in charge of the assembly yard to which the hogs are delivered or to the inspector at the establishment at which the hogs are to be slaughtered, as the case may be.

(5) When hogs are delivered to an assembly yard, the person in charge of the assembly yard shall forward the manifest to the inspector at the establishment at which the hogs are to be slaughtered. R.R.O. 1960, Reg. 410, s. 2.

GRADES FOR HOG-CARCASSES

3.—(1) The grades for hog-carcasses are established with described standards for the purpose of grading as follows:

1. Canada Grade A, consisting of hog carcasses that meet the following standards:

i. Choice quality and conformation, lengthy, and lean throughout.

ii. Weight at least 135 pounds but not more than 170 pounds.

iii. Minimum length, where the weight is,

(*a*) 135 to 150 pounds, twenty-nine inches; and

(*b*) 150 to 170 pounds, 29½ inches.

iv. Shoulder smooth and comparatively light in weight.

v. Maximum shoulder fat, where the weight is,

(*a*) 135 to 150 pounds, 1¾ inches, and

(*b*) 150 to 170 pounds, two inches.

vi. Maximum loin fat, where the weight is,

(*a*) 135 to 150 pounds, 1¼ inches; and

(*b*) 150 to 170 pounds, 1½ inches.

vii. Belly well muscled with thick flank, uniform in width and free from seediness.

viii. Ham heavily muscled and lean.

ix. Back fat, comparatively uniform in thickness, but not deficient.

x. Free from thick deposits of fat.

xi. Flesh firm, fine grained and bright in colour.

xii. Fat firm and white.

xiii. Skin smooth and without, extensive areas of dark hair-roots or pigment.

xiv. Without mammary development.

2. Canada Grade B, consisting of hog-carcasses that do not meet all the requirements for Canada Grade A, but meet the following standards:

i. Weight at least 125 pounds but not more than 180 pounds.

ii. Minimum length, where the weight is,

(*a*) 125 to 150 pounds, twenty-eight inches; and

(*b*) 150 to 180 pounds, twenty-nine inches.

iii. Shoulder slightly heavy or slightly fat.

iv. Maximum shoulder fat, where the weight is,

(*a*) 125 to 150 pounds, 1¾ inches to 2¼ inches according to weight; and

(*b*) 150 to 180 pounds, 2¼ inches to 2½ inches according to weight.

v. Maximum loin fat, where the weight is,

(*a*) 125 to 150 pounds, 1½ inches to 1¾ inches according to weight; and

(*b*) 150 to 180 pounds, 1¾ inches to two inches according to weight.

vi. Belly slightly uneven, somewhat thick, wrinkled, fat, wide and free from sponginess.

vii. Ham a little thin or slightly fat.

viii. Back fat slightly uneven or slightly deficient.

ix. Flesh reasonably firm, fine grained and bright in colour.

x. Skin smooth and not coarse in texture.

xi. Without mammary development.

3. Canada Grade C, consisting of hog-carcasses that do not meet all the requirements for Canada Grade A or Canada Grade B, but meet the following standards:

i. Weight at least 125 pounds but not more than 180 pounds.

ii. May be short or thick.

iii. May be heavy-shouldered.

iv. May be round-ribbed.

v. May have a greater percentage of fat to lean and more unevenness of fat covering than in requirements for Canada Grade B.

vi. The fat may be slightly soft or slightly deficient.

vii. May be of young females of good quality with slight mammary development.

4. Canada Grade D, consisting of hog-carcasses that do not meet the requirements for Canada Grade A, Canada Grade B or Canada Grade C but are thin and underfinished, or have serious physical damage or injury, or are dark-fleshed, rough, soft or oily, or weigh less than 90 pounds.

5. Canada Light, consisting of hog-carcasses that weigh at least 90 pounds but less than 125 pounds and are of reasonably good quality and not very thin or rough.

6. Canada Heavy, consisting of hog-carcasses that weigh more than 180 pounds but not more than 195 pounds and are of reasonably good quality and not very thin or rough.

7. Canada Extra Heavy, consisting of hog-carcasses that weigh more than 195 pounds and are of reasonably good quality and not very thin or rough.

8. Canada Ridgeling, consisting of hog-carcasses that have one or more internal testicles or are hermaphrodites.

9. Canada Stag, consisting of hog-carcasses of mature boars that were castrated.

10. Canada Sow—Class 1, consisting of hog-carcasses of females that have pronounced mammary development and good flesh and finish throughout, with no excess proportion of fat, and no excess waste in the underline, and are not thin or rough.

11. Canada Sow—Class 2, consisting of hog-carcasses of females that have pronounced mammary development but do not qualify for Canada Sow—Class 1 grade.

(2) A hog-carcass that meets the requirements for Canada Ridgeling or Canada Stag or Canada Sow—Class 1, or Canada Sow—Class 2, shall not be graded into any other grade. R.R.O. 1960, Reg. 410, s. 3.

4.—(1) No person other than an inspector shall grade hog-carcasses under this Regulation.

(2) Subject to subsection 2 of section 5, where an inspector grades a hog-carcass or lot of hog-carcasses, he shall personally sign a grading certificate in Form 2 in quadruplicate for each producer's lot of hog-carcasses.

(3) An inspector shall retain one copy of the grading certificate and forward the original and two copies to the packer. R.R.O. 1960, Reg. 410, s. 4.

5.—(1) An inspector may refuse to grade hog-carcasses at any establishment where the operator does not provide,

(*a*) proper facilities for the efficient grading of hog-carcasses;

(*b*) a sufficient number of persons to assist in the performance of his duties;

(*c*) arrangements for grading during reasonable working hours; or

(*d*) suitable accommodation for inspectors including the exclusive use of a room or rooms for office purposes with office equipment and washroom fittings.

(2) An inspector may refuse to issue a grade certificate for any hog-carcass where he believes on reasonable grounds that provisions of the Act or this Regulation have not been complied with.

(3) In the grading of hog-carcasses,

(*a*) the inspector shall not take into account bruises or marks other than from serious physical injury; and

(*b*) the inspector shall not grade a carcass that shows serious physical injury. R.R.O. 1960, Reg. 410, s. 5.

6. Hog-carcasses bought by a packer shall be deemed to be bought on the basis of the grade shown on the grading certificate. R.R.O. 1960, Reg. 410, s. 6.

Form 1

The Live Stock and Live Stock Products Act

SHIPPER'S MANIFEST

Producer's Name	Producer's Address	Tattoo-Mark	Number of hogs

.....
(signature of shipper)

.....
(address)

.....
(date of shipment)

R.R.O. 1960, Reg. 409, Form 1.

Form 2

The Live Stock and Live Stock Products Act

GRADING CERTIFICATE

.....
(name of producer)

.....
(address)

Tattoo-mark	Number of Hogs	Name of Shipper	Slaughter date

HOG-CARCASS GRADING CERTIFICATE

GRADE	NUMBER OF CARCASSES
A	
B	
C	
D	
LIGHTS	
HEAVIES	
EXTRA HEAVIES	
PHYSICAL INJURY	
RIDGELINGS	
STAGS	
SOWS, 1	
SOWS, 2	
TOTAL NUMBER	
NUMBER CONDEMNED OR REJECTED INCLUDED IN ABOVE TOTAL	

.....
(signature of inspector)

R.R.O. 1960, Reg. 409, Form 2.

REGULATION 567

under The Live Stock and Live Stock Products Act

WOOL

INTERPRETATION

1. In this Regulation,

(*a*) "licensed" means licensed under this Regulation;

(*b*) "producer" means a person who sells wool produced on his own farm or ranch;

(*c*) "warehouseman" means a person who operates an establishment where wool is assembled, graded, bought, offered for sale or sold;

(*d*) "wool collector" means a collector of ungraded wool from producers. R.R.O. 1960, Reg. 411, s. 1.

STANDARDS

2. For the purpose of grading, all wool produced in Ontario shall be known as Eastern Domestic Fleece wool and shall conform to the following standards:

1. Special selection, consisting of choice, light-shrinking, clean, lofty-style fleeces.
2. Paper felt, consisting of sound uniform long-stapled fleeces suitable for the manufacture of paper makers' felts.
3. Regular, consisting of all other fleece wool. R.R.O. 1960, Reg. 411, s. 2.

GRADES

3. Wool shall be graded as follows:

1. Southdown style	56/58s.
2. Medium staple	56s.
3. Medium clothing	(3/8 blood clothing).
4. Low medium staple	48/50s.
5. Low staple	44/46s.
6. Coarse	36/40s.

7. Defective,

(*a*) grey and black;

(*b*) dead;

(*c*) light chaffy and burry;

(*d*) heavy chaffy and burry;

(*e*) soft cots;

(*f*) hard cots;

(*g*) tags;

(*h*) damaged;

(*i*) kempy;

(*j*) sweepings. R.R.O. 1960, Reg. 441, s. 3.

UNGRADED WOOL

4. At the time of collection or receipt of wool, a wool collector or warehouseman shall,

(*a*) identify each producer's lot of wool as to ownership; and

(*b*) deliver to the producer one copy of a statement showing,

(i) the name and address of the wool collector or warehouseman,

(ii) the name of the warehouseman to whom the wool is to be delivered,

(iii) the name and address of the producer,

(iv) the date of collection or receipt,

(v) the number of packages in each lot,

(vi) the signature of the wool collector or warehouseman, and

(vii) the signature of the producer,

and shall retain one copy of the statement for at least six months and, if a wool collector, forward one copy to the warehouseman. R.R.O. 1960, Reg. 411, s. 4.

5. A wool collector shall immediately forward or deliver all ungraded wool to a warehouseman. R.R.O. 1960, Reg. 411, s. 5.

GRADING

6. Wool shall be graded on premises operated by a warehouseman. R.R.O. 1960, Reg. 411, s. 6.

7. All ungraded wool received by a warehouseman shall be graded by him within one month of the date of its receipt. R.R.O. 1960, Reg. 411, s. 7.

8.—(1) After the wool has been graded, the warehouseman shall complete a wool statement in duplicate in Form 1 for each lot of wool received by him.

(2) The warehouseman shall deliver to the producer one copy of the wool statement when making settlement for the wool, and shall retain one copy of the statement for one year. R.R.O. 1960, Reg. 411, s. 8.

9. Every wool statement shall be signed by an inspector before it is delivered to a producer. R.R.O. 1960, Reg. 411, s. 9.

10. Wool bought by a warehouseman shall be deemed to be bought on the basis of the grade shown on the wool statement signed by an inspector. R.R.O. 1960, Reg. 411, s. 10.

INSPECTORS

11. An inspector shall,

(*a*) inspect the wool graded by a warehouseman; and

(*b*) sign all wool statements if the grades of wool are as shown on the wool statement. R.R.O. 1960, Reg. 411, s. 11.

GENERAL

12. Unless wool has been graded in accordance with this Regulation, no person shall,

(*a*) apply to it a grade established by this Regulation; or

(*b*) sell or offer for sale wool by grade. R.R.O. 1960, Reg. 411, s. 12.

13. A warehouseman shall not release, sell or dispose of any graded wool that has not been inspected and approved by an inspector. R.R.O. 1960, Reg. 411, s. 13.

LICENCES

14. No person shall engage in the business of,

(*a*) a warehouseman, except under a licence in Form 3; or

(*b*) a wool collector, except under a licence in Form 5. R.R.O. 1960, Reg. 411, s. 14.

15.—(1) A licence in Form 3 as a warehouseman may be issued by the Commissioner upon application therefor in Form 2.

(2) A licence in Form 5 as a wool collector may be issued by the Commissioner upon application therefor in Form 4.

(3) The holder of a licence in Form 3 who is a wool collector is not required to hold a licence in Form 5. R.R.O. 1960, Reg. 411, s. 15.

16. Licences shall be issued annually and expire on the 31st day of December of the year of issue. R.R.O. 1960, Reg. 411, s. 16.

17. The fee for a licence is $1. R.R.O. 1960, Reg. 411, s. 17.

18. The Commissioner may issue a licence where he is satisfied that the warehouseman operates an establishment that has a capacity for grading and storing at least 50,000 pounds of wool and has adequate facilities and equipment for grading and packing wool in accordance with this Regulation. R.R.O. 1960, Reg. 411, s. 18.

19. The Commissioner may suspend or, after a hearing, cancel any licence if the licensee has contravened any of the provisions of the Act or this Regulation or has made any untrue statement in his application for licence. R.R.O. 1960, Reg. 411, s. 19.

EXEMPTIONS

20. This Regulation does not apply to wool delivered or consigned by a producer to a manufacturer of woollen goods to be carded or otherwise processed for the personal use of the producer. R.R.O. 1960, Reg. 411, s. 20.

Form 1

The Live Stock and Live Stock Products Act

WOOL STATEMENT

For Eastern Domestic Fleece Wool

			Lot No.
			Warehouse Receiving Weights
Producer's Name			Gross
Address	Prov.		Tare
Via	Sacks	Bags	Net
Grade	Weight	Price	Revenue
Southdown Style 56/58s			
Medium Staple 56s			
Medium Clothing (3/8 blood clothing)			
Low Medium Staple 48/50s			
Low Staple 44/46s			
Coarse 36/40s			
Defective: Grey and black			
Dead			
Light chaffy and burry			
Heavy chaffy and burry			
Soft cots			
Hard cots			
Tags			
Damaged			
Kempy			
Sweepings			
Totals			$
Deductions: Freight or Cartage	$		
Advances	$		
	$		$
Date of Settlement	Balance to Producer		$

Date Received	Date Graded	Grader
Signature of Warehouseman		
Name of Wool-Collector		
Remarks		
Clean lot		Grades are as shown above
Defective		

.....
Signature of Inspector

R.R.O. 1960, Reg. 411, Form 1.

Form 2

The Live Stock and Live Stock Products Act

APPLICATION FOR LICENCE AS A WAREHOUSEMAN

To: The Live Stock Commissioner,
Parliament Buildings,
Toronto.

Under *The Live Stock and Live Stock Products Act* I apply for a licence as a warehouseman and in support thereof I make the following statements:

1. Full name of applicant.....
2. Address of applicant.....
3. Location of establishment(s).....
4. Area of floor space used for grading and storing wool in each establishment.....
.....
5. Quantity of wool graded in the establishment during the year 19.....
.....
6. Names and addresses of wool collectors engaged in collecting wool for the applicant.....
.....
7. Names of employees of applicant authorized to grade wool.....

Fee of $1 is enclosed.

Dated at....., this.....day of.....,
19....

.....
(signature of applicant)

R.R.O. 1960, Reg. 411, Form 2.

Form 3

The Live Stock and Live Stock Products Act

LICENCE AS A WAREHOUSEMAN

Under *The Live Stock and Live Stock Products Act* and the regulations, and subject to the limitations thereof, this licence is issued to

.....
(name)

.....
(address)

as a warehouseman from the 1st day of January, 19... to the 31st day of December in the same year.

Dated at Toronto, this.....day of.....,
19....

.....
Commissioner

R.R.O. 1960, Reg. 411, Form 3.

Form 4

The Live Stock and Live Stock Products Act

APPLICATION FOR LICENCE AS A WOOL COLLECTOR

To: The Live Stock Commissioner,
Parliament Buildings,
Toronto.

Under *The Live Stock and Live Stock Products Act* I apply for a licence as a wool collector and in support thereof I make the following statements:

1. Name of applicant .....
2. Address of Applicant .....
3. Name of warehouseman for whom wool will be collected

   .....
4. Counties or districts in which wool will be collected

   .....

Fee of $1 is enclosed.

Dated at....., this.....day of.....,

19....

.....
(signature of applicant)

R.R.O. 1960, Reg. 411, Form 4.

Form 5

The Live Stock and Live Stock Products Act

LICENCE AS A WOOL COLLECTOR

Under *The Live Stock and Live Stock Products Act* and the regulations, and subject to the limitations thereof, this licence is issued to

.....
(name)

.....
(address)

as a wool collector from the 1st day of January, 19.... to the 31st day of December in the same year.

Dated at Toronto, this.....day of.....,

19....

.....
Commissioner

R.R.O. 1960, Reg. 411, Form 5.

REGULATION 568

under The Live Stock Community Sales Act

GENERAL

CLASSES OF COMMUNITY SALES

1.—(1) The following classes of community sales are established:

1. Class 1, consisting of community sales that are regularly held once a week on the day designated on the licence of the operator and have an annual average gross return per sale of not more than $75,000.

2. Class 2, consisting of community sales that are regularly held once a week on the day designated on the licence of the operator and have an annual average gross return per sale of more than $75,000.

3. Class 3, consisting of community sales that in five or more weeks in a year are regularly held twice a week on the days designated on the licence of the operator and have an annual average gross return per sale of not more than $50,000.

4. Class 4, consisting of community sales that in five or more weeks in a year are regularly held twice a week on the days designated on the licence of the operator and have an annual average gross return per sale of more than $50,000.

5. Class 5, consisting of community sales that are held primarily for the purpose of selling pure bred live stock registered in accordance with the *Livestock Pedigree Act* (Canada).

(2) On an application for a licence in respect of a community sale,

(*a*) the annual average gross return per sale for the year preceding the year in respect of which the application is made shall apply; or

(*b*) if no community sales were held during such preceding year, the community sale shall be deemed to be,

(i) a Class 1 community sale where sales are to be held once a week, or

(ii) a Class 3 community sale where sales are to be held twice a week in five or more weeks,

in the licence year. O. Reg. 385/68, s. 1.

2. The following sales or classes of sales of pure bred live stock are designated for the purposes of clause *c* of section 2 of the Act:

1. A sale of pure bred live stock held by an association of pure bred live stock breeders where,

(i) the pure bred live stock are registered in accordance with the *Livestock Pedigree Act* (Canada),

(ii) at least three-quarters of the live stock offered for sale are consigned by members of the association, and

(iii) the association holds not more than four sales in any calendar year.

2. A sale of pure bred live stock held at the established place of business of an operator where,

(i) the pure bred live stock are registered in accordance with the *Livestock Pedigree Act* (Canada),

(ii) the sale is held for the purpose of dispersing a herd in whole or in part, and

(iii) only live stock of the herd owner is offered for sale. O. Reg. 385/68, s. 1.

LICENCES

3.—(1) An application for a licence to engage in the business of operating community sales shall be in Form 1.

(2) A licence to engage in the business of operating community sales shall be in Form 2. R.R.O. 1960, Reg. 412, s. 2 (1, 2).

(3) The fee for a licence to engage in the business of operating community sales shall accompany the application for the licence or renewal thereof and is,

(*a*) where the licence is for a period commencing on or after the 1st day of January but before the 1st day of July in any year in respect of a community sale of,

(i) Class 1, $200,

(ii) Class 2, $400,

(iii) Class 3, $400,

(iv) Class 4, $600, and

(v) Class 5, $200; and

(*b*) where the licence is for a period commencing on or after the 1st day of July in any year in respect of,

(i) Class 1, $100,

(ii) Class 2, $200,

(iii) Class 3, $200,

(iv) Class 4, $300, and

(v) Class 5, $100. R.R.O. 1960, Reg. 412, s. 2 (3); O. Reg. 385/68, s. 2.

(4) A licence expires with the 31st day of December of the year or part thereof for which it is issued.

(5) A licence is not transferable. R.R.O. 1960, Reg. 412, s. 2 (4, 5).

4.—(1) An operator licensed to engage in the business of operating community sales other than of Class 5 may, on obtaining a licence therefor in Form 4 from the Director, hold a special community sale on a day other than the day or days designated on his licence for the holding of regular community sales, but no operator shall hold more than four special community sales in any year.

(2) An application for a licence in Form 4 shall be made to the Director in respect of each special community sale,

(*a*) in Form 5; and

(*b*) not less than thirty days prior to the day on which such sale is to be held.

(3) The fee for a licence in Form 4 is $20 and shall accompany the application therefor. O. Reg. 385/68, s. 3.

LICENSING

5.—(1) The Director may refuse to grant a licence where the applicant fails to comply with the Act or this Regulation, or for any reason that in the opinion of the Director is sufficient to show that the applicant is not entitled to public confidence in the operation of community sales. R.R.O. 1960, Reg. 412, s. 3 (1); O. Reg. 328/65, s. 1 (1).

(2) The Director may suspend or revoke or refuse to renew a licence for failure to observe, perform or carry out the provisions of the Act or this Regulation or for any reason that in the opinion of the Director is sufficient to show that the applicant is not entitled to public confidence in the operation of community sales. R.R.O. 1960, Reg. 412, s. 3 (2); O. Reg. 328/65, s. 1 (2).

(3) Any person whose licence was refused, suspended or revoked or was not renewed has the right to appeal to the Minister to show cause why such licence should not be refused, suspended or revoked or why such renewal should not be refused, as the case may be, and the Minister, after a hearing at which all persons entitled to be heard have been given an opportunity to make representations in respect of the refusal, suspension or revocation of the licence or the refusal to renew the licence, as the case may be, may require the Director to issue or to reinstate the licence. R.R.O. 1960, Reg. 412, s. 3 (3); O. Reg. 328/65, s. 1 (3).

ADDITIONAL CONDITIONS FOR LICENSING

6. In addition to the conditions mentioned in section 4 of the Act, every licence is subject to the conditions that the licensee shall,

(*a*) insure with an insurer licensed under *The Insurance Act* all live stock accepted for sale at each community sale to its full market value against loss or damage by fire or lightning, while on the premises;

(*b*) provide at least two direct means of egress from each building for the persons on the premises for community sales;

(*c*) provide reasonable means of releasing live stock in the event of fire occurring in or threatening any building in which live stock is stabled for a community sale;

(*d*) provide means of fighting incipient fires that may occur on the premises;

(*e*) notify the Director within five days after the holding of each community sale of the names and addresses of and the amounts owing to each consignor who has not been paid in full for his live stock sold at the community sale;

(*f*) provide such information as the Director requires, including audited statements, in respect of the holding of any community sale;

(*g*) in the case of Class 1 or Class 2 community sales, except as otherwise provided by section 4,

(i) hold not more than one community sale in any week, and

(ii) hold such sale only on the day of the week designated on his licence;

(*h*) in the case of Class 3 or Class 4 community sales, except as otherwise provided by section 4,

(i) hold not more than two community sales in any week, and

(ii) hold such sales only on the days of the week designated on his licence;

(*i*) in the case of Class 5 community sales,

(i) hold not more than two community sales in any week, and

(ii) in respect of a sale held on a day other than the day of the week or month designated on his licence, notify the Director in writing not less than fifteen days prior to the day on which such sale is to be held. R.R.O. 1960, Reg. 412, s. 4; O. Reg. 328/65, s. 2; O. Reg. 385/68, s. 4.

BONDING OF OPERATORS

7.—(1) Every operator shall, on or before making application for a licence or renewal thereof, deposit with the Director security in the form of,

(*a*) direct and guaranteed securities of the Government of Canada;

(*b*) direct and guaranteed securities of the Government of Ontario;

(*c*) guaranteed investment certificates of trust companies registered under *The Loan and Trust Corporations Act*;

(*d*) debentures of loan corporations registered under *The Loan and Trust Corporations Act*; or

(*e*) a surety bond of a guarantee company approved under *The Guarantee Companies Securities Act* in Form 3. R.R.O. 1960, Reg. 412, s. 5 (1); O. Reg. 328/65, s. 3.

(2) The amount of security provided under subsection 1 shall be in the case of a community sale of,

(*a*) Class 1, $10,000;

(*b*) Class 2, $20,000;

(*c*) Class 3, $20,000;

(*d*) Class 4, $30,000; and

(*e*) Class 5, $20,000. R.R.O. 1960, Reg. 412, s. 5 (2); O. Reg. 385/68, s. 5.

8.—(1) The security deposited under section 7 shall be applicable solely to the unpaid claims of consignors of live stock to a community sale that is held by the operator in accordance with the provisions of the Act and this Regulation.

(2) The security deposited under section 7 shall remain on deposit with the Director for a period of one year after,

(*a*) the date on which the operator,

(i) ceased to engage in the business of operating community sales, or

(ii) ceased to be the holder of a licence; or

(*b*) in the case of a surety bond, the date on which the cancellation thereof takes effect. O. Reg. 385/68, s. 6.

9.—(1) Where an operator fails to pay a consignor after payment becomes due for live stock sold at a community sale, the consignor may, not later than ninety days after the date of the community sale at which such live stock were sold, file with the Director a claim against the operator.

(2) On receipt of a claim under subsection 1, the Director shall give notice in writing to the operator respecting the claim of the consignor.

(3) Where the operator disputes the claim of the consignor, he shall notify the Director in writing within ten days from the mailing or delivery of the notice mentioned in subsection 2.

(4) On receipt of a notice under subsection 3, the Director shall, after notice to the operator and the consignor, conduct a hearing for the purpose of determining the validity of the claim.

(5) Where the operator fails to appear at the hearing mentioned in subsection 4, the Director may proceed in his absence to determine the validity of the claim.

(6) Where,

(*a*) the Director determines that the claim of the consignor is valid; or

(*b*) the operator fails to dispute the claim of the consignor within the time and in the manner prescribed by subsection 3,

the Director may realize upon the security of the operator and, from the proceeds thereof, shall pay to the consignor the amount of his claim.

(7) Where more than one consignor files a claim in accordance with subsection 1 and the amount of moneys realized upon the security is insufficient to satisfy the valid claims of the consignors, the Director shall distribute the moneys *pro rata* to the consignors entitled to payment in accordance with the provisions of this Regulation.

(8) Where the licence of an operator is suspended or revoked at or before the time the Director realizes on the security deposited by the operator, the Director may defer payments to consignors under subsection 6 or 7 until the expiration of ninety days from the date of such suspension or revocation, and any claim filed in accordance with subsection 1 in respect of which the Director receives notice during such ninety-day period is eligible for payment out of the moneys realized upon the security.

(9) Where,

(*a*) the operator has deposited with the Director security in the form of securities under clause *a*, *b*, *c* or *d* of subsection 1 of section 7; and

(*b*) the Director has realized upon the security under subsection 6,

the operator shall deposit such additional security with the Director as may be necessary to comply with section 7 and, upon the operator depositing additional security, the Director shall return to the operator any moneys remaining from the sale of securities by the Director after the payment of the claims of consignors under subsection 6 or 7. O. Reg. 385/68, s. 7.

10. The Director may, in respect of a claim, refuse to realize upon the security or to make payment, as the case may be,

(*a*) where any cheque received by the consignor from the operator is dishonoured by non-acceptance or non-payment unless the consignor presented the cheque for payment within thirty days of the date on which he received it;

(*b*) where the consignor fails to file the claim with the Director within the time prescribed by subsection 1 of section 9;

(*c*) where the consignor has made an arrangement with the operator whereby the time on which payment becomes due is extended; or

(*d*) unless the validity of the claim has been determined by a judgment of a court. O. Reg. 385/68, s. 7.

SANITARY CONDITIONS AND USE OF DISINFECTANTS ON PREMISES

11.—(1) Every operator shall, at least twelve hours before any live stock is received on his premises for the purpose of a community sale,

(*a*) remove manure and refuse from and clean the premises of his community sale yard; and

(*b*) use a disinfectant on the premises after the removal of the manure and refuse therefrom, and after the cleaning thereof. O. Reg. 328/65, s. 5.

(2) The disinfectant used shall,

(*a*) have a phenol coefficient of not less than three and shall be mixed with water in the proportion of two ounces of the disinfectant to one gallon of water; and

(*b*) be sprayed at the rate of not less than one gallon of the disinfectant to each 800 square feet of surface on every part of floors of stables, pens, passage-ways, loading platforms, sale-rings, and on all walls or parts thereof with which live stock may come in contact in the community sale yard. R.R.O. 1960, Reg. 412, s. 8 (2).

DUTIES OF VETERINARIANS

12. A veterinarian, in respect of premises to which he is assigned by the Director, shall,

(*a*) attend at the premises before the commencement of each community sale;

(*b*) determine that the operator maintains the conditions and facilities mentioned in section 5 of the Act in respect of the premises before the commencement of the community sale;

(*c*) determine that the operator has not assembled live stock in greater numbers than permitted by section 6 of the Act;

(*d*) determine by examination or inspection of live stock on the premises whether or not any of the live stock is affected with disease;

(*e*) where he finds live stock affected with disease, notify the operator and, subject to clauses *f* and *g*, ensure that the live stock is removed forthwith from the premises;

(*f*) where he finds live stock affected with a disease that a person having knowledge thereof may buy, notify the operator and,

with the consent of the consignor and the approval of the Director, permit the sale of the live stock, but he shall require the operator or the auctioneer to announce, at the time of offering for sale, the disease with which the live stock is affected;

(*g*) where he finds any live stock infected with a "named disease" as defined under Part VII of the *Animal Contagious Diseases Act* (Canada), notify immediately,

(i) the Director, and

(ii) the closest sub-district veterinarian appointed under the *Animal Contagious Diseases Act* (Canada), and he shall take precautions to prevent the spread of the disease; and

(*h*) at the conclusion of each community sale, complete a report in the form provided by the Director and forward it immediately to the Director. R.R.O. 1960, Reg. 412, s. 9; O. Reg. 328/65, s. 6.

DUTIES OF INSPECTORS

13. An inspector, in respect of any premises on which community sales are held, shall,

(*a*) inspect the premises and the facilities for holding community sales;

(*b*) make inquiries in respect of the community sales operations; and

(*c*) report to the Director on any matters respecting the holding of the community sales. R.R.O. 1960, Reg. 412, s. 10; O. Reg. 328/65, s. 7.

TIME OF DELIVERY

14. No operator shall accept on his premises any live stock for sale at a community sale after 9 p.m. on the day of holding of the sale. R.R.O. 1960, Reg. 412, s. 11.

CONDITIONS OF ASSEMBLING

15. When live stock is assembled on the premises of an operator, no live stock that shows evidence of disease shall be stabled with other animals in the same area of the premises. R.R.O. 1960, Reg. 412, s. 12.

CONDITIONS OF OFFERING FOR SALE

16.—(1) Except as otherwise provided, no operator shall offer for sale at a community sale live stock affected with disease. O. Reg. 328/65, s. 8.

(2) Where live stock is offered for sale by weight,

(*a*) the live stock shall, immediately prior to the offering for sale, be weighed on the scales installed pursuant to clause *f* of section 5 of the Act; and

(*b*) the weight shall be made known by announcement or otherwise to prospective bidders at the sale-ring at the time the live stock is offered for sale. O. Reg. 385/68, s. 8.

Form 1

The Live Stock Community Sales Act

APPLICATION FOR LICENCE FOR THE OPERATION OF COMMUNITY SALES

To: The Director,
Veterinary Services Branch,
Department of Agriculture and Food,
Parliament Buildings,
TORONTO.

.....
(name of corporation, partnership or person and, if partnership, names of all partners)

.....
(address)

applies for a licence to engage in the business of operating community sales under *The Live Stock Community Sales Act* and the regulations and, in support of this application, the following facts are stated:

1. Business address of applicant.....

2. Name under which business is operated.....

3. Location of community sale premises..... (lot,

.....
concession, township, county)

4. Owner of community sale premises.....

5. Sales are regularly held as follows:

(i) once a week on.....; or
(day of week)

(ii) twice a week in five or more weeks in a year

on.....and.....
(days of week)

6. In the case of pure bred live stock sales, day of week or month on which regularly held.....

7. Time sale or sales scheduled to start.....

8. Average gross return per sale in year preceding that for which application made: $.....

9. Live stock insured against loss or damage by fire or lightning by a policy issued by.....
(name of insurer)

Policy No..... Amount $.....

Expiry date.....

Dated at....., this.....day of

....., 19....

.....
(signature of applicant)

.....
(title of official signing for a corporation)

O. Reg. 385/68, s. 9.

Form 2

The Live Stock Community Sales Act

LICENCE FOR THE OPERATION OF COMMUNITY SALES

Year..... Class..... Licence No.....

Under *The Live Stock Community Sales Act*, and the regulations, and subject to the limitations thereof, this licence is issued to

.....
(name)

.....
(address)

carrying on business as..... to engage in the business of operating community sales at.....
(location)

Day or days of the week or month designated for the holding of community sales:.....

This licence expires with the 31st day of December, 19....

Issued at Toronto, this....day of....., 19....

.....
(Director, Veterinary Services Branch)

O. Reg. 328/65, s. 10; O. Reg. 385/68, s. 10.

Form 3

The Live Stock Community Sales Act

BOND OF OPERATOR

Bond No..... Amount.....

KNOW ALL MEN BY THESE PRESENTS,

that we.....

of the.....of.....

in the county of.....

hereinafter called the "Principal" and.....

.....

hereinafter called the "Surety" are jointly and severally bound unto the Director of the Veterinary Services Branch of the Ontario Department of Agriculture and Food, hereinafter called the "Director"

in the sum of.....of lawful money of Canada to be paid unto the Director, his successors or assigns, for which payment well and truly to be made we jointly and severally bind ourselves and our respective heirs, executors, administrators and assigns firmly by these presents.

WHEREAS the Principal has applied for a licence to operate a community sale under *The Live Stock Community Sales Act* and the regulations made thereunder for the period ending on the.....

day of....., 19....

NOW THEREFORE THE CONDITION OF THIS OBLIGATION is such that if the Principal shall faithfully comply with all the requirements of the Act and the regulations made thereunder respecting payment of obligations to consignors of live stock to the extent provided for in the regulations and shall promptly pay all amounts due to consignors of live stock during the licence year ending on the....day of ....., 19...., then this obligation shall be void but otherwise shall be and remain in full force.

PROVIDED HOWEVER and upon the following express conditions:

(*a*) that all liability of the Surety shall cease upon the cancellation or suspension of the licence of the Principal by the Director, but the Principal and Surety shall remain liable hereunder from the effective date of this Bond up to the cancellation or suspension;

(*b*) that the Surety may cancel this Bond at any time upon giving sixty days notice in writing to the Director but the Surety shall be liable hereunder from the effective date of this Bond up to the expiration of the notice of cancellation; and

(*c*) that in the event of this Bond being continued by renewal certificate the Surety's liability thereunder shall not be cumulative and shall in no event exceed the penal sum written above or the amount substituted for such penal sum by any subsequent endorsement or renewal certificate.

SEALED with our seals and dated the.....

day of....., 19....

SIGNED, SEALED AND DELIVERED in the presence of:	..... Principal
	Corporate Seal
Name:.....	
Address:.....	..... Guarantee Company

R.R.O. 1960, Reg. 412, Form 3; O. Reg. 328/65, s. 11.

Form 4

The Live Stock Community Sales Act

LICENCE FOR THE HOLDING OF A SPECIAL COMMUNITY SALE

Year..... Licence No.....

Under *The Live Stock Community Sales Act* and the regulations, and subject to the limitations thereof, this licence is issued to

.....
(name)

.....
(address)

carrying on business as.....

and operating a Class.....community sale, to hold a special community sale on the.....

day of....., 19....at.....
(location)

Issued at Toronto, this.....day of.....,

19....

.....
(Director, Veterinary Services Branch)

O. Reg. 385/68, s. 11.

Form 5

The Live Stock Community Sales Act

APPLICATION FOR LICENCE FOR THE HOLDING OF A SPECIAL COMMUNITY SALE

To: The Director,
Veterinary Services Branch,
Department of Agriculture and Food,
Parliament Buildings,
TORONTO.

.....
(name of applicant)

.....
(address)

applies for a licence to hold a special community sale under *The Live Stock Community Sales Act* and the regulations and, in support of this application, the following facts are stated:

1. Name under which business is operated.....
2. Date sale is to be held.....
3. Time sale is scheduled to start.....
4. Number of special community sales held during present year.....

The licence fee of $20 accompanies this application.

Dated at....., this.....day of

....., 19....

.....
(signature of applicant)

.....
(title of official signing for a corporation)

O. Reg. 385/68, s. 11.

REGULATION 569

under The Loan and Trust Corporations Act

APPROVED TRUST COMPANIES

1. Each of the trust companies named in the Schedule is approved under section 92 of the Act as being acceptable as a trust company for the purposes of the Supreme Court. R.R.O. 1960, Reg. 413, s. 1.

Schedule

1. Administration and Trust Company
2. Canada Permanent Trust Company
3. The Canada Trust Company
4. Crown Trust Company
5. District Trust Company
6. Guaranty Trust Company of Canada
7. Halton & Peel Trust & Savings Company
8. Hamilton Trust and Savings Corporation
9. Investors Trust Company
10. The Industrial Mortgage and Trust Company
11. International Trust Company
12. The Lambton Trust Company, Limited
13. The Metropolitan Trust Company
14. Montreal Trust Company
15. National Trust Company, Limited
16. Northland Trust Company
17. The Premier Trust Company
18. The Royal Trust Company
19. The Sterling Trusts Corporation
20. Victoria and Grey Trust Company
21. The Waterloo Trust and Savings Company

O. Reg. 240/66, Sched.; O. Reg. 45/69, s. 1.

REGULATION 570

under The Loan and Trust Corporations Act

COMMON TRUST FUNDS

INTERPRETATION

1. In this Regulation,

(*a*) "Fund" means a common trust fund;

(*b*) "participant" means any trust or estate, moneys of which are in a Fund;

(*c*) "participation" means the interest of any participant in a Fund;

(*d*) "security" includes bonds, debentures, guaranteed investment certificates, shares, stocks, warrants, rights to subscribe for or purchase shares of stocks, any title to or interest in the capital assets, property, profits, earnings or royalties of any undertaking or enterprise commonly evidenced by a certificate or other like document. R.R.O. 1960, Reg. 414, s. 1; O. Reg. 300/68, s. 1.

PLAN OF OPERATION

2.—(1) A Fund shall not be established unless there are trust moneys therein aggregating at least $200,000 and until a written plan of operation for the Fund has been submitted to and approved by the Registrar.

(2) After such approval, the Fund shall be maintained in accordance with the plan of operation and any amendments made thereto from time to time with the approval of the Registrar.

(3) The plan of operation shall set forth the manner in which the Fund is to be operated and shall, among other things, contain provisions as to,

(*a*) the investment powers of the trust company with the respect to the Fund, including the character and kind of investments that may be purchased for the Fund;

(*b*) the computation and allocation of income, and the distribution thereof;

(*c*) the allocation of the profits and losses of the Fund;

(*d*) the terms and conditions governing admissions of trust moneys to and withdrawals of participations from the Fund;

(*e*) the original unit of participation;

(*f*) the form of documentation, if any, to be issued as evidence of participation;

(*g*) the auditing and settlement of accounts of the trust company with respect to the Fund;

(*h*) the basis and method of valuing the assets of the Fund;

(*i*) the basis upon which the Fund may be terminated;

(*j*) the method by which the plan may be amended; and

(*k*) such other matters as may be necessary to define clearly the rights of participants.

(4) The plan shall provide that it is subject to the laws of the Province of Ontario pertaining to the operation of common trust funds.

(5) The plan may provide for the amortization of premiums and discounts upon bonds or other obligations, and for the allocation of profits and losses and the apportionment thereof between principal and income. R.R.O. 1960, Reg. 414, s. 2.

MANAGEMENT AND OWNERSHIP OF ASSETS IN FUND

3.—(1) The trust company shall have the exclusive management and control of any Fund that it maintains.

(2) No participant and no person having an interest in any participant shall have or be deemed to have individual ownership in any particular asset in a Fund.

(3) All the assets of a Fund shall at all times be considered as assets held in trust by the trust company, and title thereto is vested solely in the trust company as trustee. R.R.O. 1960, Reg. 414, s. 3.

UNITS OF PARTICIPATION

4.—(1) A Fund shall be divided into units of equal value, and the proportionate interest of each participant shall be expressed by the number of such units allocated to it.

(2) Upon the establishment of a Fund, a trust company shall divide the Fund into units of $5 or any multiple of $5, and shall allocate to each participant the number of units proportionate to its original investment in the Fund.

(3) When additional moneys are admitted to the Fund, the amount so admitted shall be equal to the then value of one or more of the units of the Fund, and the number of units shall be increased accordingly.

(4) Each unit of participation shall have a proportionately equal beneficial interest in the Fund, and none shall have priority or preference over any other. R.R.O. 1960, Reg. 414, s. 4.

LIMITATIONS ON PARTICIPATIONS

5.—(1) No money of any estate or trust shall be admitted to a Fund if as a result the estate or trust would then have an interest in the Fund in excess of 10 per cent of the book value of the assets of the Fund.

(2) In applying the limitation contained in this section, if two or more trusts are created by the same settlor or settlors and as much as one-half of the income or principal or both of each trust is payable or applicable to the use of the same person or persons, such trusts shall be considered as one. O. Reg. 300/68, s. 2.

ADMISSIONS AND WITHDRAWALS OF PARTICIPATIONS

6.—(1) No trust moneys shall be admitted to and no participation shall be withdrawn from a Fund except on the basis of the trust company's valuation of the Fund and except as of a valuation date. R.R.O. 1960, Reg. 414, s. 6 (1).

(2) A period not in excess of fourteen business days of the trust company following a valuation date may be used to make the computations necessary to determine the value of the Fund and of the units thereof. R.R.O. 1960, Reg. 414, s. 6 (2); O. Reg. 300/68, s. 3.

(3) When a participation or any part thereof is withdrawn from a Fund, the amount withdrawn may, in the discretion of the trust company, be paid in cash or rateably in kind, or partly in cash and partly rateably in kind, but all payments or transfers as of any one valuation date shall be made on the same basis.

(4) No admission of trust moneys to or withdrawal of a participation from a Fund shall be permitted if the result would be that less than 40 per cent of the remaining assets of the Fund would be composed of cash and readily marketable securities, but nothing herein contained shall be deemed to prohibit a rateable distribution upon all participations.

(5) Where any security held in a Fund has become one that would not be eligible as a new investment of the Fund, and that state of ineligibility has continued for a period of six months, no further admissions to or, except for the purposes of this subsection, withdrawals from, the Fund shall be permitted until after the security has again become so eligible or has been eliminated from the Fund either through sale, distribution in kind or segregation in a liquidation account for the benefit rateably of all trusts and estates then participating in the Fund.

(6) No participation shall be withdrawn in part only unless the amount so withdrawn is equal to the then value of one or more full units. R.R.O. 1960, Reg. 414, s. 6 (3-6).

PARTICIPATION REGISTER

7. A register shall be maintained for each Fund, showing with respect to each participant,

(*a*) the date of each admission of trust moneys to the fund, the number of units allotted and the value at which each unit is allotted;

(*b*) the date of each withdrawal, the number of units redeemed, and the amount paid on redemption to the participant;

(*c*) the number of units currently held; and

(*d*) the share in any liquidating account. R.R.O. 1960, Reg. 414, s. 7.

PARTICIPATION CERTIFICATES

8. Participations in a Fund may be evidenced by certificates, but no trust company maintaining a Fund shall issue any document evidencing a direct or indirect interest therein in any form that purports to be negotiable or assignable. R.R.O. 1960, Reg. 414, s. 8.

VALUATIONS

9.—(1) Not less frequently than once during each period of three months, the trust company shall determine the value of each Fund that it maintains and of the units of participation thereof.

(2) In the valuation of the investments of a Fund, the following rules shall be observed:

1. Securities listed on any stock exchange shall be valued at their closing sale prices on the valuation date, but, if no sale of a particular security has been reported for that day, the last published sale price or the average of the last recorded bid and asked prices, whichever is the more recent, shall be used, unless, in the opinion of the trust company, the value thus obtained may not fairly indicate the actual market value, in which case the trust company shall obtain from two members of the Stock Exchange a written estimate of the value of such security as of the valuation date, and shall use the average of such estimates.

2. Securities not listed on any stock exchange, except mortgages, shall be valued as of the valuation date either by taking the average between the most recently published bid and asked prices or by taking the average of quotations from two recognized dealers in the securities.

3. For the purposes of paragraphs 1 and 2, the trust company may rely, as sufficient evidence, upon reports of sale and bid prices and over the counter quotations, published in any newspaper of general circulation in the City of Toronto or in any recognized financial journal or report or quotation service or in the records of a stock exchange.

4. In respect of investments in mortgages, the trust company shall from time to time obtain a written appraisal as to the value of each mortgage and of the real estate securing the mortgage, but such appraisal shall be made by a registered real estate broker or other person, who may be an employee of the trust company, whom the company believes to be qualified to appraise real estate values in the vicinity in which such real estate is situated, and an appraisal may be used only for valuations made within the period of thirty calendar months next following the dates of the appraisal.

5. In respect of a stock where a dividend has been declared but has not been paid and the amount of such dividend has been considered as income under the provisions of the plan of operation of the Fund, the amount of such dividend shall be deducted from the price of the stock in determining its value unless such price is an ex-dividend price.

6. An investment purchased and awaiting payment against delivery shall be included for valuation purposes as a security held, and the cash accounts shall be adjusted by the deduction of the purchase price, including brokers' commissions and other expenses of the purchase.

7. An investment sold but not delivered pending receipt of proceeds shall be valued at the net sales price after deducting brokers' commissions and other expenses. R.R.O. 1960, Reg. 414, s. 9.

DISTRIBUTIONS OF INCOME

10.—(1) The income of a Fund and the apportionment thereof shall be determined at each valuation date.

(2) The income shall be distributed to participants not less frequently than quarter-yearly.

(3) For purposes of distribution to participants, the income may be computed, at the option of the trust company, either on the basis of income accrued or on the basis of income actually received.

(4) To facilitate the distribution of accrued but uncollected income, the cash principal of a Fund may be used to the extent necessary. R.R.O. 1960, Reg. 414, s. 10.

INVESTMENTS

11.—(1) The investments of a Fund shall be kept separate from the trust company's own property, and each investment shall be so earmarked in the books of the company as to show clearly the Fund to which it belongs, but any moneys of the Fund awaiting investment or distribution may be held on deposit in the savings department of the trust company subject to payment thereon by the company of interest computed at the current rate and in the same manner as in the case of ordinary deposits.

(2) The total investment of a Fund in,

(*a*) guaranteed investment certificates of any trust company;

(*b*) debentures of any loan company; or

(*c*) bonds of, or guaranteed by, any municipal corporation,

shall not exceed in each case 10 per cent of the book value of the Fund. R.R.O. 1960, Reg. 414, s. 11 (1, 2).

(3) The total investment of the Fund in securities of or guaranteed by any one person, other than the obligations referred to in subsection 2, shall not exceed 5 per cent of the book value of the Fund. R.R.O. 1960, Reg. 414, s. 11 (3); O. Reg. 300/68, s. 4.

(4) Subsections 2 and 3 do not apply to investments in obligations of or guaranteed by,

(*a*) the Government of Canada; or

(*b*) the government of any province of Canada.

(5) The total number of shares held by a Fund in any one class of shares of stock of any one corporation shall not exceed 5 per cent of the number of such shares outstanding, and, if the trust company maintains more than one Fund, no investment shall be made that would cause the aggregate investment for all the Funds in any one class of shares of stock of any one corporation to exceed such limitation. R.R.O. 1960, Reg. 414, s. 11 (4, 5).

(6) Not less than 40 per cent of the value of the assets in a Fund shall be maintained in cash and readily marketable securities. O. Reg. 300/68, s. 5.

ACCOUNTING RECORDS

12. A complete set of accounting records shall be maintained for each Fund, and such records shall clearly distinguish items of principal from items of income. R.R.O. 1960, Reg. 414, s. 12.

AUDIT

13.—(1) The trust company shall, at least once during each period of twelve months, cause an audit of each of its Funds to be made by a qualified accountant or accountants approved for such purpose by the Registrar.

(2) The report of the audit shall include a list of the investments comprising each Fund at the end of the period covered by the audit, the book value thereof as at the end of the period covered by the audit, a statement of purchases, sales and any other investment changes and of revenue and disbursements since the last audit, and appropriate comments as to any investments in default as to payment of principal and interest.

(3) The reasonable expenses of an audit made by an independent accountant or accountants shall be paid out of the Fund and charged to principal and income in such proportion as the trust company deems proper.

(4) The trust company shall file a copy of the report of the audit with the Registrar.

(5) The trust company shall, without charge, send a copy of the report of audit to any co-trustee of a participant, and shall also without charge, upon request, send a copy of the report to any beneficiary of a participant. R.R.O. 1960, Reg. 414, s. 13.

INSPECTION OF RECORDS

14. The registrar of participations and all accounting records pertaining to a Fund for the period after that covered by the last accounts passed by a court shall be open to inspection during the regular business hours of the trust company on the eighth, ninth and tenth business days of the company next following any valuation date, by any co-trustee or beneficiary of a participant. R.R.O. 1960, Reg. 414, s. 14.

ADMINISTRATION FEES AND EXPENSES

15.—(1) A Fund shall be deemed not to be a separate trust fund on which commissions or other compensation is allowable, and no trust company maintaining a Fund shall make any charge against it for the management thereof nor pay a fee, commission or compensation out of the Fund for management but may reimburse itself out of a Fund for all reasonable expenses incurred by it in the administration of the Fund. R.R.O. 1960, Reg. 414, s. 15 (1).

(2) In any trust or estate that has moneys participating in a Fund, the trust company is entitled to the management fee or other compensation to which it would otherwise be entitled in respect of such moneys. R.R.O. 1960, Reg. 414, s. 15 (2); O. Reg. 300/68, s. 6.

PUBLICITY

16. In soliciting business or otherwise a trust company shall not advertise or publicize the earnings realized on a Fund or the value of the assets thereof, except as is permitted or required under this Regulation. R.R.O. 1960, Reg. 414, s. 16.

TERMINATION OF A FUND

17.—(1) A trust company may in its discretion terminate and distribute a Fund as of any valuation date.

(2) The Registrar may, by written notice to the trust company, direct the termination and distribution of any Fund within such time as shall be specified in the notice. R.R.O. 1960, Reg. 414, s. 17.

REGULATION 571

under The Local Roads Boards Act

ESTABLISHMENT OF LOCAL ROADS AREAS

1. In this Order, "township" means geographic township. O. Reg. 54/65, s. 1.

2. The areas described in the schedules are established as local roads areas. O. Reg. 54/65, s. 2.

3. The roads shown as local roads on a plan referred to in a schedule are designated as the local roads included in the local roads area described in the Schedule. O. Reg. 54/65, s. 2.

Schedule 1

INGLIS LAKE LOCAL ROADS AREA

All that portion of unsurveyed territory in the Territorial District of Kenora lying south of the Township of Pellatt, shown outlined on Department of Highways plan N-3000-3, filed in the office of the Registrar of Regulations at Toronto as No. 768. O. Reg. 146/67, s. 1.

Schedule 2

PHELPS LOCAL ROADS AREA

All of the Township of Phelps in the Territorial District of Nipissing including,

(*a*) part of,

(i) Mattawa River,

(ii) Turtle Lake, and

(iii) Lake Talon, and

(*b*) off shore islands in the waters referred to in clause *a*,

shown outlined on Department of Highways plan N-1064-2, filed in the office of the Registrar of Regulations at Toronto as No. 841. O. Reg. 23/69, s. 1.

Schedule 3

AHMIC LAKE LOCAL ROADS AREA

All that portion of the Township of Croft in the Territorial District of Parry Sound including,

(*a*) part of,

(i) the Magnetawan River,

(ii) Ahmic Lake, and

(iii) Whalley Lake; and

(*b*) offshore islands in the waters referred to in clause *a*,

shown outlined on Department of Highways plan N-776-2, filed in the office of the Registrar of Regulations at Toronto as No. 778. O. Reg. 195/67, s. 1.

Schedule 4

PATTON AND MONTGOMERY LOCAL ROADS AREA

All of the Township of Patton and that portion of the Township of Montgomery, in the Territorial District of Algoma, shown outlined on Department of Highways plan N-828-1, filed in the office of the Registrar of Regulations at Toronto as No. 598. O. Reg. 54/65, Sched. 4.

Schedule 5

WARE LOCAL ROADS AREA

All of the Township of Ware in the Territorial District of Thunder Bay shown outlined on Department of Highways plan N-1019-1, filed in the office of the Registrar of Regulations at Toronto as No. 599. O. Reg. 54/65, Sched. 5.

Schedule 6

STRIKER LOCAL ROADS AREA

All that portion of the Township of Striker in the Territorial District of Algoma, shown outlined on Department of Highways plan N-357-2, filed in the office of the Registrar of Regulations at Toronto as No. 724. O. Reg. 387/66, s. 1.

Schedule 7

SHAKESPEARE LOCAL ROADS AREA

All of the Township of Shakespeare in the Territorial District of Sudbury, shown outlined on Department of Highways plan N-705-2, filed in the office of the Registrar of Regulations at Toronto as No. 1207. O. Reg. 191/70, s. 1.

Schedule 8

CRESCENT POINT LOCAL ROADS AREA

All that portion of the Township of Conacher in the Territorial District of Thunder Bay shown outlined on Department of Highways plan M-732-1, filed in the office of the Registrar of Regulations at Toronto as No. 603. O. Reg. 87/65, s. 1.

Schedule 9

INWOOD LOCAL ROADS AREA

All those portions of the townships of Inwood and Joynt and all that portion of unsurveyed territory lying south of the Township of Inwood, in the Territorial District of Thunder Bay, shown outlined on Department of Highways plan N-6000-3, filed in the office of the Registrar of Regulations at Toronto as No. 909. O. Reg. 83/69, s. 1.

Schedule 10

UPSALA LOCAL ROADS AREA

All of the Township of Upsala in the Territorial District of Thunder Bay shown outlined on Department of Highways plan N-623-1, filed in the office of the Registrar of Regulations at Toronto as No. 605. O. Reg. 87/65, s. 1.

Schedule 11

SIBLEY LOCAL ROADS AREA

All that portion of the Township of Sibley in the Territorial District of Thunder Bay shown outlined on Department of Highways plan N-1302-1, filed in the office of the Registrar of Regulations at Toronto as No. 606. O. Reg. 87/65, s. 1.

Schedule 12

LEWIS AND SPRAGGE LOCAL ROADS AREA

All that portion of the townships of Lewis and Spragge in the Territorial District of Algoma, shown outlined on Department of Highways plan N-335-1, filed in the office of the Registrar of Regulations at Toronto as No. 611. O. Reg. 108/65, s. 1.

Schedule 13

JACQUES LOCAL ROADS AREA

All of the Township of Jacques in the Territorial District of Thunder Bay, shown outlined on Department of Highways plan N-1303-1, filed in the office of the Registrar of Regulations at Toronto as No. 612. O. Reg. 108/65, s. 1.

Schedule 14

FOWLER LOCAL ROADS AREA

All of the Township of Fowler in the Territorial District of Thunder Bay, shown outlined on Department of Highways plan N-1020-1, filed in the office of the Registrar of Regulations at Toronto as No. 613. O. Reg. 108/65, s. 1.

Schedule 15

LYON LOCAL ROADS AREA

All that portion of the Township of Lyon in the Territorial District of Thunder Bay, shown outlined on Department of Highways plan N-741-1, filed in the office of the Registrar of Regulations at Toronto as No. 614. O. Reg. 108/65, s. 1.

Schedule 16

CRERAR, GIBBONS AND BASTEDO LOCAL ROADS AREA

All of the Township of Crerar and all those portions of the townships of Gibbons and Bastedo in the Territorial District of Nipissing, and that portion of the Township of Henry in the Territorial District of Sudbury, shown outlined on Department of Highways plan N-270-A1, filed in the office of the Registrar of Regulations at Toronto as No. 910. O. Reg. 83/69, s. 2.

Schedule 17

VANKOUGHNET AND AWERES LOCAL ROADS AREA

All of the Township of VanKoughnet and that portion of the Township of Aweres in the Territorial District of Algoma, shown outlined on Department of Highways plan N-918-3, filed in the office of the Registrar of Regulations at Toronto as No. 924. O. Reg. 151/69, s. 1.

Schedule 18

ABERDEEN AND McMAHON LOCAL ROADS AREA

All of the townships of Aberdeen and McMahon in the Territorial District of Algoma, shown outlined on Department of Highways plan N-1309-2, filed in the office of the Registrar of Regulations at Toronto as No. 769. O. Reg. 146/67, s. 2.

Schedule 19

BADGEROW NO. 2 LOCAL ROADS AREA

All that portion of the Township of Badgerow in the Territorial District of Nipissing, shown outlined on Department of Highways plan N-1305-A3, filed in the office of the Registrar of Regulations at Toronto as No. 844. O. Reg. 57/69, s. 1.

Schedule 20

HUGEL AND SOUTHWEST BADGEROW LOCAL ROADS AREA

All of the Township of Hugel and that portion of the Township of Badgerow in the Territorial District of Nipissing, shown outlined on Department of Highways plan N-1131-A1, filed in the office of the Registrar of Regulations at Toronto as No. 716. O. Reg. 209/66, s. 1.

Schedule 21

DIEPPE LOCAL ROADS AREA

All that portion of the Township of Dieppe in the Territorial District of Sudbury, shown outlined on Department of Highways plan N-1308-1, filed in the office of the Registrar of Regulations at Toronto as No. 620. O. Reg. 121/65, s. 1.

Schedule 22

DILL-SECORD LOCAL ROADS AREA

All those portions of the townships of Dill, Secord and Tilton in the Territorial District of Sudbury, shown outlined on Department of Highways plan N-1260-3, filed in the office of the Registrar of Regulations at Toronto as No. 808. O. Reg. 80/68, s. 3.

Schedule 23

LORNE LOCAL ROADS AREA

All of the Township of Lorne in the Territorial District of Sudbury, shown outlined on Department of Highways plan N-592-1, filed in the office of the Registrar of Regulations at Toronto as No. 622. O. Reg. 121/65, s. 1.

Schedule 24

BEAUCHAMP LOCAL ROADS AREA

All of the Township of Beauchamp in the Territorial District of Temiskaming, shown outlined on Department of Highways plan N-1306-1, filed in the office of the Registrar of Regulations at Toronto as No. 623. O. Reg. 121/65, s. 1.

Schedule 25

GORHAM LOCAL ROADS AREA

All of the Township of Gorham in the Territorial District of Thunder Bay, shown outlined on Department of Highways plan N-735-1, filed in the office of the Registrar of Regulations at Toronto as No. 624. O. Reg. 121/65, s. 1.

Schedule 26

STIRLING LOCAL ROADS AREA

All of the Township of Stirling in the Territorial District of Thunder Bay, shown outlined on Department of Highways plan N-460-1, filed in the office of the Registrar of Regulations at Toronto as No. 625. O. Reg. 121/65, s. 1.

Schedule 27

WEST LOON LAKE LOCAL ROADS AREA

All that portion of unsurveyed territory in the Territorial District of Thunder Bay, lying west of the Township of McTavish, shown outlined on Department of Highways plan N-6000-2, filed in the office of the Registrar of Regulations at Toronto as No. 626. O. Reg. 121/65, s. 1.

Schedule 28

GAUDETTE AND HODGINS LOCAL ROADS AREA

All those portions of the townships of Gaudette and Hodgins in the Territorial District of Algoma, shown outlined on Department of Highways plan N-1096-1, filed in the office of the Registrar of Regulations at Toronto as No. 627. O. Reg. 132/65, s. 1.

Schedule 29

PLUMMER AND ROSE LOCAL ROADS AREA

All of the Township of Plummer and that portion of the Township of Rose in the Territorial District of Algoma, shown outlined on Department of Highways plan N-1325-2, filed in the office of the Registrar of Regulations at Toronto as No. 770. O. Reg. 156/67, s. 1.

Schedule 30

HAWK JUNCTION LOCAL ROADS AREA

All those portions of townships 27 and 28, Range 24, in the Territorial District of Algoma shown outlined on Department of Highways plan N-682-2, filed in the office of the Registrar of Regulations at Toronto as No. 732. O. Reg. 53/67, s. 2.

Schedule 31

GRANT-FELL LOCAL ROADS AREA

All of the Township of Grant and that portion of the Township of Fell in the Territorial District of Nipissing, shown outlined on Department of Highways plan N-1327-1, filed in the office of the Registrar of Regulations at Toronto as No. 630. O. Reg. 132/65, s. 1.

Schedule 32

HAY LAKE LOCAL ROADS AREA

All that portion of the Township of Sabine in the Territorial District of Nipissing, shown outlined on Department of Highways plan N-834-1, filed in the office of the Registrar of Regulations at Toronto as No. 631. O. Reg. 132/65, s. 1.

Schedule 33

DRY PINE BAY
LOCAL ROADS AREA

All that portion of the Township of Bigwood in the Territorial District of Sudbury, shown outlined on Department of Highways plan N-754-2, filed in the office of the Registrar of Regulations at Toronto as No. 677. O. Reg. 78/66, s. 1.

Schedule 34

HESS LOCAL ROADS AREA

All those portions of the townships of Hess and Moncrief in the Territorial District of Sudbury, shown outlined on Department of Highways plan N-1023-1, filed in the office of the Registrar of Regulations at Toronto as No. 633. O. Reg. 132/65, s. 1.

Schedule 35

WANAPITEI LAKE WEST BAY
LOCAL ROADS AREA

All of that portion of the Township of Norman in the Territorial District of Sudbury, shown outlined on Department of Highways plan N-823-2, filed in the office of the Registrar of Regulations at Toronto as No. 753. O. Reg. 81/67, s. 1.

Schedule 36

PORTAGE BAY LOCAL ROADS AREA

All those portions of the townships of Haines and Hagey in the Territorial District of Thunder Bay, shown outlined on Department of Highways plan N-736-1, filed in the office of the Registrar of Regulations at Toronto as No. 635. O. Reg. 132/65, s. 1.

Schedule 37

HUNTA LOCAL ROADS AREA

All those portions of the townships of Clute and Calder in the Territorial District of Cochrane, shown outlined on Department of Highways plan N-528-1, filed in the office of the Registrar of Regulations at Toronto as No. 655. O. Reg. 55/66, s. 1.

Schedule 38

RUSH BAY-WOODCHUCK BAY
LOCAL ROADS AREA

All those portions of the townships of Forgie and Boys in the Territorial District of Kenora, shown outlined on Department of Highway plan N-506-4, filed in the office of the Registrar of Regulations at Toronto as No. 1160. O. Reg. 484/69, s. 1.

Schedule 39

ENA LAKE LOCAL ROADS AREA

All those portions of the Township of Redditt and unsurveyed territory, lying west of the Township of Redditt, in the Territorial District of Kenora, shown outlined on Department of Highways plan N-3000-2, filed in the office of the Registrar of Regulations at Toronto as No. 657. O. Reg. 55/66, s. 1.

Schedule 40

SUNNYSIDE LOCAL ROADS AREA

All that portion of the Township of Broder in the Territorial District of Sudbury, shown outlined on Department of Highways plan N-648-1, filed in the office of the Registrar of Regulations at Toronto as No. 658. O. Reg. 55/66, s. 1.

Schedule 41

LONG LAKE LOCAL ROADS AREA

All those portions of the townships of Broder, Tilton and Eden, in the Territorial District of Sudbury, shown outlined on Department of Highways plan N-1344-1, filed in the office of the Registrar of Regulations at Toronto as No. 659. O. Reg. 55/66, s. 1.

Schedule 42

BURWASH-HENDRIE LOCAL ROADS AREA

All those portions of the townships of Burwash, Hendrie and Secord, in the Territorial District of Sudbury, shown outlined on Department of Highways plan N-752-2, filed in the office of the Registrar of Regulations at Toronto as No. 734. O. Reg. 53/67, s. 4.

Schedule 43

MINISTIC LAKE LOCAL ROADS AREA

All those portions of the townships of Cascaden and Ermatinger in the Territorial District of Sudbury, shown outlined on Department of Highways plan N-817-1, filed in the office of the Registrar of Regulations at Toronto as No. 661. O. Reg. 55/66, s. 1.

Schedule 44

DOWNES LAKE LOCAL ROADS AREA

All that portion of the Township of Moncrieff in the Territorial District of Sudbury, shown outlined on Department of Highways plan N-1237-1, filed in the office of the Registrar of Regulations at Toronto as No. 662. O. Reg. 55/66, s. 1.

Schedule 45

ROBILLARD LOCAL ROADS AREA

All of the Township of Robillard in the Territorial District of Timiskaming, shown outlined on Department of Highways plan N-1347-2, filed in the office of the Registrar of Regulations at Toronto as No. 1161. O. Reg. 484/69, s. 2.

Schedule 46

KABAIGON BAY LOCAL ROADS AREA

All that portion of the township of Haines in the Territorial District of Thunder Bay, shown outlined on Department of Highways plan N-736-2, filed in the office of the Registrar of Regulations at Toronto as No. 664. O. Reg. 55/66, s. 1.

Schedule 47

RINTA'S LOCAL ROADS AREA

All that portion of the Township of Lindsley in the Territorial District of Thunder Bay, shown outlined on Department of Highways plan N-900-1, filed in the office of the Registrar of Regulations at Toronto as No. 665. O. Reg. 55/66, s. 1.

Schedule 48

PEARSON LOCAL ROADS AREA

All of the Township of Pearson in the Territorial District of Thunder Bay, shown outlined on Department of Highways plan N-1346-1, filed in the office of the Registrar of Regulations at Toronto as No. 666. O. Reg. 55/66, s. 1.

Schedule 49

FENWICK, PENNEFATHER AND VANKOUGHNET LOCAL ROADS AREA

All those portions of the townships of Fenwick, Pennefather and VanKoughnet in the Territorial District of Algoma, shown outlined on Department of Highways plan N-919-3, filed in the office of the Registrar of Regulations at Toronto as No. 842. O. Reg. 23/69, s. 2.

Schedule 50

WHISKEY LAKE LOCAL ROADS AREA

All of unsubdivided townships 137 and 138 and all those portions of unsubdivided townships 130 and 131 in the Territorial District of Algoma, shown outlined on Department of Highways plan N-1349-1, filed in the office of the Registrar of Regulations at Toronto as No. 668. O. Reg. 66/66, s. 1.

Schedule 51

FOURNIER LOCAL ROADS AREA

All of the Township of Fournier in the Territorial District of Cochrane, shown outlined on Department of Highways plan N-789-1, filed in the office of the Registrar of Regulations at Toronto as No. 669. O. Reg. 66/66, s. 1.

Schedule 52

WHITE MOOSE LOCAL ROADS AREA

All that portion of the Township of Devonshire in the Territorial District of Kenora, shown outlined on Department of Highways plan N-875-3, filed in the office of the Registrar of Regulations at Toronto as No. 1165. O. Reg. 27/70, s. 1.

Schedule 53

SINCLAIR LOCAL ROADS AREA

All of the Township of Sinclair in the Territorial District of Muskoka, shown outlined on Department of Highways plan N-842-4, filed in the office of the Registrar of Regulations at Toronto as No. 1155. O. Reg. 437/69, s. 1.

Schedule 54

ARMSTRONG LAKE LOCAL ROADS AREA

All that portion of the Township of Trill in the Territorial District of Sudbury, shown outlined on Department of Highways plan N-1348-1, filed in the office of the Registrar of Regulations at Toronto as No. 672. O. Reg. 66/66, s. 1.

Schedule 55

CAMP 25 LOCAL ROADS AREA

All that portion of the Township of Croll in the Territorial District of Thunder Bay, shown outlined on Department of Highways plan N-999-1, filed in the office of the Registrar of Regulations at Toronto as No. 673. O. Reg. 66/66, s. 1.

Schedule 56

FORBES LOCAL ROADS AREA

All of the Township of Forbes in the Territorial District of Thunder Bay, shown outlined on Department of Highways plan N-734-1, filed in the office of the Registrar of Regulations at Toronto as No. 674. O. Reg. 66/66, s. 1.

Schedule 57

PINE RIDGE LOCAL ROADS AREA

All that portion of the Township of Hagey in the Territorial District of Thunder Bay, shown outlined on Department of Highways plan N-791-1, filed in the office of the Registrar of Regulations at Toronto as No. 675. O. Reg. 66/66, s. 1.

Schedule 58

EAST BEAR LAKE
LOCAL ROADS AREA

All that portion of the Township of Monteith in the Territorial District of Parry Sound, shown outlined on Department of Highways plan N-1086-2, filed in the office of the Registrar of Regulations at Toronto as No. 791. O. Reg. 18/68, s. 3.

Schedule 59

LOUISE LOCAL ROADS AREA

All of the Township of Louise and that portion of the Township of Dieppe in the Territorial District of Sudbury, shown outlined on Department of Highways plan N-1218-2, filed in the office of the Registrar of Regulations at Toronto as No. 1201. O. Reg. 148/70, s. 1.

Schedule 60

LYBSTER LOCAL ROADS AREA

All of the Township of Lybster in the Territorial District of Thunder Bay, shown outlined on Department of Highways plan N-1104-1, filed in the office of the Registrar of Regulations at Toronto as No. 680. O. Reg. 78/66, s. 2.

Schedule 61

FREDERICKHOUSE LOCAL ROADS AREA

All that portion of the Township of Clute in the Territorial District of Cochrane, shown outlined on Department of Highways plan N-468-1, filed in the office of the Registrar of Regulations at Toronto as No. 681. O. Reg. 99/66, s. 1.

Schedule 62

HALLEBOURG LOCAL ROADS AREA

All those portions of the townships of Kendall and Devitt in the Territorial District of Cochrane, shown outlined on Department of Highways plan N-593-1, filed in the office of the Registrar of Regulations at Toronto as No. 682. O. Reg. 99/66, s. 1.

Schedule 63

ABRAMS LAKE LOCAL ROADS AREA

All that portion of the Township of Drayton in the Territorial District of Kenora, shown outlined on Department of Highways plan N-633-1, filed in the office of the Registrar of Regulations at Toronto as No. 683. O. Reg. 99/66, s. 1.

Schedule 64

HIAWATHA LOCAL ROADS AREA

All that portion of the Township of Gibson in the Territorial District of Muskoka, shown outlined on Department of Highways plan N-749-2, filed in the office of the Registrar of Regulations at Toronto as No. 736. O. Reg. 53/67, s. 6.

Schedule 65

SOUTH GIBSON LOCAL ROADS AREA

All those portions of the townships of Gibson and Baxter in the Territorial District of Muskoka, shown outlined on Department of Highways plan N-749-A5, filed in the Office of the Registrar of Regulations at Toronto as No. 1220. O. Reg. 414/70, s. 1.

Schedule 66

WYSE-POITRAS LOCAL ROADS AREA

All those portions of the townships of Wyse and Poitras in the Territorial District of Nipissing, shown outlined on Department of Highways plan N-1354-1, filed in the office of the Registrar of Regulations at Toronto as No. 686. O. Reg. 99/66, s. 1.

Schedule 67

THORNE LOCAL ROADS AREA

All that portion of the Township of Poitras in the Territorial District of Nipissing, shown outlined on Department of Highways plan N-437-1, filed in the office of the Registrar of Regulations at Toronto as No. 687. O. Reg. 99/66, s. 1.

Schedule 68

SOUTH CONGER LOCAL ROADS AREA

All those portions of the Township of Conger in the Territorial District of Parry Sound, shown outlined on Department of Highways plan N-774-4, filed in the office of the Registrar of Regulations at Toronto as No. 1156. O. Reg. 437/69, s. 2.

Schedule 69

HARTLEY BAY LOCAL ROADS AREA

All of the Township of Allen in the Territorial District of Sudbury, shown outlined on Department of Highways plan N-1355-1, filed in the office of the Registrar of Regulations at Toronto as No. 689. O. Reg. 99/66, s. 1.

Schedule 70

DAWSON LOCAL ROADS AREA

All of the Township of Dawson in the Territorial District of Manitoulin, shown outlined on Department of Highways plan N-651-2, filed in the office of the Registrar of Regulations at Toronto as No. 738. O. Reg. 53/67, s. 7.

Schedule 71

FALCONER, LOUDON AND HADDO LOCAL ROADS AREA

All those portions of the townships of Falconer and Loudon in the Territorial District of Nipissing and all that portion of the Township of Haddo in the Territorial District of Sudbury, shown outlined on Department of Highways plan N-1184-1, filed in the office of the Registrar of Regulations at Toronto as No. 693. O. Reg. 117/66, s. 1.

Schedule 72

POINT AU BARIL LOCAL ROADS AREA

All that portion of the Township of Harrison in the Territorial District of Parry Sound, shown outlined on Department of Highways plan N-454-1, filed in the office of the Registrar of Regulations at Toronto as No. 694. O. Reg. 117/66, s. 1.

Schedule 73

BRITT LOCAL ROADS AREA

All those portions of the townships of Henvey and Wallbridge in the Territorial District of Parry Sound, and certain islands in Georgian Bay in the vicinity of Henvey Township, shown outlined on Department of Highways plan N-750-1, filed in the office of the Registrar of Regulations at Toronto as No. 695. O. Reg. 117/66, s. 1.

Schedule 74

REEF POINT LOCAL ROADS AREA

All those portions of the Township of Watten and Islands 14A, 22 and 24 in Rainy Lake in the Territorial District of Rainy River, shown outlined on Department of Highways plan N-1015-2, filed in the office of the Registrar of Regulations at Toronto as No. 771. O. Reg. 156/67, s. 2.

Schedule 75

FAIRBANK LAKE EAST LOCAL ROADS AREA

All that portion of the Township of Fairbank in the Territorial District of Sudbury, shown outlined on Department of Highways plan N-1356-2, filed in the office of the Registrar of Regulations at Toronto as No. 739. O. Reg. 53/67, s. 8.

Schedule 76

SHEBANDOWAN LAKE LOCAL ROADS AREA

All that portion of the Township of Conacher in the Territorial District of Thunder Bay, shown outlined on Department of Highways plan N-732-3, filed in the office of the Registrar of Regulations at Toronto as No. 698. O. Reg. 117/66, s. 1.

Schedule 77

ROSSMERE BAY LOCAL ROADS AREA

All that portion of the Township of Hagey in the Territorial District of Thunder Bay, shown outlined on Department of Highways plan N-791-3, filed in the office of the Registrar of Regulations at Toronto as No. 699. O. Reg. 117/66, s. 1.

Schedule 78

OPASATIKA LOCAL ROADS AREA

All those portions of the townships of Idington and McCrea in the Territorial District of Cochrane, shown outlined on Department of Highways plan N-408-1, filed in the office of the Registrar of Regulations at Toronto as No. 700. O. Reg. 140/66, s. 1.

Schedule 79

KENRICIA LOCAL ROADS AREA

All that portion of unsurveyed territory lying south of the Township of Pellatt in the Territorial District of Kenora, shown outlined on Department of Highways plan N-3000-B2, filed in the office of the Registrar of Regulations at Toronto as No. 792. O. Reg. 18/68, s. 4.

Schedule 80

DRYDEN SOUTH LOCAL ROADS AREA

All that portion of the Township of Dryden in the Territorial District of Sudbury, shown outlined on Department of Highways plan N-544-1, filed in the office of the Registrar of Regulations at Toronto as No. 702. O. Reg. 140/66, s. 1.

Schedule 81

MARKS LOCAL ROADS AREA

All of the Township of Marks in the Territorial District of Thunder Bay, shown outlined on Department of Highways plan N-1358-1, filed in the office of the Registrar of Regulations at Toronto as No. 703. O. Reg. 140/66, s. 1.

Schedule 82

VAL-RITA-HARTY LOCAL ROADS AREA

All those portions of the townships of Idington, Williamson and Owens in the Territorial District of Cochrane, shown outlined on Department of Highways plan N-410-2, filed in the office of the Registrar of Regulations at Toronto as No. 793. O. Reg. 18/68, s. 5.

Schedule 83

SOUTH MACKENZIE LAKE LOCAL ROADS AREA

All that portion of the Township of Sabine in the Territorial District of Nipissing shown outlined on Department of Highways plan N-834-A1, filed in the office of the Registrar of Regulations at Toronto as No. 706. O. Reg. 153/66, s. 1.

Schedule 84

BLINDFOLD LAKE LOCAL ROADS AREA

All that portion of the Township of Kirkup in the Territorial District of Kenora, shown outlined on Department of Highways plan N-498-1, filed in the office of the Registrar of Regulations at Toronto as No. 717. O. Reg. 337/66, s. 1.

Schedule 85

ROCK LAKE LOCAL ROADS AREA

All that portion of the Township of Servos in the Territorial District of Sudbury, shown outlined on Department of Highways plan N-838-1, filed in the office of the Registrar of Regulations at Toronto as No. 718. O. Reg. 337/66, s. 1.

Schedule 86

HARDWICK LOCAL ROADS AREA

All of the Township of Hardwick in the Territorial District of Thunder Bay, shown outlined on Department of Highways plan N-1110-1, filed in the office of the Registrar of Regulations at Toronto as No. 720. O. Reg. 337/66, s. 1.

Schedule 87

OTTO LOCAL ROADS AREA

All that portion of the Township of Otto in the Territorial District of Timiskaming, shown outlined on Department of Highways plan N-449-1, filed in the office of the Registrar of Regulations at Toronto as No. 721. O. Reg. 337/66, s. 1.

Schedule 88

KENDALL INLET LOCAL ROADS AREA

All that portion of unsurveyed territory in the Territorial District of Kenora lying south of the Township of Pellatt, shown outlined on Department of Highways plan N-3000-C1, filed in the office of the Registrar of Regulations at Toronto as No. 726. O. Reg. 387/66, s. 3; O. Reg. 53/67, s. 9.

Schedule 89

CAMPBELL LOCAL ROADS AREA

All of the Township of Campbell in the Territorial District of Manitoulin, shown outlined on Department of Highways plan N-657-1, filed in the office of the Registrar of Regulations at Toronto as No. 727. O. Reg. 387/66, s. 3.

Schedule 90

FERRIE LOCAL ROADS AREA

All that portion of the Township of Ferrie in the Territorial District of Parry Sound, shown outlined on Department of Highways plan N-1360-1, filed in the office of the Registrar of Regulations at Toronto as No. 728. O. Reg. 387/66, s. 3.

Schedule 91

NORMAN TOWNSITE LOCAL ROADS AREA

All that portion of the Township of Norman in the Territorial District of Sudbury, shown outlined on Department of Highways plan N-823-A1, filed in the office of the Registrar of Regulations at Toronto as No. 729. O. Reg. 387/66, s. 3.

Schedule 92

ARMSTRONG LOCAL ROADS AREA

All that portion of unsurveyed territory in the Territorial District of Thunder Bay, shown outlined on Department of Highways plan N-6000-B1, filed in the office of the Registrar of Regulations at Toronto as No. 730. O. Reg. 387/66, s. 3.

Schedule 93

COLONIZATION LOCAL ROADS AREA

All that portion of the Township of Cobden in the Territorial District of Algoma, shown outlined on Department of Highways plan N-360-1, filed in the office of the Registrar of Regulations at Toronto as No. 740. O. Reg. 53/67, s. 10.

Schedule 94

FERGUSON LOCAL ROADS AREA

All that portion of the Township of Ferguson in the Territorial District of Parry Sound, shown outlined on Department of Highways plan N-1043-1, filed in the office of the Registrar of Regulations at Toronto as No. 741. O. Reg. 53/67, s. 10.

Schedule 95

LOUNT LOCAL ROADS AREA

All of the Township of Lount in the Territorial District of Parry Sound, shown outlined on Department of Highways plan N-1362-2, filed in the office of the Registrar of Regulations at Toronto as No. 845. O. Reg. 57/69, s. 2.

Schedule 96

McKENZIE-EAST BURPEE AND BURTON LOCAL ROADS AREA

All of the townships of McKenzie and East Burpee and that portion of the Township of Burton in the Territorial District of Parry Sound, shown outlined on Department of Highways plan M-1361-2, filed in the office of the Registrar of Regulations at Toronto as No. 794. O. Reg. 18/68, s. 6.

Schedule 97

LOUGHRIN LOCAL ROADS AREA

All of the Township of Loughrin and that portion of the Township of Henry in the Territorial District of Sudbury, shown outlined on Department of Highway's plan N-1363-2, filed in the office of the Registrar of Regulations at Toronto as No. 911 O. Reg. 83/69, s. 4.

Schedule 98

BEAVER BAY LOCAL ROADS AREA

All that portion of the Township of Hagey in the Territorial District of Thunder Bay, shown outlined on Department of Highways plan N-791-B1, filed in the office of the Registrar of Regulations at Toronto as No. 745. O. Reg. 53/67, s. 10.

Schedule 99

MacDIARMID LOCAL ROADS AREA

All that portion of the Township of Kilkenny in the Territorial District of Thunder Bay, shown outlined on Department of Highways plan N-295-1, filed in the office of the Registrar of Regulations at Toronto as No. 746. O. Reg. 53/67, s. 10.

Schedule 100

STRANGE LOCAL ROADS AREA

All of the Township of Strange in the Territorial District of Thunder Bay, shown outlined on Department of Highways plan N-1111-1, filed in the office of the Registrar of Regulations at Toronto as No. 747. O. Reg. 53/67, s. 10.

Schedule 101

NOREMBEGA LOCAL ROADS AREA

All of the Township of Pyne and that portion of the Township of Fox in the Territorial District of Cochrane, shown outlined on Department of Highways plan N-1134-1, filed in the office of the Registrar of Regulations at Toronto as No. 748. O. Reg. 63/67, s. 1.

Schedule 102

CARTIER LOCAL ROADS AREA

All of the Township of Cartier and that portion of the Township of Hart in the Territorial District of Sudbury, shown outlined on Department of Highways plan N-698-1, filed in the office of the Registrar of Regulations at Toronto as No. 749. O. Reg. 63/67, s. 1.

Schedule 103

SHERWOOD LAKE LOCAL ROADS AREA

All of those portions of the townships of Broderick, Gidley and Forgie in the Territorial District of Kenora, shown outlined on Department of Highways plan N-506-A1, filed in the office of the Registrar of Regulations at Toronto as No. 754. O. Reg. 81/67, s. 2.

Schedule 104

NORTH McKENZIE LAKE LOCAL ROADS AREA

All of those portions of the townships of Sabine and Lyell, in the Territorial District of Nipissing, shown outlined on Department of Highways plan N-834-B1, filed in the office of the Registrar of Regulations at Toronto as No. 755. O. Reg. 81/67, s. 2.

Schedule 105

SABINE LOCAL ROADS AREA

All of those portions of the townships of Sabine and Lyell, in the Territorial District of Nipissing, shown outlined on Department of Highways plan N-834-C1, filed in the office of the Registrar of Regulations at Toronto as No. 756. O. Reg. 81/67, s. 2.

Schedule 106

MARION LAKE LOCAL ROADS AREA

All that portion of unsurveyed territory in the Territorial District of Rainy River, lying south of the Township of Trottier, shown outlined on Department of Highways plan N-5000-1, filed in the office of the Registrar of Regulations at Toronto as No. 757. O. Reg. 81/67, s. 2.

Schedule 107

DILL LAKE LOCAL ROADS AREA

All that portion of the Township of Dill in the Territorial District of Sudbury, shown outlined on Department of Highways plan N-751-1, filed in the office of the Registrar of Regulations at Toronto as No. 758. O. Reg. 81/67, s. 2.

Schedule 108

SHERATON AND MACKLEM LOCAL ROADS AREA

All those portions of the townships of German, Macklem, Thomas and Sheraton in the Territorial District of Cochrane, and all that portion of the Township of Timmins in the Territorial District of Timiskaming, shown outlined on Department of Highways plan N-1221-1, filed in the office of the Registrar of Regulations at Toronto as No. 759. O. Reg. 81/67, s. 2.

Schedule 109

GALBRAITH-MORIN LOCAL ROADS AREA

All of the Township of Galbraith and that portion of the Township of Morin in the Territorial District of Algoma, shown outlined on Department of Highways plan N-1371-2, filed in the office of the Registrar of Regulations at Toronto as No. 780. O. Reg. 285/67, s. 1.

Schedule 110

SPANISH LOCAL ROADS AREA

All of the townships of Shedden and Deagle in the Territorial District of Algoma, shown outlined on Department of Highways plan N-334-1, filed in the office of the Registrar of Regulations at Toronto as No. 761. O. Reg. 146/67, s. 3.

Schedule 111

COPPELL LOCAL ROADS AREA

All that portion of the Township of Lowther in the Territorial District of Cochrane, shown outlined on Department of Highways plan N-1219-1, filed in the office of the Registrar of Regulations at Toronto as No. 762. O. Reg. 146/67, s. 3.

Schedule 112

KIRKPATRICK LOCAL ROADS AREA

All of the Township of Kirkpatrick in the Territorial District of Nipissing, shown outlined on Department of Highways plan N-632-1, filed in the office of the Registrar of Regulations at Toronto as No. 764. O. Reg. 146/67, s. 3.

Schedule 113

BALLANTYNE AND LAURIER LOCAL ROADS AREA

All that portion of the Township of Ballantyne in the Territorial District of Nipissing and all that portion of the Township of Laurier in the Territorial District of Parry Sound, shown outlined on Department of Highways plan N-507-2, filed in the office of the Registrar of Regulations at Toronto as No. 837. O. Reg. 429/68, s. 2.

Schedule 114

DAWSON ROAD—GOLDIE LOCAL ROADS AREA

All those portions of the Township of Goldie and the Dawson Road Lots and Mining Claims JK.159, JK.161, JK.162 and Gravel Pit, in the Territorial District of Thunder Bay, shown outlined on Department of Highways plan N-600-A1, filed in the office of the Registrar of Regulations at Toronto as No. 1166. O. Reg. 27/70, s. 3.

Schedule 115

SCOBLE LOCAL ROADS AREA

All of the Township of Scoble in the Territorial District of Thunder Bay, shown outlined on Department of Highways plan N-744-2, filed in the office of the Registrar of Regulations at Toronto as No. 925. O. Reg. 151/69, s. 2.

Schedule 116

BIGWOOD, DELAMERE, HOSKIN LOCAL ROADS AREA

All of the Township of Delamere and those portions of the townships of Bigwood, Hoskin, Cox and Cherriman in the Territorial District Sudbury, shown outlined on Department of Highways plan N-779-1, filed in the office of the Registrar of Regulations at Toronto as No. 772. O. Reg. 156/67, s. 3.

Schedule 117

ST. CLOUD LOCAL ROADS AREA

All those portions of the townships of Cleland, Dryden and Dill in the Territorial District of Sudbury, shown outlined on Department of Highways plan N-771-1, filed in the office of the Registrar of Regulations at Toronto as No. 773. O. Reg. 156/67, s. 3.

Schedule 118

MACPHERSON LOCAL ROADS AREA

All of the Township of Macpherson and that portion of the Township of Loudon including off-shore islands in Lake Nipissing in the Territorial District of Nipissing, and that portion of the Township of Haddo in the Territorial District of Sudbury, shown outlined on Department of Highways plan N-518-1, filed in the office of the Registrar of Regulations at Toronto as No. 774. O. Reg. 156/67, s. 3.

Schedule 119

SUNNY SLOPES LOCAL ROADS AREA

All those portions of the townships of Conacher and Hagey in the Territorial District of Thunder Bay, shown outlined on Department of Highways plan N-732-B1, filed in the office of the Registrar of Regulations at Toronto as No. 775. O. Reg. 156/67, s. 3.

Schedule 120

ROSSPORT LOCAL ROADS AREA

All that portion of Township 86 in the Territorial District of Thunder Bay, shown outlined on Department of Highways plan N-465-1, filed in the office of the Registrar of Regulations at Toronto as No. 776. O. Reg. 156/67, s. 3.

Schedule 121

MOOSE HORN LOCAL ROADS AREA

All that portion of the Township of Drayton in the Territorial District of Kenora, shown outlined on Department of Highways plan N-633-A2, filed in the office of the Registrar of Regulations at Toronto as No. 1167. O. Reg. 27/70, s. 4.

Schedule 122

SAVANT LAKE LOCAL ROADS AREA

All that portion of unsurveyed territory and Savant Lake Townsite in the Territorial District of Thunder Bay, shown outlined on Department of Highways plan N-6000-C1, filed in the office of the Registrar of Regulations at Toronto as No. 779. O. Reg. 195/67, s. 2.

Schedule 123

TASSO LAKE LOCAL ROADS AREA

All that portion of the Township of Finlayson in the Territorial District of Nipissing, shown outlined on Department of Highways plan N-573-2, filed in the office of the Registrar of Regulations at Toronto as No. 834. O. Reg. 387/68, s. 2.

Schedule 124

WEST OXBOW LAKE LOCAL ROADS AREA

All that portion of the Township of Finlayson in the Territorial District of Nipissing and all that portion of the Township of Sinclair in the Territorial District of Muskoka, shown outlined on Department of Highways plan N-573-A1, filed in the office of the Registrar of Regulations at Toronto as No. 785. O. Reg. 391/67, s. 3.

Schedule 125

TONOMO LAKE LOCAL ROADS AREA

All those portions of the townships of Olive and Law in the Territorial District of Nipissing, shown outlined on Department of Highways plan N-575-1, filed in the office of the Registrar of Regulations at Toronto as No. 786. O. Reg. 391/67, s. 3.

Schedule 126

PROUDFOOT LOCAL ROADS AREA

All of the Township of Proudfoot in the Territorial District of Parry Sound, shown outlined on Department of Highways plan N-1253-3, filed in the office of the Registrar of Regulations at Toronto as No. 1168. O. Reg. 27/70, s. 5.

Schedule 127

DEWART LOCAL ROADS AREA

All of the Township of Dewart in the Territorial District of Rainy River, shown outlined on Department of Highways plan N-1384-1, filed in the office of the Registrar of Regulations at Toronto as No. 788. O. Reg. 391/67, s. 3.

Schedule 128

DUNNING LOCAL ROADS AREA

All of the Township of Kennedy and that portion of the townships of Fox and Brower in the Territorial District of Cochrane, shown outlined on Department of Highways plan N-292-1, filed in the office of the Registrar of Regulations at Toronto as No. 795. O. Reg. 18/68, s. 7.

Schedule 129

EAST OXBOW LAKE LOCAL ROADS AREA

All that portion of the Township of Finlayson in the Territorial District of Nipissing, shown outlined on Department of Highways plan N-573-B1, filed in the office of the Registrar of Regulations at Toronto as No. 796. O. Reg. 18/68, s. 7.

Schedule 130

BETHUNE LOCAL ROADS AREA

All of the Township of Bethune in the Territorial District of Parry Sound, shown outlined on Department of Highways plan N-1161-1, filed in the office of the Registrar of Regulations at Toronto as No. 797. O. Reg. 18/68, s. 7.

Schedule 131

POLLY LAKE LOCAL ROADS AREA

All those portions of the townships of Booth and Ledger and that portion of unsurveyed territory, lying south of the Township of Ledger in the Territorial District of Thunder Bay, shown outlined on Department of Highways plan N-731-1, filed in the office of the Registrar of Regulations at Toronto as No. 798. O. Reg. 18/68, s. 7.

Schedule 132

HENWOOD LOCAL ROADS AREA

All of the Township of Henwood in the Territorial District of Timiskaming, shown outlined on Department of Highways plan N-444-1, filed in the office of the Registrar of Regulations at Toronto as No. 799. O. Reg. 18/68, s. 7.

Schedule 133

BROWER LOCAL ROADS AREA

All that portion of the Township of Brower in the Territorial District of Cochrane, shown outlined on Department of Highways plan N-760-1, filed in the office of the Registrar of Regulations at Toronto as No. 809. O. Reg. 80/68, s. 4.

Schedule 134

DRIFTWOOD LOCAL ROADS AREA

All that portion of the Township of Calder in the Territorial District of Cochrane, shown outlined on Department of Highways plan N-528-A1, filed in the office of the Registrar of Regulations at Toronto as No. 810. O. Reg. 80/68, s. 4.

Schedule 135

HANLAN LOCAL ROADS AREA

All of the Township of Hanlan in the Territorial District of Cochrane, shown outlined on Department of Highways plan N-792-1, filed in the office of the Registrar of Regulations at Toronto as No. 811. O. Reg. 80/68, s. 4.

Schedule 136

KENDALL LOCAL ROADS AREA

All that portion of the Township of Kendall in the Territorial District of Cochrane, shown outlined on Department of Highways plan N-593-A1, filed in the office of the Registrar of Regulations at Toronto as No. 812. O. Reg. 80/68, s. 4.

Schedule 137

LAMARCHE LOCAL ROADS AREA

All of the Township of Lamarche in the Territorial District of Cochrane, shown outlined on Department of Highways plan N-288-1, filed in the office of the Registrar of Regulations at Toronto as No. 813. O. Reg. 80/68, s. 4.

Schedule 138

TUNIS LOCAL ROADS AREA

All of the Township of Newmarket in the Territorial District of Cochrane, shown outlined on Department of Highways plan N-419-1, filed in the office of the Registrar of Regulations at Toronto as No. 814. O. Reg. 80/68, s. 4.

Schedule 139

BRITTON LOCAL ROADS AREA

All of the Township of Britton in the Territorial District of Kenora, shown outlined on Department of Highways plan N-710-1, filed in the office of the Registrar of Regulations at Toronto as No. 815. O. Reg. 80/68, s. 4.

Schedule 140

MURCHISON LOCAL ROADS AREA

All that portion of the Township of Murchison in the Territorial District of Nipissing, shown outlined on Department of Highways plan N-590-1, filed in the office of the Registrar of Regulations at Toronto as No. 816. O. Reg. 80/68, s. 4.

Schedule 141

CROFT LOCAL ROADS AREA

All that portion of the Township of Croft in the Territorial District of Parry Sound, shown outlined on Department of Highways plan N-776-A2, filed in the office of the Registrar of Regulations at Toronto as No. 838. O. Reg. 429/68, s. 3.

Schedule 142

SAVARD LOCAL ROADS AREA

All of the townships of Savard and Sharpe and all that portion of the Township of Marquis in the Territorial District of Timiskaming, shown outlined on Department of Highways plan N-1388-1, filed in the office of the Registrar of Regulations at Toronto as No. 818. O. Reg. 80/68, s. 4.

Schedule 143

CASGRAIN LOCAL ROADS AREA

All of the Township of Casgrain in the Territorial District of Cochrane, shown outlined on Department of Highways plan N-1390-1, filed in the office of the Registrar of Regulations at Toronto as No. 819. O. Reg. 151/68, s. 1.

Schedule 144

VAL COTE LOCAL ROADS AREA

All that portion of the Township of Devitt in the Territorial District of Cochrane, shown outlined on Department of Highways plan N-417-1, filed in the office of the Registrar of Regulations at Toronto as No. 820. O. Reg. 151/68, s. 1.

Schedule 145

MATTICE LOCAL ROADS AREA

All of the Township of Eilber and that portion of the Township of Devitt in the Territorial District of Cochrane, shown outlined on Department of Highways plan N-422-1, filed in the office of the Registrar of Regulations at Toronto as No. 821. O. Reg. 151/68, s. 1.

Schedule 146

McCALLUM POINT LOCAL ROADS AREA

All that portion of the Township of Boys in the Territorial District of Kenora, shown outlined on Department of Highways plan N-508-1, filed in the office of the Registrar of Regulations at Toronto as No. 822. O. Reg. 151/68, s. 1.

Schedule 147

DRAYTON RESERVE LOCAL ROADS AREA

All that portion of the Township of Drayton in the Territorial District of Kenora, shown outlined on Department of Highways plan N-633-B1, filed in the office of the Registrar of Regulations at Toronto as No. 823. O. Reg. 151/68, s. 1.

Schedule 148

MILLS LOCAL ROADS AREA

All of the Township of Mills in the Territorial District of Manitoulin, shown outlined on Department of Highways plan N-655-1, filed in the office of the Registrar of Regulations at Toronto as No. 824. O. Reg. 151/68, s. 1.

Schedule 149

RED DEER LOCAL ROADS AREA

All those portions of the townships of Cleland, Dryden, Awrey and Hawley in the Territorial District of Sudbury, shown outlined on Department of Highways plan N-771-A2, filed in the office of the Registrar of Regulations at Toronto as No. 843. O. Reg. 23/69, s. 3.

Schedule 150

MacLENNAN EAST LOCAL ROADS AREA

All that portion of the Township of MacLennan in the Territorial District of Sudbury, shown outlined on Department of Highways plan N-1343-2, filed in the office of the Registrar of Regulations at Toronto as No. 846. O. Reg. 57/69, s. 3.

Schedule 151

INGRAM LOCAL ROADS AREA

All of the Township of Ingram in the Territorial District of Timiskaming, shown outlined on Department of Highways plan N-801-1, filed in the office of the Registrar of Regulations at Toronto as No. 827. O. Reg. 151/68, s. 1.

Schedule 152

REDDITT LOCAL ROADS AREA

All of the Township of Redditt in the Territorial District of Kenora, shown outlined on Department of Highways plan N-689-2, filed in the office of the Registrar of Regulations at Toronto as No. 847. O. Reg. 57/69, s. 4.

Schedule 153

BRODER-DILL LOCAL ROADS AREA

All those portions of the townships of Broder and Dill in the Territorial District of Sudbury, shown outlined on Department of Highways plan N-648-A2, filed in the office of the Registrar of Regulations at Toronto as No. 1202. O. Reg. 148/70, s. 2.

Schedule 154

WAY LOCAL ROADS AREA

All of the Township of Way and that portion of the Township of Lowther in the Territorial District of Cochrane, shown outlined on Department of Highways plan N-325-1, filed in the office of the Registrar of Regulations at Toronto as No. 832. O. Reg. 195/68, s. 1.

Schedule 155

FAIRBANK LAKE WEST LOCAL ROADS AREA

All those portions of the townships of Fairbank and Trill in the Territorial District of Sudbury, shown outlined on Department of Highways plan N-1348-A1, filed in the office of the Registrar of Regulations at Toronto as No. 839. O. Reg. 429/68, s. 4; O. Reg. 23/69, s. 4.

Schedule 156

TILLEY LOCAL ROADS AREA

All that portion of the Township of Tilley in the Territorial District of Algoma, shown outlined on Department of Highways plan N-921-1, filed in the office of the Registrar of Regulations at Toronto as No. 848. O. Reg. 57/69, s. 5.

Schedule 157

MINAKI LOCAL ROADS AREA

All that portion of unsurveyed territory lying north of the Township of Umbach, in the Territorial District of Kenora, shown outlined on Department of Highways plan N-3000-D1, filed in the office of the Registrar of Regulations at Toronto as No. 849. O. Reg. 57/69, s. 5.

Schedule 158

VAN HORNE LOCAL ROADS AREA

All that portion of the Township of Van Horne in the Territorial District of Kenora, shown outlined on Department of Highways plan N-487-1, filed in the office of the Registrar of Regulations at Toronto as No. 850. O. Reg. 57/69, s. 5.

Schedule 159

SPENCE LOCAL ROADS AREA

All of the Township of Spence in the Territorial District of Parry Sound, shown outlined on Department of Highways plan N-1395-1, filed in the office of the Registrar of Regulations at Toronto as No. 851. O. Reg. 57/69, s. 5.

Schedule 160

SCOLLARD LOCAL ROADS AREA

All that portion of the Township of Scollard in the Territorial District of Sudbury, shown outlined on Department of Highways plan N-1393-1, filed in the office of the Registrar of Regulations at Toronto as No. 852. O. Reg. 57/69, s. 5.

Schedule 161

JELLICOE LOCAL ROADS AREA

All that portion of the Township of Leduc in the Territorial District of Thunder Bay, shown outlined on Department of Highways plan N-898-1, filed in the office of the Registrar of Regulations at Toronto as No. 853. O. Reg. 57/69, s. 5.

Schedule 162

WABIGOON AND REDVERS WEST LOCAL ROADS AREA

All those portions of the townships of Wabigoon and Redvers in the territorial District of Kenora, shown outlined on Department of Highways plan N-694-1, filed in the office of the Registrar of Regulations at Toronto as No. 912. O. Reg. 83/69, s. 6.

Schedule 163

HARRIS LAKE LOCAL ROADS AREA

All those portions of the townships of Wallbridge, Harrison, Brown and Burton, in the Territorial District of Parry Sound, shown outlined on Department of Highways plan N-455-1, filed in the office of the Registrar of Regulations at Toronto as No. 913. O. Reg. 83/69, s. 6.

Schedule 164

PELLATT NO. 2 LOCAL ROADS AREA

All those portions of the townships of Pellatt and Umbach, in the Territorial District of Kenora, shown outlined on Department of Highways plan N-505-2, filed in the office of the Registrar of Regulations at Toronto as No. 1169. O. Reg. 27/70, s. 6.

Schedule 165

PATTERSON LOCAL ROADS AREA

All of the Township of Patterson in the Territorial District of Parry Sound, shown outlined on Department of Highways plan N-630-2, filed in the office of the Registrar of Regulations at Toronto as No. 1170. O. Reg. 27/70, s. 6.

Schedule 166

MEME-SAG-AME-SING LAKE LOCAL ROADS AREA

All those portions of the townships of Hardy and McConkey in the Territorial District of Parry Sound, shown outlined on Department of Highways plan N-1090-1, filed in the office of the Registrar of Regulations at Toronto as No. 928. O. Reg. 151/69, s. 3.

Schedule 167

NELLES LOCAL ROADS AREA

All of the Township of Nelles in the Territorial District of Rainy River, shown outlined on Department of Highways plan N-1396-1, filed in the office of the Registrar of Regulations at Toronto as No. 929. O. Reg. 151/69, s. 3.

Schedule 168

NORTH CONGER LOCAL ROADS AREA

All those portions of the Township of Conger in the Territorial District of Parry Sound, shown outlined on Department of Highways plan N-774-A3, filed in the office of the Registrar of Regulations at Toronto as No. 1222. O. Reg. 467/70, s. 1.

Schedule 169

WAHNAPITAE VILLAGE LOCAL ROADS AREA

All those portions of the Township of Dryden in the Territorial District of Sudbury, shown outlined on Department of Highways plan N-544-A2, filed in the office of the Registrar of Regulations at Toronto as No. 1162. O. Reg. 484/69, s. 3.

Schedule 170

PRATT LOCAL ROADS AREA

All of the Township of Pratt in the Territorial District of Rainy River, shown outlined on Department of Highways plan N-650-1, filed in the office of the Registrar of Regulations at Toronto as No. 936. O. Reg. 210/69, s. 1.

Schedule 171

SUTHERLAND LOCAL ROADS AREA

All of the Township of Sutherland in the Territorial District of Rainy River, shown outlined on Department of Highways plan N-1397-1, filed in the office of the Registrar of Regulations at Toronto as No. 937. O. Reg. 210/69, s. 1.

Schedule 172

TROUT LAKE NORTH LOCAL ROADS AREA

All of the townships of Cherriman and Hoskin and that portion of the Township of Servos in the Territorial District of Sudbury, shown outlined on Department of Highways plan N-768-2, filed in the office of the Registrar of Regulations at Toronto as No. 1203. O. Reg. 148/70, s. 3.

Schedule 173

CANE LOCAL ROADS AREA

All of the Township of Cane and all those portions of the townships of Auld, Barber and Tudhope in the Territorial District of Timiskaming, shown outlined on Department of Highways plan N-538-1, filed in the office of the Registrar of Regulations at Toronto as No. 940. O. Reg. 354/69, s. 1.

Schedule 174

LAURIER LOCAL ROADS AREA

All of the Township of Laurier in the Territorial District of Parry Sound, shown outlined on Department of Highways plan N-507-A1, filed in the office of the Registrar of Regulations at Toronto as No. 1157. O. Reg. 437/69, s. 3.

Schedule 175

FOLEYET LOCAL ROADS AREA

All those portions of the Township of Foleyet in the Territorial District of Sudbury, shown outlined on Department of Highways plan N-1046-1, filed in the office of the Registrar of Regulations at Toronto as No. 1158. O. Reg. 437/69, s. 3.

Schedule 176

ELLSMERE LOCAL ROADS AREA

All those portions of the townships of Lyman and Notman in the Territorial District of Nipissing, shown outlined on Department of Highways plan N-534-1, filed in the office of the Registrar of Regulations at Toronto as No. 1163. O. Reg. 484/69, s. 4.

Schedule 177

WATABEAG LOCAL ROADS AREA

All of the townships of McEvay and Nordica in the Territorial District of Timiskaming and all of the Township of McCann in the Territorial District of Cochrane, shown outlined on Department of Highways plan N-1400-1, filed in the office of the Registrar of Regulations at Toronto as No. 1164. O. Reg. 484/69, s. 4.

Schedule 178

NORTHLAND LAKE LOCAL ROADS AREA

All those portions of the townships of Deroche and Jarvis, in the Territorial District of Algoma, shown outlined on Department of Highways plan N-1008-1, filed in the office of the Registrar of Regulations at Toronto as No. 1199. O. Reg. 79/70, s. 1.

Schedule 179

ZEALAND NO. 1 LOCAL ROADS AREA

All of the Township of Zealand in the Territorial District of Kenora, shown outlined on Department of Highways plan N-479-1, filed in the office of the Registrar of Regulations at Toronto as No. 1200. O. Reg. 79/70, s. 1.

Schedule 180

BADGEROW NO. 1 LOCAL ROADS AREA

All those portions of the Township of Badgerow in the Territorial District of Nipissing, shown outlined on Department of Highways plan N-1305-B1, filed in the office of the Registrar of Regulations at Toronto as No. 1204. O. Reg. 148/70, s. 4.

Schedule 181

MISCAMPBELL LOCAL ROADS AREA

All those portions of the Township of Miscampbell in the Territorial District of Rainy River, shown outlined on Department of Highways plan N-950-1, filed in the office of the Registrar of Regulations at Toronto as No. 1205. O. Reg. 174/70, s. 1.

Schedule 182

CLEARWATER LAKE LOCAL ROADS AREA

All those portions of the townships of Fleming, Senn and McLarty and that part of unsurveyed territory lying east of the Township of McLarty, in the Territorial District of Rainy River and that part of unsurveyed territory in the Territorial District of Kenora, shown outlined on Department of Highways plan N-5000-A1, filed in the office of the Registrar of Regulations at Toronto as No. 1206. O. Reg. 174/70, s. 1.

Schedule 183

KUKAGAMI LOCAL ROADS AREA

All of the townships of Street and Scadding and those portions of the townships of Rathbun, Kelly and Davis, in the Territorial District of Sudbury, shown outlined on Department of Highways plan N-1404-1, filed in the office of the Registrar of Regulations at Toronto as No. 1208. O. Reg. 191/70, s. 2.

Schedule 184

STAR LAKE LOCAL ROADS AREA

All those portions of the Township of Keefer in the Territorial District of Timiskaming, shown outlined on Department of Highways plan N-1103-1, filed in the office of the Registrar of Regulations at Toronto as No. 1223. O. Reg. 467/70, s. 2.

REGULATION 572

under The Local Roads Boards Act

GENERAL

1.—(1) The declaration of office of a person elected or appointed to a board shall be in Form 1.

(2) The declaration of office of a person appointed secretary-treasurer of a board shall be in Form 2. O. Reg. 315/64, s. 1.

2. A petition pursuant to subsection 7 of section 7 of the Act shall be in Form 3. O. Reg. 315/64, s. 2.

3. The costs to be paid under subsection 1 of section 35 of the Act are $20. O. Reg. 74/67, s. 1.

4. A caution filed under subsection 1 of section 35 of the Act shall be in,

(*a*) Form 4, where the caution is filed in a land titles office; and

(*b*) Form 5, where the caution is filed in a registry office. O. Reg. 74/67, s. 1.

5. A withdrawal of a caution filed under subsection 1 of section 35 of the Act shall be in,

(*a*) Form 6, where the withdrawal is filed in a land titles office; and

(*b*) Form 7, where the withdrawal is filed in a registry office. O. Reg. 74/67, s. 1.

6. A notice to an owner sent by registered mail under subsection 1 of section 35 of the Act shall be in Form 8. O. Reg. 74/67, s. 1.

7. The dimensions of Forms 4, 5, 6, 7 and 8 shall be not less than eight inches by thirteen and one-half inches and not greater than eight and one-half inches by fourteen inches and the forms shall be written, typed or printed on one side of paper of good quality. O. Reg. 74/67, s. 1.

Form 1

The Local Roads Boards Act

TRUSTEE'S DECLARATION OF OFFICE

I, ... do hereby declare that I am of the full age of twenty-one years, a Canadian citizen and the owner of Lot....., in Concession....., of the Township of..... ....., in respect of which no taxes of a preceding year or years payable under *The Local Roads Boards Act* are in arrears, and I do hereby promise and declare that I will truly, faithfully, and impartially to the best of my knowledge and ability, execute the office of Trustee of the Local Roads Board for the.....Local Roads Area, and that I have not received and I will not receive any payment or reward, or promise thereof for the exercise of any partiality or malversation or other undue execution of the said office.

IN WITNESS WHEREOF I have hereunto subscribed my name this....day of....., 19....

Signed by the above named

in the presence of:

.....

O. Reg. 315/64, Form 1.

Form 2

The Local Roads Boards Act

DECLARATION OF SECRETARY-TREASURER

I, ..., do hereby declare that I am of the full age of twenty-one years, a Canadian citizen and the owner of Lot...., in Concession....., of the Township of....., in respect of which no taxes of a preceding year or years payable under *The Local Roads Boards Act* are in arrears, and I do hereby promise and declare that I will truly, faithfully and impartially to the best of my knowledge and ability, execute the office of Secretary-Treasurer of the Local Roads Board for the.....Local Roads Area, and that I have not received and I will not receive any payment or reward, or promise thereof for the exercise of any partiality or malversation or other undue execution of the said office.

IN WITNESS WHEREOF I have hereunto subscribed my name this....day of.....,

19....

Signed by the above named

in the presence of: .....

O. Reg. 315/64, Form 2.

Form 3

The Local Roads Boards Act

PETITION

To the Honourable, The Minister of Highways:

WHEREAS at a meeting held and conducted pursuant to section 7 of *The Local Roads Boards Act*, on the.....day of....., 19..., the majority of the owners of land in the proposed Local Roads Area voted in favour of the establishment of a Local Roads Area bounded by (or composed of)

.....

.....

and including the following local roads within that area, namely:

.....

.....

.....

AND WHEREAS at the said meeting the said owners elected the following of their number to be trustees of the Board, namely:

.....

.....

.....

and the undersigned was elected secretary of the meeting.

NOW THEREFORE, the undersigned on behalf of the said owners hereby respectfully requests The Honourable, The Minister of Highways to establish the proposed Local Roads Area as a Local Roads Area under *The Local Roads Boards Act*, and to designate that the above-noted local roads be included therein.

Dated at.....

this....day of.....

19....

.....

Secretary

O. Reg. 315/64, Form 3.

Form 4

The Local Roads Boards Act

CAUTION

To: The Master of Titles at.....

I, ..., of the.....

....., in the....., the secretary-treasurer of the Local Roads Board for the..... Local Roads Area, hereby give notice that the said Board has an interest in the land registered in the name of..... as Parcel.....in the Register for..... and require that no dealing with the land be had on the part of the registered owner until notice has been served upon me.

The interest of the Board in the above-mentioned land is as follows:

1. The taxes imposed under *The Local Roads Boards Act* are unpaid for a period of two years or more.

2. Unless the total amount of tax, penalties and the prescribed costs due and payable under *The Local Roads Boards Act* are paid the land and every interest therein will be liable to be forfeited to and vested in the Crown.

My address for service is.....

.....

Dated at.....this....day of.....,

19....

.....

Secretary-Treasurer

O. Reg. 74/67, s. 2.

Form 5

The Local Roads Boards Act

CAUTION

I, ..., of the

....., in the.....

....., the secretary-treasurer of the Local Roads

Board for the.....Local Roads Area, hereby give notice that the said Board has an interest in the hereafter described lands in that:

1. The taxes imposed under *The Local Roads Boards Act* are unpaid for a period of two years or more.

2. Unless the total amount of tax, penalties and the prescribed costs due and payable under *The Local Roads Boards Act*, are paid the land and every interest therein will be liable to be forfeited to and vested in the Crown.

The lands affected by this Caution are as follows:

.....

.....

My address for service is.....

.....

Dated at.....this....day of....., 19....

.....
Secretary-Treasurer

O. Reg. 74/67, s. 2.

Form 6

The Local Roads Boards Act

WITHDRAWAL OF CAUTION

To: The Master of Titles at.....

I, ..., of the.....

.....in the....., the secretary-treasurer of the Local Roads Board for the..... Local Roads Area, do hereby withdraw the caution registered in the Office of Land Titles at..... on the.....day of....., 19...., as number..... claiming an interest in the land registered in the name of..... as Parcel.....in the Register for.....

.....
Secretary-Treasurer

Dated at.....this....day of.....

19....

O. Reg. 74/67, s. 2.

Form 7

The Local Roads Boards Act

WITHDRAWAL OF CAUTION

I, ..., of the.....

....., in the..... the secretary-treasurer of the Local Roads Board for the.....Local Roads Area, do hereby wtihdraw the caution registered in the Registry Office for the Registry Division of....., on the.....day of....., as number.....claiming an interest by the said Board in the following lands:

.....

.....

Dated at.....this....day of.....

19....

.....
Secretary-Treasurer

O. Reg. 74/67, s. 2.

Form 8

The Local Roads Boards Act

NOTICE OF TAX ARREARS

To:

TAKE NOTICE that unless the total amount of tax, penalties and the prescribed costs, due and payable under *The Local Roads Boards Act*, in respect of the land hereinafter described are paid within twelve months from the date of mailing this notice the land and every interest therein will be liable to be forfeited to and to be vested in the Crown.

DESCRIPTION OF LAND:

The total amount of tax, penalties and the prescribed costs due and payable is $.....A certified cheque or money order should be made payable to the Local Roads Board for the..... Local Roads Area and addressed to the undersigned.

Dated at.....this....day of.....

19....

.....
Secretary-Treasurer

(Mailing Address)

O. Reg. 74/67, s. 2.

REGULATION 573

under The Loggers' Safety Act

GENERAL

INTERPRETATION

1. In this Regulation,

(*a*) "bucking" means the act of sawing a tree that is felled;

(*b*) "darkness' means the period of time between one-half hour after sunset and one-half hour before sunrise;

(*c*) "haul road" means a road, other than a highway as defined in *The Highway Traffic Act*, on which logs are transported;

(*d*) "life-jacket" means a standard life-jacket or a small vessel life-jacket that complies with the Small Vessel Regulations made under the *Canada Shipping Act;*

(*e*) "local officer" means the officer employed in the administrative region or district of the Department of Lands and Forests;

(*f*) "lodged tree" means a tree that has not fallen to the ground after being,

(i) partly or wholly separated from its stump, or

(ii) displaced from its natural position;

(*g*) "log" includes a piece of pulpwood, pit prop, pole, post, tie or any similar product;

(*h*) "safety hat" means a hat manufactured for the purpose of protecting a person's head from flying or falling objects;

(*i*) "snag" means any material or object that may interfere with the safe movement of a tree or log or that may endanger a logger or equipment;

(*j*) "stakes" mean posts of wood or metal used to support logs and prevent the lateral movement of the logs;

(*k*) "tractor" means self-propelled equipment used to provide tractive power. O. Reg. 317/64, s. 1.

GENERAL

2. This Regulation does not apply to the felling or trimming of trees for horticultural or aesthetic purposes. O. Reg. 317/64, s. 2.

3. In applying this Regulation,

(*a*) the composition of the material of an object; and

(*b*) the size and arrangement of the material of an object,

may vary from that prescribed, but only to the extent that the local officer is satisfied that the strength of the object and the safety of its use by loggers is equal to or greater than the strength and safety as prescribed. O. Reg. 317/64, s. 3.

4.—(1) No logging shall be performed unless the operator files with the local officer a notice in Form 1.

(2). Where logging extends beyond the 31st day of March next following the date of the notice in Form 1, the operator shall file with the local officer on or before the first day of April next following that 31st day of March a further notice in Form 1. O. Reg. 317/64, s. 4.

5. Every operator shall appoint one or more competent persons to be known as the supervisor or supervisors. O. Reg. 317/64, s. 5.

6. Every operator shall,

(*a*) post on a building used by all his loggers, or where there is no such building, in a sheltered place frequented by the loggers, a notice containing the name, address and telephone number of the local officer;

(*b*) provide adequate artificial light in logging camps and work-sites during darkness;

(*c*) ensure that the handling, use and storage of explosive materials is in accordance with sections 287 to 318 of *The Mining Act*;

(*d*) ensure that during periods of use cranes, booms, gin poles and similar equipment are inspected at least once a day and that any defects therein are reported to him;

(*e*) ensure that any platform on which a logger stands during the loading of logs has a surface that provides firm footing for the logger; and

(*f*) ensure that trails are kept clear of obstructions and, within a logging camp, icy pathways are sanded to prevent slipping and injury to loggers using them. O. Reg. 317/64, s. 6.

7. No logger shall climb or work under a lodged tree. O. Reg. 317/64, s. 7.

8. No logger shall engage or be permitted to engage in logging where he might be endangered by flying or falling objects unless he is wearing a safety hat. O. Reg. 317/64, s. 8.

9. No logger shall place or leave any equipment or device used in logging in a manner that might endanger his safety or that of any other logger. O. Reg. 317/64, s. 9.

HAUL ROADS

10.—(1) Every operator shall ensure that,

(*a*) every haul road, bridge and log dump is constructed and maintained so as to ensure the safe operation of vehicles;

(*b*) curbs of a height of not less than six inches are securely installed and maintained on every bridge on a haul road;

(*c*) by-passes or turnout spaces sufficient to permit vehicles to pass safely are constructed and maintained on a haul road; and

(*d*) signs providing adequate warning of a bridge, cross-road, curve or steep grade are erected and maintained on a haul road.

(2) No logger shall operate a truck used in logging or any other vehicle on a haul road at a rate of speed in excess of the rate of speed at which he can bring the truck or vehicle to a complete stop within a distance of one-half of the length of his unobstructed view of the haul road. O. Reg. 317/64, s. 10.

FELLING AND BUCKING

11. An operator shall ensure that,

(*a*) where a tree is being felled, no person enters or works in the area of the felling unless he is authorized to do so by the supervisor; and

(*b*) except where a greater hazard is created by so doing, dead, broken or rotted limbs or trees that are a hazard to loggers in the vicinity of a work-site are felled or lowered safely to the ground before a live or sound tree is felled. O. Reg. 317/64, s. 11; O. Reg. 60/66, s. 1.

12. A logger shall,

(*a*) before felling a tree, cut and clear away snags;

(*b*) not start felling a tree until all other loggers are clear of danger;

(*c*) when a tree that he is felling starts to fall, stand clear of the tree; and

(*d*) not use a saw for bucking until all material and objects are cleared from the travel of the saw. O. Reg. 317/64, s. 12; O. Reg. 60/66, s. 2.

POWER SAWS

13. No power saw shall be operated unless it is in a safe working condition. O. Reg. 60/66, s. 3.

14. When starting a power saw, a logger shall not brace it against any part of his body. O. Reg. 317/64, s. 14; O. Reg. 60/66, s. 4.

15. No power saw shall be started within ten feet of the place where it is fueled. O. Reg. 60/66, s. 5.

16. The chain or blade of a power saw shall be stopped when the power saw is idling or being carried. O. Reg. 317/64, s. 16; O. Reg. 60/66, s. 6.

17. No logger shall operate a power saw above the level of his shoulders. O. Reg. 317/64, s. 17.

18. No logger shall insert a cutting chain in the guide rail groove of a power saw unless the motor of the power saw is stopped. O. Reg. 317/64, s. 18.

19. A safety-type container shall be used for fuelling a power saw. O. Reg. 317/64, s. 19.

20. When operating a power saw, a logger shall have readily available a fire extinguisher that is in working condition. O. Reg. 317/64, s. 20; O. Reg. 60/66, s. 7.

SKIDDING, LOADING, UNLOADING AND YARDING

21. When loading or unloading logs, a logger shall stand at one end of the logs. O. Reg. 317/64, s. 21.

22. Subject to *The Crown Timber Act* and the regulations made thereunder, adequate space shall be cleared of snags and trees at landing, log dump or loading area. O. Reg. 317/64, s. 22.

23. When skidding a log on a down-grade, a logger shall not use tongs but shall use a chain or cable. O. Reg. 317/64, s. 23.

24. When skidding a log, a logger shall not raise the log to a height that might endanger the driver of a vehicle moving the log or that might cause a vehicle to up-end or overturn. O. Reg. 317/64, s. 24.

25. No logger shall remain at an unsafe distance from a cable or chain that is being tightened or that is under tension. O. Reg. 317/64, s. 25.

26. No logger shall engage in the loading or unloading of logs unless he has an unobstructed view of the landing and of the vehicle being loaded or unloaded. O. Reg. 317/64, s. 26.

VEHICLES

27. No vehicle shall be operated on a haul road or work-site during darkness unless the vehicle is carrying in a conspicuous position adequate lighted lamps. O. Reg. 317/64, s. 27; O. Reg. 60/66, s. 8.

28. The rear window of the cab of a truck used in logging shall have a guard adequate to safely protect the occupants of the cab from a shifting load. O. Reg. 317/64, s. 28.

29. A dump box, bulldozer blade or any other mechanically-operated attachment to a vehicle shall be securely blocked when it is elevated for repairs or greasing and when not in use shall be lowered to a safe rest position. O. Reg. 317/64, s. 29.

30.—(1) Every vehicle equipped to lift a load above the driver's head when he is sitting in the proper seat and every tractor or other vehicle, except a truck, used to move trees or logs shall be equipped with a steel canopy adequate to ensure the driver's protection from falling or flying objects. O. Reg. 317/64, s. 30 (1); O. Reg. 60/66, s. 9.

(2) The steel supports and plate or other roof of a canopy mentioned in subsection 1 shall be installed by welding.

(3) A canopy mentioned in subsection 1 shall be supported by not less than four posts. O. Reg. 317/64, s. 30 (2, 3).

31. A winch on a vehicle or machine shall have a guard adequate to safely protect the logger operating the vehicle or machine from flying cables, hooks or other objects. O. Reg. 317/64, s. 31.

32. No logger shall ride on a tractor or similar vehicle except in the seat provided for the purpose. O. Reg. 317/64, s. 32.

33. The owner of a vehicle used in logging shall ensure that,

(*a*) the controls are located so that the driver has an unobstructed view of any logging being performed; and

(*b*) the vehicle is in good repair and a safe operating condition. O. Reg. 317/64, s. 33.

34. The driver of a vehicle used in logging shall test the brakes of the vehicle at the place of loading immediately before driving the vehicle from that place. O. Reg. 317/64, s. 34.

35. A tractor or other vehicle shall be started or operated only by a person authorized by the owner or operator. O. Reg. 317/64, s. 35.

36. An operator shall ensure that a truck or vehicle used for the hauling of logs shall be equipped with a substantial bulkhead installed immediately behind the cab that is at least three inches higher and six inches wider than the cab. O. Reg. 317/64, s. 36; O. Reg. 60/66, s. 10.

37. A vehicle used in logging shall be so loaded and the load so secured as to prevent the dislodging or falling of the load or any part thereof during transit. O. Reg. 317/64, s. 37.

38. No logger shall remain in the cab of a vehicle while it is being loaded or unloaded by a method in which a boom or the load is likely to pass over the cab. O. Reg. 60/66, s. 11.

39. Except in a case of emergency, not more than two persons shall occupy the cab of a truck used for hauling logs. O. Reg. 317/64, s. 39; O. Reg. 60/66, s. 12.

40. No person shall ride on or on the load of a truck or trailer used for hauling logs. O. Reg. 60/66, s. 13.

41. Where a loaded truck used in logging is driven on a haul road, the driver,

(*a*) shall not follow another vehicle more closely than is reasonable and prudent having due regard for the speed of his vehicle and the traffic on and the condition of the haul road; or

(*b*) when meeting or overtaking another vehicle,shall pass the other vehicle with caution. O. Reg. 317/64, s. 41.

42. The owner of a truck or trailer that is used for hauling logs and is not unloaded by mechanical equipment shall ensure that, for the purpose of releasing the load, the truck or trailer is equipped with a tripping device that can be operated by a safe mechanical means and from a safe location. O. Reg. 60/66, s. 14.

43. Where logs are being loaded on or unloaded from a vehicle, no logger shall be on or near the side of the vehicle that is opposite the side from which the vehicle is being loaded or unloaded. O. Reg. 317/64, s. 43.

44. No logger shall be in or under the path of travel of any log or material that is being loaded or unloaded. O. Reg. 317/64, s. 44.

TRANSPORTATION OF WORKMEN

45. Where a vehicle is used to transport loggers, the operator shall ensure that the part of the vehicle in which the loggers are transported,

(*a*) is enclosed and has adequate seating for the loggers;

(*b*) has adequate, safe interior lighting;

(*c*) has adequate, safe heat and ventilation;

(*d*) has a signal device that provides communication between the loggers and the driver; and

(*e*) is equipped on the outside of the vehicle with adequate racks to securely hold in place saws, axes and other tools being transported and that the saws, axes and other tools are placed in the racks. O. Reg. 317/64, s. 45; O. Reg. 60/66, s. 15.

46. Where loggers are being transported in a vehicle, flammable liquids shall not be transported,

(*a*) in the enclosed part of the vehicle in which the loggers are being transported; or

(*b*) on the vehicle except in safety-type containers in racks installed on the outside of the vehicle. O. Reg. 317/64, s. 46; O. Reg. 60/66, s. 16.

MACHINERY

47. In a machine shop, blacksmith shop, garage or similar shop used as a part of logging and to which *The Industrial Safety Act* and the regulations made thereunder do not apply, or in any other part of logging, the operator shall,

(*a*) provide on every power-driven machine a readily accessible emergency stopping device;

(*b*) provide over every power-driven grinding wheel, buffing wheel or cutting wheel a guard that protects the logger operating the machine from flying particles and that has an adequate transparent vision panel;

(*c*) ensure that grinding wheel or similar wheel is not operated at a speed in excess of the speed recommended in writing by the manufacturer;

(*d*) where a logger might be exposed to eye injury,

(i) due to flying particles,

(ii) from hazardous substances, or

(iii) from harmful light or other rays,

provide him with a screen, clear or coloured glasses, as appropriate, or other suitable device manufactured for the purpose of protecting persons from such injury; and

(*e*) ensure that all exterior moving parts of machinery with which a logger might come into contact are effectively guarded to protect the logger from injury. O. Reg. 317/64, s. 47.

48. A logger shall,

(*a*) wear close-fitting, fastened clothing when working near moving machinery;

(*b*) not shift a belt by hand when a machine is in motion;

(*c*) not apply belt dressing to a part of a belt,

(i) that is less than three feet from a pulley, or

(ii) that is moving toward the pulley nearest to the logger;

(*d*) not lubricate, clean or repair a machine when it is in motion, unless the machine is so designed and located that lubrication, cleaning or repairing can done safely when the machine is in motion;

(*e*) not use any part of his body for removing an object lodged in a sheave or moving part of a machine;

(*f*) not set the tool-rest of a grinding wheel more than one-eighth of an inch distant from the wheel; and

(*g*) not make an adjustment on a grinding wheel, buffing wheel or cutting wheel when the wheel is in motion. O. Reg. 317/64, s. 48.

WORKING OVER WATER

49. Where there is water into which a logger might fall with risk of drowning, the operator shall,

(*a*) provide and ensure that the logger wears a life-jacket in the manner recommended by the manufacturer, unless other adequate means of protection are provided;

(*b*) ensure that there is readily accessible for rescue purposes a boat in seaworthy condition and, in addition to the equipment

required by Part IV of the Small Vessel Regulations made under the *Canada Shipping Act*, equipped with a pike pole at least six feet in length;

(*c*) ensure that there is readily available at least one person who is trained and competent to perform any necessary rescue operation when an alarm signal is given; and

(*d*) ensure that not less than two men are present on a boat used for the towing, rafting, river driving or sweeping of logs. O. Reg. 317/64, s. 49; O. Reg. 60/66, s. 17.

Form 1

The Loggers' Safety Act

NOTICE OF LOGGING

Under *The Loggers' Safety Act* and the regulations, and subject to the limitations thereof, the undersigned gives notice of the following operation:

Applicant	Name	Address No. Street P.O. Box or R.R. No.	
	Post Office		Phone—Business Residence
Duration and type of Operation	Start Date	☐ Logging ☐ Mining ☐ Land Clearing	
	Finish Date	☐ Industrial ☐ Saw Mill ☐ Dam, Bridge, Camp Const.	
		☐ Other—	
Licence or Authority No.	Timber Licence	Mining Claim No.	Private Lands
	Land Use Permit	Other	
Extent of Operation	Logging acres	Land clearing (area)	Right-of-way (length × width)
	Other		

Species	Pulpwood (cords)	Sawlog ☐ cu. ft. ☐ F.B.M.	Tree Length (cu. ft.)	Others

Boundaries of Work Permit Area	Township or Base Map No.	Lot and Concession, Location, Subdivision or Mining Claim	
	Other (describe)		Shown on Map Attached

Camp	Location	No. of Employees
Initial Forest Fire Suppression Action	Name of Person Responsible (on worksite)	
	Home Address No. Street P.O. Box or R.R. No.	
	Post Office	Telephone—Residence
Supervisor of Operation	Name	
Communication to Permit Area	Phone No. Radio from to	Other
Heavy Equipment	List Bulldozer Type Equipment on Work Permit Area:	

I certify that the information given in this application is true.

Signature	Title	Date

O. Reg. 268/69, s. 1.

REGULATION 574

under The Meat Inspection Act (Ontario)

GENERAL

INTERPRETATION

1. In this Regulation,

(*a*) "carcass" means the whole carcass of an animal;

(*b*) "dressed carcass" means the edible parts of a carcass but does not include the edible organs;

(*c*) "edible" means fit for food;

(*d*) "eviscerated poultry" means slaughtered poultry from which the blood, feathers, head, legs at the hock joints, oil sac and viscera, including the respiratory, digestive, reproductive and urinary systems, have been removed;

(*e*) "farmer" means a person whose principal occupation is farming;

(*f*) "food" means food for human consumption unless the context otherwise requires;

(*g*) "inedible" means unfit for food;

(*h*) "inspection legend" means the inspection legend prescribed by this Regulation;

(*i*) "operator" means a person operating a plant;

(*j*) "primal cut" means a short hip, steak piece, short loin, rib or chuck cut;

(*k*) "regional veterinarian" means a veterinary inspector appointed as a supervisor of inspection service in a region designated by the Minister;

(*l*) "undrawn dressed poultry" means slaughtered poultry from which the blood and feathers have been removed;

(*m*) "utensil" means any equipment that comes in contact with meat in a plant;

(*n*) "veterinarian" means a person registered under *The Veterinarians Act*;

(*o*) "veterinary inspector" means a veterinarian appointed as an inspector. O. Reg. 20/65, s. 1.

2. Sections 68 to 93, both inclusive, and 109 to 114, both inclusive, do not apply to poultry. O. Reg. 20/65, s. 2; O. Reg. 208/68, s. 1.

EXEMPTIONS

3.—(1) Subject to subsection 2, the following animals or classes of animals and the meat thereof are exempt from the Act and this Regulation:

1. Animals that are owned and kept by a farmer on his farm for at least two months immediately before time of slaughter and the meat from those animals sold directly by him on his farm premises to a consumer for his own consumption.

2. Animals that are owned by a person and slaughtered for his own consumption.

3. Animals that are owned by members of an association formed for the purpose of slaughtering such animals and distributing the meat thereof to the members of the association for their own consumption.

4. Poultry that is slaughtered for the purpose of selling or offering for sale as undrawn dressed poultry and is removed from the plant in the undrawn dressed form. O. Reg. 20/65, s. 3 (1); O. Reg. 395/70, s. 1.

(2) Where it appears to the owner of an animal exempt under subsection 1 that the animal or the carcass of the animal is diseased or shows evidence of any abnormal condition, such owner shall not sell, offer for sale, transport or deliver the meat thereof unless a veterinarian makes,

(*a*) in the case of the animal, an *ante mortem* inspection of the animal and a *post mortem* inspection of the carcass; or

(*b*) in the case of the carcass, a *post mortem* inspection thereof,

and certifies in writing that the meat is fit for food. O. Reg. 20/65, s. 3 (2).

4.—(1) Subject to subsections 2 and 3, where an operator is engaged in the business of operating a plant solely for the slaughter of animals or classes of animals that are exempt from the Act and this Regulation, such operator is exempt from the Act, except sections 4 and 5 thereof, and this Regulation.

(2) Where an operator mentioned in subsection 1, other than a farmer referred to in paragraph 1 of subsection 1 of section 3, is engaged in the business of selling or offering for sale meat other than undrawn dressed poultry, subsection 1 does not apply.

(3) Where a farmer referred to in paragraph 1 of subsection 1 of section 3 slaughters, for any other person, animals or classes of animals that are exempt from the Act and this Regulation, other than poultry slaughtered for the purpose of selling or offering for sale as undrawn dressed poultry, subsection 1 does not apply. O. Reg. 208/68, s. 2, *part*.

5. Where an animal has been slaughtered at an establishment and the meat thereof has been stamped or labelled in accordance with the *Meat Inspection Act* (Canada) and the regulations made thereunder, such meat shall be deemed to have been stamped or labelled in accordance with the Act and this Regulation. O. Reg. 208/68, s. 2, *part*.

LICENCES

6.—(1) A licence to engage in the business of operating a plant shall be in Form 1. O. Reg. 20/65, s. 5 (1).

(2) An application for a licence to engage in the business of operating a plant shall be in Form 2 and shall be accompanied by material showing,

(*a*) the exact geographic location of the plant and any facilities used in connection therewith or the site for the plant and such facilities;

(*b*) particulars of such location in respect of drainage and facilities for maintenance of sanitary conditions;

(*c*) the dimensions of the plant and such facilities and their capacity for the proposed operation;

(*d*) by detailed plans, the number of rooms, intended operation in each room, locations of main equipment and of such other equipment as shows the nature and extent of the plant operation;

(*e*) by a survey, drawing or sketch, the location of the plant and such facilities in relation to other adjacent properties;

(*f*) where washrooms, dressing rooms or toilet rooms are not provided in the plant, particulars of facilities available elsewhere; and

(*g*) such other information as the Director requires. O. Reg. 20/65, s. 5 (2); O. Reg. 208/68, s. 3.

7.—(1) A licence in Form 1 shall continue in force until it is suspended or revoked by the Director. O. Reg. 20/65, s. 6 (1); O. Reg. 208/68, s. 4.

(2) A licence in Form 1 is not transferable. O. Reg. 20/65, s. 6 (2).

8. The Director shall assign a plant number to every plant licensed under the Act and this Regulation. O. Reg. 20/65, s. 7; O. Reg. 208/68, s. 5.

9. The Director may suspend or revoke or refuse to renew a licence for failure to observe, perform or carry out the provisions of the Act or this Regulation. O. Reg. 20/65, s. 8; O. Reg. 208/68, s. 6.

10. Any person whose licence was suspended or revoked or was not renewed has the right of appeal to the Minister to show cause why such licence should not be suspended or revoked or why such renewal should not be refused, as the case may be, and the Minister, after a hearing at which all persons entitled to be heard have been given an opportunity to make representations in respect of the appeal, may require the Director to reinstate the licence. O. Reg. 20/65, s. 9; O. Reg. 208/68, s. 7.

PLANTS AND EQUIPMENT

11. Every plant shall,

(*a*) be located in a place free from conditions that might injuriously affect the sanitary operation of the plant;

(*b*) be constructed and finished in such manner that the plant is capable of being maintained in a sanitary condition;

(*c*) be fully lighted;

(*d*) be adequately ventilated; and

(*e*) be adequately heated. O. Reg. 20/65, s. 10.

12. Every plant in which animals other than poultry are slaughtered shall be equipped with,

(*a*) a killing room for the purpose of slaughtering animals;

(*b*) a storage room for inedible offal, meat that is not food, condemned material and refuse;

(*c*) where hides are salted, a hide room for that purpose;

(*d*) pens for the purpose of holding animals before slaughter;

(*e*) head inspection racks;

(*f*) a viscera truck or table;

(*g*) a hoist;

(*h*) a sterilizer; and

(*i*) such other equipment as the Director requires. O. Reg. 20/65, s. 11; O. Reg. 208/68, s. 8.

13.—(1) Every plant shall be equipped with or have readily available adequate refrigeration facilities, including facilities for the purpose of chilling and storing dressed carcasses immediately after slaughter.

(2) Every refrigerated room in a plant shall be equipped with a direct reading thermometer of known accuracy. O. Reg. 20/65, s. 12.

14.—(1) Every plant shall have, under pressure,

(*a*) a supply of potable hot and cold water adequate for the efficient operation of the plant, and

(*b*) an adequate supply of potable hot water or live steam for sterilizing purposes.

(2) Every plant shall have adequate hand washing facilities in the killing room. O. Reg. 20/65, s. 13.

15.—(1) Floors shall be smooth, impervious to liquids and adequately drained in,

(*a*) killing rooms;

(*b*) rooms in which carcasses or meat are chilled, stored, cut, handled, prepared or packed; and

(*c*) storage rooms for inedible offal, meat that is not food, condemned material and refuse.

(2) Floors in hide rooms shall be smooth and impervious to liquids. O. Reg. 20/65, s. 14.

16. A catch basin shall not be located in,

(*a*) a killing room; or

(*b*) a room in which carcasses or meat are chilled, stored, cut, handled, prepared or packed. O. Reg. 20/65, s. 15.

17. Walls shall be of smooth material and impervious to liquids to a height adequate for sanitary maintenance in,

(*a*) killing rooms; and

(*b*) rooms in which carcasses or meat are chilled, stored, cut, handled, prepared or packed. O. Reg. 20/65, s. 16.

18. Ceilings in refrigerated rooms shall be of smooth material and impervious to liquids. O. Reg. 20/65, s. 17.

19. Rails, racks and hooks shall be of rust-resistant metal construction. O. Reg. 20/65, s. 18.

20. Tables, benches, blocks and containers for meat intended for food shall be rust-resistant and free of any crack or crevice. O. Reg. 20/65, s. 19.

21. Containers for the storage of inedible offal, meat that is not food, condemned material and refuse shall be of suitable metal, plastic or fibre glass construction and covered with insect-proof covers of the same construction. O. Reg. 20/65, s. 20.

22. Except as otherwise provided, utensils shall be of such material and so constructed that they are rust-resistant and can be easily cleaned and sterilized. O. Reg. 20/65, s. 21.

OPERATION OF PLANTS

23. No person shall operate a plant except in accordance with this Regulation. O. Reg. 20/65, s. 22.

24. No person shall use any part of a plant as living quarters. O. Reg. 20/65, s. 23.

25. No person shall have in a plant any thing that is not used in the normal operation of the plant. O. Reg. 20/65, s. 24.

26.—(1) No horse shall be slaughtered at a plant in which other animals are slaughtered.

(2) No rabbit shall be slaughtered at a plant in which poultry is slaughtered. O. Reg. 208/68, s. 9.

27. No person shall use the holding pens of a plant for the purpose of fattening animals. O. Reg. 20/65, s. 26.

28.—(1) Except in the case of poultry, no animal that is exempt from the Act and this Regulation shall be slaughtered in a plant unless the animal is slaughtered in accordance with the Act and this Regulation. O. Reg. 20/65, s. 27 (1).

(2) No poultry that is slaughtered for the purpose of selling or offering for sale as undrawn dressed poultry shall be eviscerated in a plant. O. Reg. 395/70, s. 2.

29. The water supply shall be adequately protected against contamination and pollution. O. Reg. 20/65, s. 28.

30.—(1) Every plant shall be kept clean, sanitary and in good repair.

(2) The floors, walls and ceilings of a plant shall be maintained in a clean and sanitary condition.

(3) Rooms and passageways in a plant shall be kept free of condensed moisture.

(4) Rails, racks and hooks shall be,

(*a*) arranged so as to prevent contact of a carcass or meat with a wall or floor; and

(*b*) kept clean, sanitary and in good repair.

(5) Tables, benches, blocks and containers for meat intended for food shall be kept clean, sanitary and in good repair.

(6) Floors in pens for holding animals shall be maintained in a dry, clean and sanitary condition.

(7) The yards of a plant shall be maintained in a clean condition and free of litter and weeds. O. Reg. 20/65, s. 29.

31. All waste and drainage from the operation of a plant shall be disposed of in a sanitary manner. O. Reg. 20/65, s. 30.

32.—(1) Containers for the storage of inedible offal, meat that is not food, condemned material and refuse shall be,

(*a*) marked to identify the use to which they are put;

(*b*) used for no other purpose;

(*c*) kept clean and in good repair;

(*d*) kept in the storage room provided for that purpose; and

(*e*) emptied as directed by an inspector.

(2) No person shall permit inedible offal, meat that is not food, condemned material or refuse to accumulate in a plant or on or near the premises of a plant except in containers that comply with this Regulation.

(3) Subject to subsection 4, inedible offal and meat that is not food shall be disposed of in the manner prescribed by section 108. O. Reg. 20/65, s. 31 (1-3).

(4) Where a carcass has been approved as fit for food by an inspector, any inedible offal and meat that is not food that has been approved by the Director for the purpose of animal food may be disposed of for that purpose in a manner prescribed by the Director. O. Reg. 20/65, s. 31 (4); O. Reg. 208/68, s. 10.

33. No person shall smoke, chew tobacco or spit on the floor in any room in which carcasses or meat are chilled, stored, cut, handled, prepared or packed. O. Reg. 20/65, s. 32.

34. All outside openings capable of being opened, except loading doors, shall be screened sufficiently to prevent the entry of flies or other insects. O. Reg. 20/65, s. 33.

35. Every practicable precaution shall be taken to maintain plants free of flies, rats, mice and other vermin. O. Reg. 20/65, s. 34.

36. No person shall permit a dog or cat to be in a plant. O. Reg. 20/65, s. 35.

37.—(1) Only germicides, insecticides, rodenticides, detergents, wetting agents or other similar materials that have been approved by the Food and Drug Directorate of the Department of National Health and Welfare shall be used in a plant.

(2) The materials mentioned in subsection 1 shall be used in a manner approved by the plant inspector. O. Reg. 20/65, s. 36.

38.—(1) Equipment and utensils shall be,

(*a*) cleaned at the end of each day's use; and

(*b*) disinfected before each use.

(2) Utensils that have been in contact with infected materials shall be immediately cleaned and sterilized by means of hot water or live steam. O. Reg. 20/65, s. 37.

39.—(1) Meat shall be handled and kept in such manner and place as to prevent contamination.

(2) Meat shall not come in direct contact with the floors or walls in a plant.

(3) Containers of meat intended for food shall not be placed in direct contact with the floor. O. Reg. 20/65, s. 38.

40. No paper or other material shall be used in direct contact with meat unless it is of such kind that,

(*a*) remains intact and does not disintegrate from the moisture of the meat;

(*b*) is readily and completely removable from the meat; and

(*c*) does not impart any chemical or other objectionable substance to the meat. O. Reg. 20/65, s. 39.

41. Inedible offal and meat that is not food shall,

(*a*) be removed immediately from any room in which carcasses or meat are chilled, stored, cut, handled, prepared or packed; and

(*b*) be placed in the containers prescribed for that purpose. O. Reg. 20/65, s. 40.

42. Hides shall not be kept in any room in which carcasses or meat are chilled, stored, cut, handled, prepared or packed. O. Reg. 20/65, s. 41.

43. The carcass of an animal that has been condemned on *ante mortem* inspection shall not be taken through or into any room in which carcasses or meat are chilled, stored, cut, handled, prepared or packed. O. Reg. 20/65, s. 42.

44. No person shall take a dead animal into a plant. O. Reg. 20/65, s. 43.

45. Except in the case of poultry, an animal that dies while being held at a plant shall be removed forthwith and disposed of in accordance with *The Dead Animal Disposal Act*. O. Reg. 20/65, s. 44; O. Reg. 208/68, s. 11.

46. Except in the case of undrawn dressed poultry, no carcass of an animal or a part thereof shall be taken into a plant unless,

(*a*) the animal was slaughtered; and

(*b*) the carcass or part has been stamped or labelled,

in accordance with this Regulation or the *Meat Inspection Act* (Canada) and the regulations made thereunder. O. Reg. 20/65, s. 45; O. Reg. 208/68, s. 12.

47. No person shall permit the removal of or transport or deliver meat from a plant,

(*a*) unless the meat,

(i) is adequately protected against dust, dirt, flies or other insects,

(ii) is handled in such manner as to prevent contamination,

(iii) does not come in direct contact with the floor, roof or walls of the vehicle in which it is to be transported or delivered, and

(iv) is transported or delivered in a vehicle that is clean, sanitary and constructed and equipped for the proper care of meat; or

(*b*) in a vehicle that contains inedible offal, meat that is not food, condemned material, refuse, unsanitary material or animals. O. Reg. 208/68, s. 13.

48.—(1) Where an inspector finds that the provisions of section 47 are not complied with in respect of a vehicle at a plant, he shall,

(*a*) prohibit the transportation or delivery of meat from the plant in the vehicle and may issue such directions as he considers necessary or advisable to secure compliance with the provisions of section 47; or

(*b*) direct the removal from the vehicle of meat therein and reinspect the meat,

as the case may be.

(2) On reinspection of meat under clause *b* of subsection 1, the inspector may issue such directions as he considers necessary or advisable to ensure that the meat complies with this Regulation. O. Reg. 208/68, s. 13.

RECORDS

49.—(1) Every operator shall make and keep for at least twelve months a record of animals inspected at the plant. O. Reg. 20/65, s. 47 (1).

(2) The record prescribed by subsection 1 shall include,

(*a*) the names and addresses of the persons from whom animals were purchased or acquired;

(*b*) the dates of the purchase or acquisition of animals;

(*c*) the number and kind of animals purchased or acquired;

(*d*) the number of such animals that were slaughtered and the dates of slaughter; and

(*e*) such other information as the Director requires. O. Reg. 20/65, s. 47 (2); O. Reg. 208/68, s. 14 (1).

(3) Every operator shall, when required by the Director or an inspector, produce for inspection the record prescribed by subsection 1. O. Reg. 20/65, s. 47 (3); O. Reg. 208/68, s. 14 (2).

PERSONNEL

50.—(1) No person shall perform work that brings him in contact with meat in a plant unless,

(*a*) he is clean;

(*b*) he is free from and not a carrier of a disease or infection that may be spread through the medium of food;

(*c*) he submits to such examinations and tests as the local medical officer of health or the Director requires; and

(*d*) he wears clean, washable outer garments and headgear. O. Reg. 20/65, s. 48 (1); O. Reg. 208/68, s. 15.

(2) No person who has resided in premises while a communicable disease or infection has occurred therein shall perform work that brings him in contact with meat in a plant unless he has obtained a certificate from the local medical officer of health that he is free from and not a carrier of any disease or infection that may be spread through the medium of food. O. Reg. 20/65, s. 48 (2).

51. No person shall handle meat while he is the bearer of any substance that might contaminate the meat. O. Reg. 20/65, s. 49.

52.—(1) Every plant shall, for the use of the employees, be provided with or have available,

(*a*) washing facilities, including soap and running hot and cold water;

(*b*) clean towels for the exclusive use of each employee;

(*c*) adequate dressing rooms for all employees to change and store their clothing in clean and sanitary conditions; and

(*d*) adequate running water closet-type toilet facilities.

(2) Every toilet room shall be,

(*a*) located so that it does not open directly into any room in which meat is stored, cut, handled, prepared or packed;

(*b*) equipped with full-length doors;

(*c*) adequately ventilated; and

(*d*) fully lighted.

(3) While the plant is in operation, every washroom, dressing room and toilet room shall be adequately heated. O. Reg. 20/65, s. 50.

53. Washing facilities, dressing rooms and toilet rooms shall be kept clean and sanitary. O. Reg. 20/65, s. 51.

Inspection of Plants

inspectors

54. Every plant shall be operated under the supervision of an inspector. O. Reg. 20/65, s. 52.

55. Every inspector shall carry with him a certificate of his appointment and, on the request of an operator, shall produce the certificate. O. Reg. 20/65, s. 53.

56. Where any matter for which this Regulation makes no provision arises in the course of an inspection, the inspector shall deal with the matter and shall issue such directions as he considers necessary or advisable. O. Reg. 20/65, s. 54.

57. Every person shall comply with any direction issued by an inspector under this Regulation. O. Reg. 20/65, s. 55.

58. Where any provision of the Act or this Regulation or any direction of an inspector is not complied with in a plant, an inspector,

(*a*) may refuse to provide inspection at the plant or to stamp with the inspection legend or label meat at the plant; and

(*b*) shall notify immediately the regional veterinarian and furnish him with full particulars of his reasons for refusing to provide inspection at the plant or for refusing to stamp with the inspection legend or label meat at the plant. O. Reg. 20/65, s. 56.

59.—(1) Every plant shall provide,

(*a*) adequate accommodation for the use of the inspector; and

(*b*) adequate work space on the floor of the killing room for the inspector during his *post mortem* inspection.

(2) Where a plant requires inspection service for three or more days in a week, the accommodation for the inspector shall include a furnished office for his exclusive use. O. Reg. 20/65, s. 57.

60. An inspector may take or cause to be taken specimens from animals or carcasses for testing purposes. O. Reg. 20/65, s. 58.

61.—(1) An inspector may hold any equipment, utensil or room in a plant which, in his opinion, does not comply with this Regulation.

(2) Where any equipment, utensil or room is held under subsection 1, the inspector shall attach thereto a yellow tag bearing a serial number and the words "Ont. Held" and shall issue such directions as he considers necessary or advisable.

(3) Where the equipment, utensil or room that has been held under subsection 1 has been made to comply with this Regulation, the inspector shall remove the tag bearing the words "Ont. Held".

(4) Where any equipment, utensil or room is held under subsection 1, no person shall,

(*a*) remove the tag bearing the words "Ont. Held"; or

(*b*) use such equipment, utensil or room until the inspector has removed such tag. O. Reg. 20/65, s. 59.

INSPECTION SERVICE

62.—(1) Subject to subsection 2, every plant is entitled to inspection service between the hours of 7 a.m. and 6 p.m. on any five days of a week other than Sunday or a holiday.

(2) Where inspection service is provided to a plant on five days of a week and a holiday falls on one of those days, the plant is not entitled to inspection service on another day in lieu thereof. O. Reg. 208/68, s. 16.

63. Inspection shall be carried out in daylight whenever possible. O. Reg. 20/65, s. 61.

64.—(1) Every operator shall arrange with the inspector assigned to the plant for time of slaughter so that the inspector may make arrangements for the *ante mortem* inspection of animals, the *post mortem* inspection of the carcasses of such animals, and the stamping with the inspection legend or labelling of the meat of such animals during the hours prescribed by section 62.

(2) Every operator shall,

(*a*) make reasonable arrangements to expedite the *ante mortem* inspection of animals intended for slaughter; and

(*b*) conduct the slaughtering and dressing operations with reasonable speed in order to expedite the *post mortem* inspection of the carcasses. O. Reg. 20/65, s. 62.

65. An operator shall make special arrangements,

(*a*) with the regional veterinarian where inspection service is required at times other than the hours or days prescribed by section 62; or

(*b*) with a veterinary inspector in cases of emergency. O. Reg. 20/65, s. 63.

66. Where an inspector carries out his duties at more than one plant, the regional veterinarian may designate the hours of the day and the days of the week during which each plant may carry out its slaughtering operation. O. Reg. 20/65, s. 64.

67.—(1) Subject to subsection 3, every operator who requires inspection service at times other than the hours or days prescribed by section 62 shall pay a fee for such inspection service. O. Reg. 20/65, s. 65 (1).

(2) The fee for the inspection service mentioned in subsection 1 shall be the cost to the Department of Agriculture and Food of providing such inspection service. O. Reg. 20/65, s. 65 (2); O. Reg. 208/68, s. 17.

(3) Where the inspection service mentioned in subsection 1 is provided on a day designated by the regional veterinarian as a day on which a plant may carry out its slaughtering operation, the operator shall not pay a fee for such inspection service. O. Reg. 20/65, s. 65 (3).

ANTE MORTEM INSPECTION

68. No animal shall be taken into the killing room of a plant unless an inspector has completed an *ante mortem* inspection of the animal and has approved the animal for slaughter. O. Reg. 20/65, s. 66.

69. Where this Regulation prescribes that an animal be held, an inspector shall,

(*a*) attach a metal tag bearing a serial number and the words "Ont. Held" to the left ear of the animal; and

(*b*) direct that the animal be removed to and detained in an area apart from other animals. O. Reg. 20/65, s. 67.

70. Where this Regulation prescribes that an animal be slaughtered as a held animal, a veterinary inspector shall,

(*a*) direct that the animal be slaughtered apart from other animals; and

(*b*) make the *post mortem* inspection of the carcass of the animal. O. Reg. 20/65, s. 68.

71. Subject to section 110, where this Regulation prescribes that an animal be condemned, a veterinary inspector shall,

(*a*) attach a metal tag bearing a serial number and the words "Ont. Condemned" to the right ear of the animal; and

(*b*) direct that the animal be killed and that the carcass,

(i) be removed immediately to the storage room for condemned material,

(ii) be denatured by a method approved by the Director; and

(iii) be disposed of in the manner prescribed by section 108. O. Reg. 20/65, s. 69; O. Reg. 208/68, s. 18.

72. Unless otherwise authorized by an inspector, no person shall,

(*a*) place on or remove from an animal a tag bearing the words "Ont. Held" or "Ont. Condemned"; or

(*b*) remove an animal that has been held or condemned by an inspector from the area designated by the inspector for the detention of the animal. O. Reg. 20/65, s. 70.

73.—(1) Where, on *ante mortem* inspection of an animal, it appears to an inspector who is not a veterinary inspector that the animal is diseased, crippled, immature or in an advanced state of pregnancy, or that the animal shows evidence of any other abnormal condition, he shall,

(*a*) hold the animal; and

(*b*) notify a veterinary inspector immediately.

(2) Where a veterinary inspector is notified that an animal has been held, he shall make an *ante mortem* inspection of the animal.

(3) Where a veterinary inspector inspects a held animal and approves the animal for slaughter, he shall,

(*a*) remove the tag bearing the words "Ont. Held";

(*b*) permit slaughter of the animal; and

(*c*) make, or direct an inspector to make, a *post mortem* inspection of the carcass. O. Reg. 20/65, s. 71.

74. Where a veterinary inspector inspects an animal and finds or suspects that the animal is affected with any disease or condition that may cause condemnation of the carcass or a part thereof on *post mortem* inspection, he shall direct that the animal be slaughtered as a held animal. O. Reg. 20/65, s. 72.

75.—(1) Where a veterinary inspector inspects an animal that, in his opinion, is likely to respond to treatment, he shall direct that the animal,

(*a*) be held or continue to be held, as the case may be; and

(*b*) be set apart for treatment under his supervision.

(2) Where an animal has been set apart for treatment under subsection 1, the veterinary inspector shall release the animal for slaughter at the expiration of the period of treatment if, in his opinion, the animal is fit for slaughter. O. Reg. 20/65, s. 73.

76. Where a veterinary inspector finds that an animal is in an advanced state of pregnancy, he shall direct that the animal,

(*a*) be held or continue to be held, as the case may be; and

(*b*) shall not be slaughtered until the expiration of at least ten days after parturition. O. Reg. 20/65, s. 74.

75. Where a veterinary inspector finds that an animal has an abnormal temperature, he shall direct that the animal,

(*a*) be treated as prescribed by section 75;

(*b*) be slaughtered as a held animal; or

(*c*) be condemned. O. Reg. 20/65, s. 75.

76. Where a veterinary inspector inspects an animal and, in his opinion,

(*a*) the animal is in a moribund condition; or

(*b*) for any other reason, the meat of the animal is not fit for food,

he shall condemn the animal. O. Reg. 20/65, s. 76.

SLAUGHTER OF ANIMALS

77. Sections 78 to 84, both inclusive, apply to animals other than rabbits and poultry. O. Reg. 208/68, s. 19.

78. An animal shall be slaughtered by a method that produces rapid exsanguination. O. Reg. 208/68, s. 19.

79.—(1) No animal shall be slaughtered unless,

(*a*) it is rendered unconscious in accordance with a method prescribed by or authorized under section 81,

(i) immediately before slaughter, or

(ii) immediately before it is hung for the purpose of slaughter; or

(*b*) except in the case of swine, it is slaughtered in accordance with the Jewish ritual slaughter known as *Schechita* by means of a cut resulting in rapid, simultaneous and complete severance of the jugular veins and carotid arteries.

(2) Where an animal is slaughtered by the method referred to in clause *b* of subsection 1, it shall, before and during slaughter, be adequately restrained in a device or by a means approved by the Director. O. Reg. 208/68, s. 19.

80. Where an animal is rendered unconscious for the purpose of slaughter, it shall be slaughtered or hung and slaughtered, as the case may be, immediately thereafter. O. Reg. 208/68, s. 19.

81.—(1) For the purposes of slaughter, an animal shall be rendered unconscious,

(*a*) by delivering a blow to the head by means of a mechanical penetrating or non-penetrating device approved by the Director;

(*b*) in the case of a lamb or young calf, by delivering a blow to the head by manual means;

(*c*) by exposure to carbon dioxide gas in a manner that,

(i) produces rapid unconsciousness, and

(ii) has been approved by the Director; or

(*d*) by applying an electrical current to the head,

(i) in a manner that produces rapid unconsciousness, and

(ii) by a device approved by the Director.

(2) Notwithstanding subsection 1, the Director, on such conditions as he imposes, may authorize the operator of a plant to render an animal unconscious by a method other than a method prescribed by subsection 1. O. Reg. 208/68, s. 19.

82. In slaughtering an animal or rendering it unconscious, no person shall use,

(*a*) an instrument unless at the time his ability and physical condition enable him to use the instrument without causing the animal unnecessary pain; or

(*b*) a mechanically-operated instrument,

(i) in such manner or circumstances, or

(ii) the condition or state of repair of which is such,

as may cause the animal unnecessary pain. O. Reg. 208/68, s. 19.

83. An animal shall be prepared for slaughter and slaughtered in a manner that does not cause it unnecessary pain. O. Reg. 208/68, s. 19.

84.—(1) Pens for the purpose of holding animals before slaughter shall be,

(*a*) adequately ventilated; and

(*b*) free from sharp projections or obstructions that may injure an animal.

(2) Animals shall not be assembled in a pen in a greater number than may be held without overcrowding or risk of injury.

(3) Every ramp or incline used in assembling or moving animals for the purpose of slaughter shall,

(*a*) be constructed in a manner that provides safe ascent or descent for the animals; and

(*b*) be maintained in a manner that provides good footing for the animals.

(4) An electrical prod used in assembling or moving animals for the purpose of slaughter shall not be applied to the perineal region or escutcheon of an animal. O. Reg. 208/68, s. 19.

POST MORTEM INSPECTION

85. An inspector shall make a *post mortem* inspection of the carcass of an animal immediately after slaughter. O. Reg. 20/65, s. 77.

86. Where this Regulation prescribes that a carcass or a part or organ thereof be held, an inspector shall,

(*a*) attach firmly thereto a yellow paper tag bearing a serial number and the words "Ont. Held"; and

(*b*) direct that the carcass, part or organ be removed to and detained in an area designated by him. O. Reg. 20/65, s. 78.

87. Where this Regulation prescribes that a carcass or a part or organ thereof be condemned, a veterinary inspector shall,

(*a*) attach firmly thereto a black paper tag bearing a serial number and the words "Ont. Condemned"; and

(*b*) direct that the carcass, part or organ be,

(i) removed immediately to the storage room for condemned material,

(ii) denatured by a method approved by the Director, and

(iii) disposed of in the manner prescribed by section 108. O. Reg. 20/65, s. 79; O. Reg. 208/68, s. 20.

88. Unless otherwise authorized by an inspector, no person shall,

(*a*) place on or remove from a carcas or a part or organ thereof a tag bearing the words "Ont. Held" or "Ont. Condemned"; or

(*b*) remove a carcass or a part or organ thereof that has been held or condemned from the area designated by an inspector for the detention of the carcass, part or organ. O. Reg. 20/65, s. 80.

89.—(1) Subject to subsection 2, an inspector who is not a veterinary inspector shall,

(*a*) if he finds any ground for detaining a carcass or a part or organ thereof for inspection by a veterinary inspector, hold the carcass, notify a veterinary inspector and furnish him with,

(i) a description of the carcass,

(ii) the reason for which it is held, and

(iii) the serial number of the tag bearing the words "Ont. Held"; or

(*b*) if he approves a carcass for food, stamp with the inspection legend or label the dressed carcass in the manner prescribed by this Regulation. O. Reg. 20/65, s. 81 (1).

(2) An Inspector who is not a veterinary inspector may, with the consent of the operator, condemn,

(*a*) a badly bruised part of a carcass; or

(*b*) a head or organ that is affected with such localized lesions as the Director designates,

unless he is holding the carcass of which they are part for inspection by a veterinary inspector. O. Reg. 20/65, s. 81 (2); O. Reg. 208/68, s. 21.

(3) Where a veterinary inspector is notified that a carcass has been held, he shall inspect the carcass. O. Reg. 20/65, s. 81 (3).

90. Where a veterinary inspector inspects a carcass and approves the carcass or a part or organ thereof for food, the dressed carcass, part or organ, as the case may be, shall be stamped with the inspection legend or labelled in the manner prescribed by this Regulation. O. Reg. 20/65, s. 82.

91. Where a veterinary inspector inspects a carcass and, in his opinion, the carcass or a part or organ thereof should be held for further inspection, he shall,

(*a*) hold or continue to hold, as the case may be, the carcass, part or organ; and

(*b*) issue such directions as he considers necessary or advisable. O. Reg. 20/65, s. 83.

92.—(1) Where a veterinary inspector inspects a carcass and, in his opinion, the carcass or a part or organ thereof is not fit for food, he shall condemn the carcass, part or organ.

(2) Where a carcass is condemned under subsection 1, the blood thereof shall be condemned. O. Reg. 20/65, s. 84.

93. An inspector may at any time reinspect in a plant meat that has been stamped with the inspection legend or labelled and the provisions of this Regulation apply to such reinspection. O. Reg. 20/65, s. 85.

94. No carcass or part thereof shall be inflated with air or any other gaseous substance. O. Reg. 208/68, s. 22.

95. A carcass shall be chilled immediately after inspection. O. Reg. 20/65, s. 86.

96. Except in the case of poultry, the sternum of each carcass shall be split and the abdominal and thoracic viscera removed at the time of slaughter. O. Reg. 20/65, s. 87.

97. The head, tongue, tail, thymus gland, viscera, blood and all other parts of a carcass to be used in the preparation of food shall be held in such manner as to preserve their identity with a carcass until the *post mortem* inspection of the carcass has been completed. O. Reg. 20/65, s. 88.

98. Carcasses of hogs and calves shall be thoroughly washed and cleaned before any incision is made for inspection or evisceration. O. Reg. 20/65, s. 89; O. Reg. 208/68, s. 23.

99. Hair, scurf, hoofs and claws shall be removed from the carcasses of hogs. O. Reg. 20/65, s. 90.

100. The spermatic cords shall be removed from a hog carcass and the pizzle shall be removed from every carcass. O. Reg. 20/65, s. 91.

101. Hypertrophied skin shall be removed from swine carcasses and condemned. O. Reg. 20/65, s. 92.

102.—(1) The skin shall be removed from a calf carcass,

(*a*) that is infested with the larvae of the Ox Warble fly; or

(*b*) that is extensively affected with lesions resulting from mange, ringworm or any other skin disease of a like nature.

(2) Where the lesions mentioned in clause *b* of subsection 1 are so localized and of such character that they may be readily removed, the part of the skin that is affected shall be removed. O. Reg. 208/68, s. 24.

103.—(1) Lactating mammary glands shall be removed without opening the milk ducts or sinuses.

(2) All mammary glands of swine that are lactating or have been active shall be removed and condemned. O. Reg. 20/65, s. 94.

104. Hair, scurf, brains, eyes, eardrums, teeth and turbinate and ethmoid bones shall be removed from heads intended for food. O. Reg. 20/65, s. 95.

105. Parotid and other salivary glands shall be removed from cheek meat intended for food. O. Reg. 20/65, s. 96.

106. The larnyx, epiglottis and tonsils shall be removed from tongues intended for food. O. Reg. 20/65, s. 97.

107. Hearts shall be opened or inverted and washed before they are placed in refrigeration facilities or removed from a plant. O. Reg. 20/65, s. 98.

108. Where this Regulation prescribes that,

(*a*) an animal be condemned and killed;

(*b*) a carcass or a part or organ thereof be condemned; or

(*c*) inedible offal and meat that is not food be disposed of,

an inspector shall direct that such animal, carcass, part, organ, inedible offal or meat that is not food be disposed of by,

(*d*) delivery to a rendering plant,

(i) licenced under *The Dead Animal Disposal Act*, or

(ii) approved under the *Meat Inspection Act* (Canada),

in a vehicle constructed and equipped in accordance with *The Dead Animal Disposal Act*;

(*e*) burying with a covering of at least two feet of earth;

(*f*) incineration by a method approved by the Director;

(*g*) rendering in a plant that is equipped with high temperature rendering facilities approved by the Director; or

(*h*) any other method approved by the Director. O. Reg. 20/65, s. 99; O. Reg. 208/68, s. 25.

DISEASES AND CONDITIONS

109. Where any disease or condition is not dealt with under this Regulation, a veterinary inspector shall deal with the disease or condition as he considers necessary or advisable. O. Reg. 20/65, s. 100.

110.—(1) Where on inspection a veterinary inspector suspects that an animal or carcass is affected with glanders, maladie du coit (dourine), anthrax, hog cholera, mange, vescular exanthema of swine, sheep scab, rabies, scrapie or such other contagious or infectious disease as may be designated under the *Animal Contagious Diseases Act* (Canada), he shall,

(*a*) hold the animal or carcass, as the case may be;

(*b*) direct that the animal or carcass be removed to and detained in an area apart from other animals or carcasses; and

(*c*) notify immediately the Director and the closest sub-district veterinarian appointed under the *Animal Contagious Diseases Act* (Canada). O. Reg. 20/65, s. 101 (1); O. Reg. 208/68, s. 26 (1).

(2) Where on inspection a veterinary inspector finds lesions of tuberculosis in cattle or swine, he shall notify immediately the closest sub-district veterinarian appointed under the *Animal Contagious Diseases Act* (Canada) and furnish him with such information and specimens as the Director prescribes. O. Reg. 20/65, s. 101 (2); O. Reg. 208/68, s. 26 (2).

111. An animal or carcass affected with any of the following diseases or conditions shall be condemned:

1. Anaplasmosis.
2. Anthrax.
3. Azoturia.
4. Blackleg.
5. Farcy.
6. Glanders.
7. Icterus with hematuria.
8. Infectious equine anemia.
9. Hog Cholera.
10. Maladie du coit (dourine).
11. Malignant catarrh.
12. Piroplasmosis.
13. Purpura hemorrhagica.
14. Pyemia.
15. Rabies.
16. Sapremia.
17. Septicemia.
18. Strangles.
19. Tetanus.
20. Toxemia.
21. Uremia.
22. Vesicular exanthema.
23. Viral encephalomyelitis.

O. Reg. 20/65, s. 102.

112. The carcass of an animal that is emaciated, immature or in a post-parturient state shall be condemned if any of the following conditions are present:

Emaciation

1. The emaciation is,

(*a*) distinct from mere leanness;

(*b*) pathological and caused by primary or secondary starvation; and

(c) characterized by,

(i) atrophy and flabby conditions of the musculature,

(ii) the loss of intermuscular and internal fat resulting in the replacement thereof by a yellow jellylike substance, or

(iii) diminution of the size of the organs.

Immaturity

2.—(1) The meat,

(*a*) has the appearance of being water-soaked;

(*b*) is loose, flabby, tears easily, and can be perforated with the finger; or

(*c*) is grayish red in colour.

(2) Good muscular development as a whole is lacking, especially on the upper shank of the leg where edema is present between the muscles.

(3) The tissue that later develops as the fat capsules of the kidneys is edematous, dull yellow or grayish red, tough and intermixed with islands of fat.

Parturition

3. The animal has given birth to young within the ten days immediately preceding slaughter. O. Reg. 20/65, s. 103.

113. The carcass of an animal affected with any of the following diseases or conditions shall be dealt with in the manner prescribed hereunder:

Abnormal Odours

1.—(1) Where a carcass is affected with,

(*a*) a pronounced abnormal dietary odour;

(*b*) a pronounced medicinal odour;

(*c*) a urine or abnormal sexual odour; or

(*d*) an abnormal metabolic odour associated with febrile conditions,

the carcass shall be condemned.

(2) A carcass that is mildly affected by any odour mentioned in subsection 1 shall be chilled and the disposal of the carcass shall be determined by a heating test.

Abrasions, Bruises, Abscesses, Suppurating sores and Adhesions

2.—(1) Where a carcass is badly bruised or extensively affected with abrasions, abscesses, suppurating sores or visceral adhesions, the carcass shall be condemned.

(2) Where there are, without lymph gland involvement, slight, well-limited abrasions, bruises, abscesses, suppurating sores or adhesions on any part of a carcass, other than the head, tongue and internal organs, the affected tissue shall be removed and condemned.

(3) Any part of a carcass or any organ that is badly bruised or extensively affected with an abscess, suppurating sore or adhesion shall be removed and condemned.

Actinomycosis or Actinobacillosis

3.—(1) Where lesions resulting from actinomycosis or actinobacillosis are generalized, the carcass shall be condemned.

(2) Where the lesions mentioned in subparagraph 1 are uncomplicated and localized, the affected parts of a carcass shall be removed and condemned.

(3) Where the head is affected by the lesions mentioned in subparagraph 1, the head, including the tongue, shall be condemned.

(4) Where the lesions mentioned in subparagraph 1 are slight and confined to the tongue, the tongue and corresponding lymph glands shall be removed and condemned.

Anemia

4. Where anemia is present in conjunction with another disease or condition for which no provision is made under this Regulation, a veterinary inspector shall issue such directions with respect to the disposal of the carcass as he deems necessary or advisable.

Arthritis

5.—(1) Where a carcass is affected with arthritis and the condition is,

(*a*) generalized and associated with systemic change; or

(*b*) characterized by the presence of periarticular abscesses and manifesting suppurative lesions in more than one joint,

the carcass shall be condemned.

(2) Where arthritis is localized and not associated with systemic change, the affected joint and corresponding lymph glands shall be removed in such manner as to avoid contamination of the remainder of the carcass and shall be condemned.

Brucellosis

6.—(1) Where the lesions resulting from brucellosis are generalized, the carcass shall be condemned.

(2) Where the lesions mentioned in subparagraph 1 are localized, the affected parts of the carcass shall be removed and condemned.

Caseous Lymphadenitis

7.—(1) Where caseous lymphadenitis,

(*a*) is associated with emaciation or secondary change; or

(*b*) is extensive, not confined to the seat of primary infection, and more than one body gland is affected,

the carcass shall be condemned.

(2) Where caseous lymphadenitis is confined to one body gland, the quarter of the carcass in which such gland is located shall be removed and condemned.

Edema

8.—(1) Where edema is generalized, the carcass shall be condemned.

(2) Where edema is slight and confined to the seat of origin, the affected tissues shall be removed and condemned and the remainder of the carcass, on reinspection after chilling for twelve hours, may be approved.

Inflammation

9.—(1) Where the lungs, pleura, intestines, peritoneum, kidneys, uterus or meninges show active and extensive inflammation, the carcass shall be condemned.

(2) Where chronic inflammation is characterized by fibrous tissue adhesions only, the affected part or organ shall be removed and condemned.

(3) In cases other than those mentioned in subparagraphs 1 and 2, a veterinary inspector shall issue such directions with respect to the disposal of the carcass or any part or organ thereof as he deems necessary or advisable.

Mastitis

10.—(1) Where an udder is affected with mastitis and there is evidence of systemic change, the carcass shall be condemned.

(2) Where there is no evidence of systemic change, an udder affected with mastitis shall be removed and condemned.

Neoplasm

11.—(1) Where any part or organ of a carcass is affected with a malignant tumour that,

(*a*) is extensive;

(*b*) affects the muscles, skeleton or body lymph glands; or

(*c*) is accompanied by evidence of metastasis,

the carcass shall be condemned.

(2) Where any part or organ of a carcass is affected with a malignant tumour and,

(*a*) such tumour is primary;

(*b*) there is no evidence of metastasis or interference with normal body functions; and

(*c*) there is no secondary change,

the affected part or organ shall be removed and condemned.

(3) Where any part or organ of a carcass is affected with a benign tumour and the remainder of the carcass is not affected, the affected part or organ shall be removed and condemned.

Omphalophlebitis

12.—(1) Where any carcass is affected with omphalophlebitis and there is evidence of metastatic involvement, the carcass shall be condemned.

(2) Where there is no evidence of metastatic involvement in a carcass affected with omphalophlebitis, the umbilical region shall be removed and condemned.

Parasites, Tapeworm Cysts and Trichinosis Parasites
Parasites

13.—(1) Where a carcass shows evidence of infestation with parasites that are not transmissible to man, and the parasites are found to be of such character and distribution that their removal and the removal of the lesions caused by them are impracticable, the carcass shall be condemned.

(2) Where,

(*a*) any part or organ of a carcass shows numerous lesions caused by parasites;

(*b*) the character of the infestation of the part or organ is such that complete removal of the parasites and of the lesions caused by them is difficult to accomplish with certainty; or

(*c*) the parasitic infestation renders the affected part or organ unfit for food,

the affected part or organ shall be removed and condemned.

(3) Where the infestation of a part or organ of a carcass is so localized and of such character that the parasites and the lesions caused by them may be readily removed, the affected area of the part or organ shall be removed and condemned.

Tapeworm Cysts

14.—(1) In this paragraph,

(*a*) subparagraphs 2, 3, 4 and 5 apply to cysticercosis in cattle;

(*b*) subparagraphs 6 and 7 apply to cysticercosis in sheep; and

(*c*) subparagraph 8 applies to cysticercosis in swine.

(2) Where the infestation is excessive or the meat is watery or discoloured, the carcass shall be condemned.

(3) For the purpose of subparagraph 2, the infestation is deemed to be excessive where incisions in various parts of the musculature expose on most of the cut surfaces two or more cysts within an area having a diameter of approximately four inches.

(4) Where the infestation is limited to one dead and calcified cyst, the carcass shall be approved after removal and condemnation of the cyst.

(5) Where the infestation is slight or moderate, as determined by a careful examination of the heart, muscles of mastication, diaphragm and its pillars, tongue and other parts of the carcass that are visible after dressing,

(*a*) the cysts and surrounding tissues shall be removed and condemned; and

(*b*) the carcass shall be,

(i) held continuously in cold storage at a temperature not exceeding 15° F. for a period of not less than 20 days, or

(ii) treated by any other method prescribed by the Director,

before the carcass may be approved.

(6) Where the infestation is of such character and distribution that the complete removal of the cysts cannot be accomplished with certainty, the carcass shall be condemned.

(7) Where the infestation is slight and all cysts can be removed, such cysts and surrounding tissues shall be removed and condemned and the carcass may be approved.

(8) A carcass affected with cysticercus cellulosae shall be condemned.

Trichinosis

15.—(1) Where an inspector has reason to believe that swine may be affected with trichinosis, he shall,

(*a*) direct that the animals be slaughtered as held animals;

(*b*) submit such specimens as are necessary for the purpose of an analysis to a laboratory designated by the Director;

(*c*) hold the carcasses of the animals; and

(*d*) issue such directions as he considers necessary or advisable.

(2) Where an analysis under subparagraph 1 shows that trichinae are present, the carcasses shall be condemned.

(3) Where an analysis under subparagraph 1 does not show the presence of trichinae, a veterinary inspector may direct that the carcasses shall be treated by the method prescribed by the Director.

Pasteurellosis

16.—(1) Where the lesions resulting from pasteurellosis are associated with systemic change, the carcass shall be condemned.

(2) Where the lesions mentioned in subparagraph 1 are localized, the affected part or organ of the carcass shall be removed and condemned.

Pigmentation

17.—(1) Any liver that is affected extensively with carotenosis shall be removed and condemned.

(2) Where,

(*a*) a carcass or a part or organ thereof is affected with melanosis, porphyria or ochronosis; and

(*b*) such forms of pigmentation cannot be completely removed,

the affected carcass shall be condemned or the affected part or organ shall be removed and condemned, as the case may be.

(3) Where xanthomatosis results in the extensive discolouration of the musculature, the carcass shall be condemned.

(4) Where xanthomatosis is confined to any part or organ of a carcass, the affected part or organ shall be removed and condemned.

(5) Where a carcass shows,

(*a*) any degree of icterus with parenchymatous degeneration of organs; or

(*b*) an intense yellow or greenish-yellow discolouration,

the carcass shall be condemned.

(6) Where a carcass shows a slight icteric-like discolouration that disappears on chilling, the carcass may be approved.

(7) For the purpose of subparagraph 6, the examination of the carcass shall be made under natural light.

Pyelonephritis

18.—(1) Where a carcass is affected with pyelonephritis and the condition is bilateral or associated with emaciation, the carcass shall be condemned.

(2) Where a carcass is affected with pyelonephritis and the condition is not bilateral or not associated with emaciation, the kidneys and corresponding lymph glands shall be removed and condemned.

Salmonellosis

19.—(1) Where on *ante mortem* inspection a veterinary inspector suspects that an animal is infected with salmonellosis, he shall,

(*a*) direct that such animal be slaughtered as a held animal;

(*b*) submit such specimens to a Regional Veterinary Laboratory of the Department of Agriculture and Food as are necessary for the purpose of an analysis;

(*c*) hold the carcass of such animal; and

(*d*) issue such directions as he considers necessary or advisable.

(2) Where an analysis under subparagraph 1 shows that the disease is generalized, the carcass shall be condemned and, where the analysis shows that the disease is localized, the affected part or organ shall be removed and condemned.

Skin Diseases

20.—(1) Where a carcass is affected with mange, scab, ringworm or any other skin disease of a like nature in advanced stages and shows emaciation, cachexia or extensive inflammation of the flesh, the carcass shall be condemned.

(2) Where any disease mentioned in subparagraph 1 is slight, the affected parts of the carcass shall be removed and condemned.

Swine Erysipelas

21.—(1) Where,

(*a*) swine erysipelas is acute, generalized, or accompanied by valvular endocarditis; or

(*b*) a hog carcass is affected extensively with the diamond-skin form of erysipelas,

the carcass shall be condemned.

(2) Where the lesions resulting from swine erysipelas are localized or not associated with systemic change, the affected parts of the carcass shall be removed and condemned.

Telangiectasis

22. Livers affected with telangiectasis shall,

(*a*) be condemned; or

(*b*) be denatured by a method prescribed by the director and disposed of for the purpose of animal food in the manner prescribed by the director under subsection 4 of section 32.

Traumatic Pericarditis

23.—(1) Where,

(*a*) traumatic pericarditis is acute or associated with systemic change; or

(*b*) the lesions resulting from traumatic pericarditis are diffuse, with or without pus,

the carcass shall be condemned.

(2) Where the lesions resulting from traumatic pericarditis are,

(*a*) localized; and

(*b*) encapsulated, if purulent,

the affected part or organ shall be removed and condemned.

Tuberculosis

24.—(1) Where tuberculosis is extensive or associated with emaciation, the carcass shall be condemned.

(2) Where the lesions resulting from tuberculosis are,

(*a*) collectively small in extent;

(*b*) either calcified or encapsulated; and

(*c*) confined to,

(i) the head and the corresponding lymph glands,

(ii) the abdominal cavity and the corresponding lymph glands, or

(iii) the thoracic cavity and the corresponding lymph glands,

the head, the affected parts or organs of the abdominal cavity or the affected parts or organs of the thoracic cavity, as the case may be, shall be condemned. O. Reg. 20/65, s. 104; O. Reg. 208/68, s. 27.

114.—(1) For the purposes of paragraphs 3 and 24 of section 113, lesions are deemed to be extensive or generalized where,

(*a*) they are present,

(i) at the usual seats of primary infection and in the parts or organs of the carcass that may be reached by the organisms of tuberculosis, actinomycosis or actinobacillosis only when they are carried in the systemic circulation, or

(ii) in the digestive or respiratory tracts, including the lymph glands connected therewith, and in any two of the organs comprised of the spleen, kidneys, uterus, udder, ovary, testicle, adrenal gland, brain, spinal cord, or the membranes of any of them; or

(*b*) numerous lesions of tuberculosis, actinomycosis or actinobacillosis are distributed uniformly throughout both lungs. O. Reg. 20/65, s. 105.

115. Where this Regulation provides that a part or organ of a carcass shall be removed and condemned, the remainder of the carcass may be approved for food if it is otherwise fit for food. O. Reg. 20/65, s. 106.

STAMPING AND LABELLING

116.—(1) The following form of inspection legend shall be used for the stamping and labelling of meat at a plant:



O. Reg. 20/65, s. 107 (1).

(2) The inspection legend shall include the number assigned to the plant by the director. O. Reg. 20/65, s. 107 (2); O. Reg. 208/68, s. 28.

117.—(1) The inspection legend shall be applied only to meat that has been approved for food under the Act and this Regulation.

(2) No person other than an inspector or a person authorized by him shall apply the inspection legend. O. Reg. 20/65, s. 108.

118.—(1) Subject to subsection 4, every dressed carcass or a part or organ thereof that has been approved for food shall be stamped or labelled with the inspection legend.

(2) Except in the case of poultry, the inspection legend shall be placed on each quarter and, where the dressed carcass is cut in a plant, on each primal cut.

(3) Any meat that is obtained from a dressed carcass or a part or organ thereof that has been inspected and stamped and is of such character or size that it is impracticable to stamp the inspection legend thereon may be placed in a container under the supervision of an inspector who shall apply or authorize a person to apply the inspection legend to such container.

(4) In the case of poultry, a dressed carcass that has been approved for food may be placed in a plastic container bearing the inspection legend. O. Reg. 20/65, s. 109.

119.—(1) Where practicable, the inspection legend shall be applied by means of a metal stamp. O. Reg. 20/65, s. 110 (1).

(2) Where it is impracticable to use a metal stamp, the inspection legend shall be applied by means of,

(*a*) a tag attached to a carcass or a part, organ or cut thereof; or

(*b*) a label applied to a container of meat,

in a form and manner approved by the Director. O. Reg. 20/65, s. 110 (2); O. Reg. 208/68, s. 29.

(3) Where the inspection legend is applied under subsection 2, the tag, label or container bearing the inspection legend shall be destroyed immediately upon use of the meat or removal of the meat from the container. O. Reg. 20/65, s. 110 (3).

120. Inspectors shall have custody of and be responsible for all stamps, tags, labels and containers bearing the inspection legend. O. Reg. 20/65, s. 111.

121. Any ink used in a plant for marking meat shall be made from harmless ingredients and samples shall be submitted for analysis on the request of the regional veterinarian. O. Reg. 20/65, s. 112.

122. Only brown ink approved by the director shall be used to apply the inspection legend to meat. O. Reg. 20/65, s. 113; O. Reg. 208/68, s. 30.

123.—(1) No person shall apply to meat or a container of meat any stamp, tag or label that is similar to the inspection legend prescribed by this Regulation or any tag or label approved by the Director. O. Reg. 20/65, s. 114 (1); O. Reg. 208/68, s. 31.

(2) Letters or figures on any brand, stamp or device used by an operator shall be of such style and type as to make a clear and legible impression. O. Reg. 20/65, s. 114 (2).

POULTRY

124.—(1) Every plant in which poultry is slaughtered shall have adequate facilities for,

(*a*) receiving and holding live poultry;

(*b*) slaughtering poultry and scalding carcasses;

(*c*) plucking carcasses;

(*d*) eviscerating carcasses and chilling dressed carcasses;

(*e*) storing inedible offal, meat that is not food, condemned material and refuse;

(*f*) storing dressed carcasses; and

(*g*) cleaning and disinfecting live poultry containers.

(2) The facilities mentioned in subsection 1 shall be in proper sequence for the slaughtering and eviscerating operations. O. Reg. 20/65, s. 115.

125. Every plant in which poultry is slaughtered shall be equipped with,

(*a*) scalding equipment of suitable metal construction, either tank or spray design, with,

(i) overflow outlets of sufficient size to prevent clogging, and

(ii) outlets discharging into or close to drains;

(*b*) chilling vats or tanks that,

(i) are of rust-resistant metal or other suitable material impervious to liquids, and

(ii) are constructed with coved corners;

(*c*) water spray washing equipment with sufficient water pressure to wash carcasses thoroughly;

(*d*) containers of metal or other suitable material impervious to liquids and covered with insect-proof covers of the same construction for handling or storing inedible offal, meat that is not food, condemned material and refuse;

(*e*) sterilizer; and

(*f*) such other equipment as the director requires. O. Reg. 20/65, s. 116; O. Reg. 208/68, s. 32.

126. Holding batteries shall be of metal construction and shall have metal dropping pans designed to permit thorough cleaning. O. Reg. 20/65, s. 117.

127. Ice shovels shall be of smooth rust-resistant material. O. Reg. 20/65, s. 118.

128.—(1) Conveyors shall be of rust-resistant metal or other suitable material impervious to liquids and designed to permit thorough cleaning.

(2) Overhead conveyors shall be constructed so as to prevent the accumulation of grease, oil and dirt on drop chains and shackles.

(3) Drop chains and shackles shall be of rust-resistant material impervious to liquids. O. Reg. 20/65, s. 119.

129.—(1) Inspection and eviscerating tables shall be of rust-resistant material impervious to liquids and designed to permit thorough cleaning.

(2) Cutting tables shall be rust-resistant and free of any crack or crevice. O. Reg. 20/65, s. 120.

130. Poultry that dies while being held at a plant shall be disposed of in the manner prescribed by subsection 2 of section 133. O. Reg. 208/68, s. 33.

ANTE MORTEM INSPECTION OF POULTRY

131. Poultry to which the Act and this Regulation applies shall,

(*a*) be separated and kept apart from poultry exempt from the Act and this Regulation on being taken into the receiving and holding area;

(*b*) be slaughtered apart from such exempt poultry; and

(*c*) be made available for *ante mortem* inspection, evisceration and *post motrem* inspection. O. Reg. 20/65, s. 121.

132.—(1) Every bird to which the Act and this Regulation applies shall be assembled in the receiving and holding area and made available for *ante mortem* inspection.

(2) No bird mentioned in subsection 1 shall be taken into the killing area of a plant unless an inspector has completed an *ante mortem* inspection of the bird and has approved the bird for slaughter. O. Reg. 20/65, s. 122.

133.—(1) Where a veterinary inspector inspects a bird and, in his opinion,

(*a*) the bird is in a moribund condition; or

(*b*) for any other reason, the meat of the bird is not fit for food,

he shall condemn the bird. O. Reg. 20/65, s. 123.

(2) A bird that has been condemned under subsection 1 shall be marked as a condemned bird and killed apart from other birds and its carcass shall,

(*a*) be removed immediately to the storage room for condemned material;

(*b*) be denatured by a method approved by the director; and

(*c*) be disposed of in the manner prescribed by section 108. O. Reg. 20/65, s. 123 (2); O. Reg. 208/68, s. 35.

(3) Where an *ante mortem* inspection of a bird is made by an inspector who is not a veterinary inspector and, in his opinion,

(*a*) the bird is in a moribund condition; or

(*b*) for any other reason, the meat of the bird is not fit for food,

he shall mark the bird as a held bird and shall notify a veterinary inspector.

(4) Where a bird is held under subsection 3, the operator may agree to condemnation of the bird and the bird shall be dealt with in the manner prescribed by subsection 2. O. Reg. 20/65, s. 123 (3, 4).

134. Where on *ante mortem* inspection of a bird an inspector finds or suspects that it is affected with any disease or condition that may cause condemnation of the carcass or a part or organ thereof on *post mortem* inspection, he shall,

(*a*) in the case of an inspector who is not a veterinary inspector, mark the bird as a held bird and shall notify a veterinary inspector; or

(*b*) in the case of a veterinary inspector, mark the bird as a held bird and hold it apart from other birds for separate slaughter, evisceration and *post mortem* inspection. O. Reg. 20/65, s. 124.

135. Where a bird has been marked as a held or condemned bird, no person, unless otherwise authorized by an inspector, shall,

(*a*) remove the mark from the bird; or

(*b*) remove the bird from the area designated by the inspector for the detention of the bird. O. Reg. 20/65, s. 125.

POST MORTEM INSPECTION OF POULTRY

136.—(1) An inspector shall make at the time of evisceration a *post mortem* inspection of the carcass of every bird slaughtered at a plant. O. Reg. 20/65, s. 126 (1).

(2) Immediately after slaughter every bird shall be eviscerated in the presence of an inspector. O. Reg. 395/70, s. 3.

(3) Every carcass shall be opened and eviscerated in such manner as to,

(*a*) preserve the identity of the viscera; and

(*b*) expose the organs and body cavity,

for proper inspection.

(4) Oil sacs may be removed and condemned prior to inspection. O. Reg. 20/65, s. 126 (4).

137.—(1) On *post mortem* inspection of the carcass of a bird an inspector shall,

(*a*) in the case of an inspector who is not a veterinary inspector, approve the dressed carcass for food, or in the case of a veterinary inspector, approve the dressed carcass or a part or organ thereof for food;

(*b*) mark the carcass as a held carcass for further inspection; or

(*c*) in the case of a veterinary inspector, mark the carcass or a part or organ thereof as a condemned carcass, part or organ and direct the disposal thereof in the manner prescribed by section 108.

(2) Where an inspector who is not a veterinary inspector makes a *post mortem* inspection of the carcass of a bird and it appears to him that the carcass or a part or organ thereof should be held for further inspection, he shall mark the carcass as a held carcass and shall notify a veterinary inspector.

(3) Where an inspector who is not a veterinary inspector holds a carcass under subsection 2, the operator may agree to the condemnation of the carcass and the carcass shall be dealt with in the manner prescribed by subsection 2 of section 133. O. Reg. 20/65, s. 127.

138. Where the carcass of a bird or a part or organ thereof has been marked as a held or condemned carcass, part or organ, no person, unless otherwise authorized by an inspector, shall,

(*a*) remove the mark from the carcass, part or organ; or

(*b*) remove the carcass, part or organ from the area designated by the inspector for the detention of the carcass, part or organ. O. Reg. 20/65, s. 128.

DISEASES AND CONDITIONS OF POULTRY

139. Where any disease or condition affecting poultry is not dealt with under this Regulation, a veterinary inspector shall deal with such disease or condition as he deems necessary or advisable. O. Reg. 20/65, s. 129.

140. Where on inspection a veterinary inspector suspects that a bird or carcass is affected with avian pneumoencephalitis, fowl pest or fowl typhoid, he shall deal with the bird or carcass in the manner prescribed by subsection 1 of section 110. O. Reg. 20/65, s. 130.

141. A bird or carcass affected with any of the following diseases or conditions shall be condemned:

1. Avian Leukosis complex.
2. Botulism.
3. Erysipelothrix septicemia.
4. Listerellosis.
5. Ornithosis.
6. Paratyphoid septicemia.
7. Septicemia.
8. Toxemia.
9. Tuberculosis. O. Reg. 20/65, s. 131.

142.—(1) Subject to subsection 2, a bird or carcas affected with any of the following diseases shall be condemned:

1. Avian pneumoencephalitis.
2. Chronic respiratory disease.
3. Coccidiosis.
4. Enterohepatitis.
5. Fowl cholera.
6. Fowl pox.
7. Fowl typhoid.
8. Infectious bronchitis.
9. Infectious coryza.
10. Infectious laryngotracheitis.
11. Mycotic infections.
12. Pseudotuberculosis.
13. Pullorum disease.
14. Trichomoniasis.

(2) Where a carcass shows only localized lesions and no systemic change caused by any of the diseases mentioned in subsection 1, the affected parts or organs shall be removed and condemned. O. Reg. 20/65, s. 132.

143. A bird or carcass affected with any of the the following conditions shall be dealt with in the manner prescribed hereunder:

Abrasions, Bruises, Abscesses and Adhesions

1.—(1) Where a carcass is badly bruised or extensively affected with abrasions, abscesses or visceral adhesions, the carcass shall be condemned.

(2) Where the abrasions, bruises, abscesses or visceral adhesions are slight and well-limited, the affected tissue shall be removed and condemned.

Contamination

2. Where a carcass or a part or organ thereof is contaminated by oils, paints, poisons, gases or other substances which render the carcass, part or organ unfit for food, the carcass shall be condemned or the part or organ shall be removed and condemned.

Emaciation

3. Where the emaciation is such as to render meat unfit for food, the carcass shall be condemned.

Parasites

4. Except in the case of coccidiosis, enterohepatitis, and trichomoniasis, where a part or edible organ of a carcass shows evidence of infestation with parasites or lesions caused by parasites, the part or organ shall be removed and condemned.

Urate Deposits

5. Where a carcass shows marked deposits of urates in the organs or tissues, the carcass shall be condemned. O. Reg. 20/65, s. 133.

144.—(1) An inspector may at any time reinspect in a plant eviscerated poultry to which the inspection legend has been applied and the provisions of this Regulation apply to such reinspection.

(2) Where eviscerated poultry shows on reinspection putrefaction or decomposition, the poultry shall be condemned.

(3) Where eviscerated poultry shows on reinspection *post mortem* change that is superficial in nature, the poultry may be approved after any affected part has been removed and condemned. O. Reg. 20/65, s. 134.

Form 1

The Meat Inspection Act (Ontario)

LICENCE FOR THE OPERATION OF A PLANT

Licence No.....

Under *The Meat Inspection Act (Ontario)* and the regulations, and subject to the limitations thereof, this licence is issued to

.....
(name)

.....
(address)

carrying on business as.....
(firm name)

to engage in the business of operating a plant at...

.....
(address of plant)

This licence continues in force until it is suspended or revoked in accordance with the regulations.

Plant No..... is assigned to this plant.

Issued at Toronto, this.....day of.....,

19.....

.....
(signature of issuer)

O. Reg. 20/65, Form 1.

Form 2

The Meat Inspection Act (Ontario)

APPLICATION FOR LICENCE FOR THE OPERATION OF A PLANT

To The Director, Veterinary Services Branch,
Department of Agriculture and Food,
Parliament Buildings,
Toronto, Ontario.

.....
(name of applicant)

.....
(address)

applies for a licence to engage in the business of operating a plant under *The Meat Inspection Act (Ontario)* and the regulations, and in support of this application the following facts are stated:

1. Name under which business is carried on.....
.....

2. Owner of plant.....
(if partnership, list names of all partners)

3. Business address of applicant.....

4. Location of plant.....
(Lot Con. Twp. County etc.)

5. Kind and number of animals slaughtered per week.....

6. Days of the week on which the slaughtering operation is carried out.....

7. Other relevant statements.....
(attach additional pages,
.....
if necessary)
.....

I undertake to furnish to the Director, Veterinary Services Branch details of any changes from the facts stated in this application within ten days from the date on which the changes are made.

Dated at.....this.....day of...
....., 19.....

.....
(signature of applicant)

.....
(title of official signing)

O. Reg. 20/65, Form 2; O. Reg. 208/68, s. 36.

REGULATION 575

under The Mechanics' Lien Act

1.—(1) Every claim for lien under subsection 1 of section 16 of the Act shall be in Form 1, 2 or 3.

(2) The affidavit verifying the lien required by subsection 2 of section 16 of the Act shall be in Form 4.

(3) Where a reference for trial is directed under subsection 2 of section 31 of the Act the Judgment shall be in Form 5.

(4) Every Notice of Trial served under the provisions of subsection 2 of section 38 of the Act shall be in Form 6.

(5) After the trial the results thereof shall be embodied,

(*a*) in the case of a Judge, in a Judgment in Form 7; and

(*b*) in the case of a Master, in a Report in Form 8. O. Reg. 162/70, s. 1.

Form 1

The Mechanics' Lien Act

CLAIM FOR LIEN

A.B. (name of claimant) of (here state address for service of claimant), (if claimant is a personal representative or assignee set out the facts) under *The Mechanics' Lien Act* claims a lien upon the estate of (here state the name and address of the owner of the land upon which the lien is claimed) in the undermentioned land in respect of the following work (or service or materials) that is to say (here give a short description of the nature of the work done or to be done or service performed or to be performed or materials furnished or to be furnished and for which the lien is claimed).

The work or service was completed or the last material was furnished on the.....day of ....., 19...., or the work or service is to be completed or the material is to be furnished on or before the.....day of....., 19...., and the name and address of the person for whom the work was done or service performed or material furnished is.....

The amount claimed as due (or to become due) is the sum of $.....

The following is the description of the land to be charged (here set out a concise description of the land to be charged sufficient for the purpose of registration).

(Where credit has been given, insert): The work was done (or services were performed or materials were furnished) on credit, and the period of credit agreed to expired (or will expire) on the.....day of ....., 19....

Dated at....., this.....day of ....., 19....

.....
(signature of claimant)

O. Reg. 162/70, Form 1.

Form 2

The Mechanics' Lien Act

CLAIM FOR LIEN FOR WAGES

A.B. (name of claimant) of (here state address for service of claimant), (if claimant is a personal representative or assignee set out the facts) under *The Mechanics' Lien Act*, claims a lien upon the estate of (here state the name and address of the owner of the land upon which the lien is claimed), in the undermentioned land in respect of work performed (or to be performed) thereon while in the employment of (here state the name and address of the person upon whose request the work was or is to be performed) on or before the....day of....., 19....

The amount claimed as due is $.....for .....days wages.

The following is the description of the land to be charged (here set out a concise description of the land to be charged sufficient for the purpose of registration).

Dated at....., this.....day of ....., 19....

.....
(signature of claimant)

O. Reg. 162/70, Form 2.

Form 3

The Mechanics' Lien Act

CLAIM FOR LIEN FOR WAGES BY SEVERAL CLAIMANTS

The following persons claim a lien under *The Mechanics' Lien Act*, upon the estate of (here state the name and address of the owner of the land upon which the lien is claimed) in the undermentioned land in respect of wages for labour performed (or to be performed) thereon while in the employment of (here state name and address or names and address of employers of the several persons claiming the lien).

A.B. of (address for service) $.....for.....

days wages for work done on or before the.....

day of....., 19....

C.D. of (address for service) $.....for.....

days wages for work done on or before the.....

day of....., 19....

E.F. of (address for service) $.....for.....

days wages for work done on or before the.....

day of....., 19....

The following is the description of the land to be charged (here set out a concise description of the land to be charged sufficient for the purpose of registration).

Dated at....., this.....day of

....., 19....

(signatures of several claimants):

O. Reg. 162/70, Form 3.

Form 4

The Mechanics' Lien Act

AFFIDAVIT VERIFYING CLAIM

I, A.B., named in the above (or annexed) claim, make oath that the facts contained therein are true.

or, We, A.B. and C.D., named in the above (or annexed) claim, make oath, and each for himself makes oath that the facts contained therein, so far as they relate to him, are true.

Where the affidavit is made by an agent or assignee a clause must be added to the following effect:— I have full knowledge of the facts set forth in the above (or annexed) claim.

Sworn before me at....., in the

.....of....., this.....

day of....., 19....

Or, The said A.B. and C.D. were severally sworn

before me at....., in the.....of

....., this.....day of.....,

19....

O. Reg. 162/70, Form 4.

Form 5

The Mechanics' Lien Act

JUDGMENT DIRECTING A REFERENCE FOR TRIAL

(*Style of Cause*)

Upon the application of the plaintiff made pursuant to the provisions of subsection 2 of section 31 of *The Mechanics' Lien Act*, in the presence of counsel for the plaintiff and the defendants, and upon reading the pleadings in this action and upon hearing what was alleged by counsel aforesaid, (and the parties by their counsel consenting thereto, or as the case may be).

1. This Court Doth Order and Adjudge that this action be and the same is referred to the Master at Toronto for trial.

2. And This Court Doth Further Order and Adjudge that the parties do recover the respective amounts found due by the Master from the parties found liable by the Master forthwith after confirmation of the report of the Master.

3. And This Court Doth Further Order and Adjudge that the Master do determine all questions arising in this action and on the reference, and that the findings of the Master respecting the matters so referred be effective upon the confirmation of the Master's report.

4. And This Court Doth Further Order that the Master do determine the question of costs in this action and of the reference, and that the costs be taxed and paid as the Master shall direct.

O. Reg. 162/70, Form 5.

Form 6

The Mechanics' Lien Act

NOTICE OF TRIAL

(*Style of Cause*)

TAKE NOTICE that, pursuant to the Order of .....dated the.....day of..... ....., 19...., this action will be tried at the ..... in the .....of ....., in the County (or District) of ..... on the.....day of .....by.....and at such time and place the.....will proceed to try the action and all questions as provided by *The Mechanics' Lien Act*.

AND FURTHER TAKE NOTICE that if you do not appear at the trial and defend the action or prove your claim, if any, the proceedings will be taken in your absence and you may be deprived of all benefit of the proceedings and your rights disposed of in your absence.

AND FURTHER TAKE NOTICE that all parties and lien claimants shall bring with them on the day herein set for trial all mortgages, contracts, agreements, orders, cheques, notes, delivery slips, time-books, books of account, diaries, duplicate original liens, and any other books or papers necessary to prove liens or defences. If any person fails to comply with these directions, the costs of the day may be given against him in the event that an adjournment is necessary for the production of any of the above-mentioned documentary evidence.

This is a Mechanics' Lien action brought by the above-named plaintiffs against the above-named defendants to enforce a Mechanics' Lien against the following lands: (set out description of lands).

This notice is served by, etc.

Dated....., 19....

To.....

O. Reg. 162/70, Form 6.

Form 7

The Mechanics' Lien Act

JUDGMENT

(*Style of Cause*)

This action coming on for trial before..... at.....upon opening of the matter and it appearing that the following persons have been duly served with notice of trial herein (set out names of all persons served with notice of trial) and all such persons (or as the case may be) appearing at the trial (or and the following persons not having appeared set out names of non-appearing persons) and upon hearing the evidence adduced and what was alleged by counsel for the plaintiff and for C.D. and E.F. and the defendant (or and by A.B. appearing in person).

1. This Court doth declare that the plaintiff and the several persons mentioned in Schedule 1 hereto are respectively entitled to a lien under *The Mechanics' Lien Act* upon the land described in Schedule 2 hereto for the amounts set opposite their respective names in the 2nd, 3rd and 4th columns of Schedule 1, and the persons primarily liable for the claims respectively are set forth in the 5th column of Schedule 1.

2. (And this Court doth further declare that the several persons mentioned in Schedule 3 hereto are also entitled to some lien, charge or encumbrance upon such land for the amounts set opposite their respective names in the 4th column of Schedule 3, according to the facts.)

3. And this Court doth further order and adjudge that upon the defendant (A.B., the owner) paying into Court to the credit of this action the sum of .....(gross amount of liens in Schedule 1 for which the owner is liable) on or before the .....day of.....next, that the liens mentioned in Schedule 1 be and the same are hereby discharged and the money so paid into Court is to be paid out in payment of the claims of the lien-holders.

4. In case the defendant (owner) makes default in payment of the money into Court this Court doth order and adjudge that such land be sold with the approbation of the Master of this Court at..... and that the purchase money be paid into Court to the credit of this Action.

5. And this Court doth order and adjudge that such purchase money be applied in or towards payment of the several claims mentioned in Schedule(s) 1 (and 3) as the Master shall direct, with subsequent interest and subsequent costs to be computed and taxed by the Master.

6. And this Court doth further order and adjudge that in case such purchase money is insufficient to pay in full the claims of the several persons mentioned in Schedule 1, the persons primarily liable for such claim as shown in Schedule 1 do pay to the persons to whom they are respectively primarily liable the amount remaining due to such persons

forthwith after the same has been ascertained by the Master.

7. (And this Court doth declare that..... have not proved any lien under *The Mechanics' Lien Act*, and that they are not entitled to any such lien, and this Court doth order and adjudge that the claims of liens registered by them against the land mentioned in Schedule 2 be and the same are hereby discharged, according to the fact.)

Schedule 1

Names of lienholders entitled to mechanics' liens	Amount of debt and interest (if any)	Costs	Total	Names of primary debtors

.....
(*Signature of Officer*)

Schedule 2

The lands in question in this matter are.....
(*Set out a description sufficient for registration purposes*).

.....
(*Signature of Officer*)

Schedule 3

Names of persons entitled to encumbrances other than mechanics' liens	Amount of debt and interest (if any)	Costs	Total

.....
(*Signature of Officer*)

O. Reg. 162/70, Form 7.

Form 8

The Mechanics' Lien Act

REPORT

(*Style of Cause*)

Pursuant to the judgment of reference herein dated.....and it appearing that the following persons have been duly served with notice of trial herein (set out names of all persons served with notice of trial) I was attended by counsel for the plaintiff and for.....no one appearing for.....although duly notified as aforesaid (or as the case may be) and upon hearing the evidence adduced and what was alleged by counsel for the plaintiff and for C.D. and E.F. and the defendant (or and by A.B. appearing in person).

1. I find that the plaintiff and the several persons mentioned in Schedule 1 hereto are respectively entitled to a lien under *The Mechanics' Lien Act* upon the land described in Schedule 2 hereto for the amounts set opposite their respective names in the second, third and fourth columns of Schedule 1, and the persons primarily liable for the claims respectively are set forth in the fifth column of Schedule 1.

2. (And I find that the several persons mentioned in Schedule 3 hereto are also entitled to some lien, charge or encumbrance upon the land for the amounts set opposite their respective names in the fourth column of Schedule 3, according to the facts.)

3. And I direct that upon the defendant (A.B. the owner) paying into Court to the credit of this action the sum of $..... (gross amount of liens in Schedule 1 for which the owner is liable) on or before the.....day of..... next, that the liens in Schedule 1 mentioned be and the same are hereby discharged and the money so paid into Court is to be paid out in payment of the claims of the lienholders.

4. In case the defendant (owner) makes default in payment of the money into Court, I direct that the land be sold with the approbation of the Master of this Court at.....and that the purchase money be paid into Court to the credit of this action.

5. And I direct that the purchase money be applied in or towards payment of the several claims mentioned in Schedule(s) 1 (and 3) as the Master shall direct with subsequent interest and subsequent costs to be computed and taxed by the Master.

6. And I direct that in case the purchase money is insufficient to pay in full the claims of the several persons mentioned in Schedule 1, the persons primarily liable for such claim as shown in Schedule 1 do pay to the persons to whom they are respectively primarily liable the amount remaining due to such persons forthwith after the same shall have been ascertained by the Master.

7. (And I find and declare that..... have not proved any lien under *The Mechanics' Lien Act* and that they are not entitled to any such lien, and I direct that the claims of liens registered by them against the land mentioned in Schedule 2 be and the same are hereby discharged, according to the fact.)

Schedule 1

Names of lienholders entitled to mechanics' liens	Amount of debt and interest (if any)	Costs	Total	Names of primary debtors

.....
(*Signature of Officer*)

Schedule 2

The lands in question in this matter are.....
(*Set out a description sufficient for registration purposes*).

.....
(*Signature of Officer*)

Schedule 3

Names of persons entitled to encumbrances other than mechanics' liens	Amount of debt and interest (if any)	Costs	Total

.....
(*Signature of Officer*)

O. Reg. 162/70, Form 8.

REGULATION 576

under The Mental Health Act

APPLICATION OF ACT

1. For the purposes of the Act, the following facilities are designated as psychiatric facilities:

O. Reg. 53/68, s. 1.

Schedule 1

Item	Location	Name
1.	Aurora	Ontario Hospital
2.	Barrie	Royal Victoria Hospital of Barrie
3.	Brampton	Peel Memorial Hospital
4.	Brantford	The Brantford General Hospital
5.	Brockville	Brockville Psychiatric Hospital
6.	Cedar Springs	Ontario Hospital School
7.	Chatham	Public General Hospital
8.	Cobourg	Ontario Hospital
9.	Don Mills	North York General Hospital
10.	Edgar	Adult Occupational Centre
11.	Goderich	Goderich Psychiatric Hospital
12.	Guelph	Homewood Sanitarium Limited
13.	Hamilton	Hamilton General Hospital
14.	Hamilton	Hamilton Psychiatric Hospital
15.	Hamilton	St. Joseph's Hospital
16.	Kingston	Hotel Dieu Hospital
17.	Kingston	Kingston General Hospital
18.	Kingston	Kingston Psychiatric Hospital
19.	Kitchener	Kitchener-Waterloo General Hospital
20.	London	Children's Psychiatric Research Institute
21.	London	London Psychiatric Hospital
22.	London	St. Joseph's Hospital
23	London	Victoria Hospital
24.	Mississauga	Mississauga Hospital
25.	New Toronto	Lakeshore Psychiatric Hospital
26.	Newmarket	York County Hospital
27.	Niagara Falls	The Greater Niagara General Hospital
28.	North Bay	North Bay Psychiatric Hospital
29.	Orillia	Ontario Hospital School
30.	Ottawa	Community Psychiatric Hospital
31.	Ottawa	Ottawa Civic Hospital
32.	Ottawa	Ottawa General Hospital
33.	Owen Sound	Dr. Mackinnon Phillips Hospital
34.	Palmerston	Midwestern Regional Children's Centre
35.	Pentanguishene	Mental Health Centre, Pentanguishene
36.	Peterborough	The Peterborough Civic Hospital
37.	Porcupine	Northeastern Regional Mental Health Centre
38.	Rexdale	Thistletown Regional Centre for Children and Adolescents
39.	St. Catharines	The St. Catharines General Hospital
40.	St. Thomas	St. Thomas Psychiatric Hospital
41.	Sarnia	Sarnia General Hospital
42.	Sault Ste. Marie	The General Hospital
43.	Scarborough	Scarborough Centenary Hospital
44.	Scarborough	Scarborough General Hospital
45.	Smiths Falls	Rideau Regional Hospital School
46.	Sudbury	Community Psychiatric Hospital
47.	Sudbury	Sudbury General Hospital of the Immaculate Heart of Mary
48.	Thunder Bay	Lakehead Psychiatric Facility
49.	Toronto	C.M. Hincks Treatment Centre
50.	Toronto	Clarke Institute of Psychiatry

Item	Location	Name
51.	Toronto	Mental Retardation Centre
52.	Toronto	Queen Street Mental Health Centre
53.	Toronto	Queensway General Hospital
54.	Toronto	St. Joseph's Hospital
55.	Toronto	St. Michael's Hospital
56.	Toronto	Sunnybrook Hospital
57.	Toronto	Toronto East General and Orthopaedic Hospital
58.	Toronto	Toronto General Hospital
59.	Toronto	Toronto Western Hospital
60.	Toronto	The Wellesley Hospital
61.	Toronto	Women's College Hospital
62.	Vineland	Bethesda Home for the Mentally Ill
63.	Weston	Humber Memorial Hospital
64.	Whitby	Whitby Psychiatric Hospital
65.	Willowdale	North York Branson Hospital
66.	Windsor	Community Psychiatric Hospital
67.	Windsor	Hotel Dieu of St. Joseph's
68.	Windsor	Metropolitan General Hospital
69.	Woodstock	Oxford Mental Health Centre

O. Reg. 53/68, Sched. 1; O. Reg. 270/68, s. 1; O. Reg. 436/68, s. 1 (1); O. Reg. 475/69, s. 1 (1, 2); O. Reg. 328/70, s. 2; O. Reg. 481/70, s. 1.

Schedule 2

Item	Location	Name
1.	Brantford	Brantford Sanatorium
2.	Fort William	Fort William Sanatorium
3.	Hamilton	Dr. Rygiel's Home for Children
4.	Kingston	Institute of Psychotherapy Ltd.
5.	Kingston	Ongwanda Sanatorium
6.	Pickering	The Christopher Robin Home for Children
7.	Plainfield	Ontario Home for Mentally Retarded Infants Inc.
8.	Toronto	Dalmeny Hospital Ltd.
9.	Toronto	Sunnyside Private Hospital
10.	Waterloo	Sunbeam Home

O. Reg. 53/68, Sched. 2; O. Reg. 380/68, s. 1; O. Reg. 31/69, s. 1; O. Reg. 475/69, s. 1 (3).

Schedule 3

Item	Location	Name
1.	Belleville	Belleville General Hospital
2.	Cornwall	Cornwall General Hospital
3.	Downsview	Powell-Brown Nursery School
4.	Guelph	Community Psychiatric Hospital
5.	Hamilton	Chedoke Child and Family Care Centre
6.	Hamilton	Hamilton Mental Health Clinic
7.	Oshawa	Oshawa Mental Health Clinic
8.	St. Catharines	Niagara Institute for Human Development
9.	Thunder Bay	McKellar General Hospital
10.	Toronto	Boys Village (Mental Health Clinic)
11.	Toronto	Child and Family Psychiatric Clinic, Borough of York
12.	Toronto	The Hospital for Sick Children
13.	Toronto	New Mount Sinai Hospital
14.	Toronto	West End Creche
15.	Welland	Welland County General Hospital

O. Reg. 53/68, Sched. 3; O. Reg. 270/68, s. 2; O. Reg. 436/68, s. 1 (2); O. Reg. 367/69, s. 1 (1); O. Reg. 475/69, s. 1 (4); O. Reg. 270/70, s. 1.

Schedule 4

Item	Location	Name
1.	Aurora	Blue Hills Academy
2.	Hamilton	Lynwood Hall Children's Centre
3.	Hamilton	Mount St. Joseph Centre
4.	London	Madame Vanier Children's Services
5.	Scarborough	Sacred Heart Children's Village
6.	Toronto	Boys Village (Residential Treatment Unit)

Item	Location	Name
7.	Toronto	Earlscourt Children's Home
8.	Waterloo	Lutherwood
9.	Windsor	Maryvale Vocational School for Girls

O. Reg. 367/69, s. 1 (2); O. Reg. 86/70, s. 1 (1); O. Reg. 481/70, s. 2.

STANDARDS

2. Plans and specifications for the creation, establishment, construction, alteration or renovation of a psychiatric facility shall be submitted to the Minister for approval. O. Reg. 53/68, s. 2.

3.—(1) Subject to subsection 2, the area served by a psychiatric facility shall contain a population of not less than 75,000 persons.

(2) Subsection 1 does not apply to the following psychiatric facilities:

1.	Kingston	Institute of Psychotherapy Ltd.
2.	Toronto	Dalmeny Hospital Ltd.
3.	Toronto	Sunnyside Private Hospital
4.	Willowdale	Willowdale Hospital Ltd.

O. Reg. 53/68, s. 3.

4.—(1) Subject to subsection 3, every psychiatric facility shall offer to the population served by it a program that includes the following essential services:

1. In-patient services
2. Out-patient services
3. Day-care services
4. Emergency services
5. Consultative and educational services to local agencies

(2) Any alteration in the program of a psychiatric facility that limits or restricts any of the essential services listed in subsection 1 shall be submitted to the Minister for approval. O. Reg. 53/68, s. 4 (1, 2).

(3) Subsection 1 does not apply,

(*a*) in respect of in-patient services, to the psychiatric facilities listed in Schedule 3;

(*b*) in respect of out-patient services, to the following psychiatric facilities:

1.	Aurora	Ontario Hospital
2.	Cobourg	Ontario Hospital
3.	Edgar	Adult Occupational Centre
4.	Guelph	Homewood Sanitarium Limited
5.	Vineland	Bethesda Home for the Mentally Ill

6. The psychiatric facilities listed in schedules 2 and 4;

(*c*) in respect of day-care services to the following psychiatric facilities:

1.	Aurora	Ontario Hospital
2.	Cedar Springs	Ontario Hospital School
3.	Cobourg	Ontario Hospital
4.	Edgar	Adult Occupational Centre
5.	Guelph	Homewood Sanitarium Limited
6.	Orillia	Ontario Hospital School
7.	Palmerston	Midwestern Regional Children's Centre
8.	Smith's Falls	Rideau Regional Hospital School
9.	Vineland	Bethesda Home for the Mentally Ill

10. The psychiatric facilities listed in schedules 2, 3 and 4;

(*d*) in respect of emergency services, to the following psychiatric facilities:

1.	Aurora	Ontario Hospital
2.	Cedar Springs	Ontario Hospital School
3.	Cobourg	Ontario Hospital
4.	Edgar	Adult Occupational Centre
5.	Guelph	Homewood Sanitarium Limited
6.	Orillia	Ontario Hospital School
7.	Palmerston	Midwestern Regional Children's Centre
8.	Smiths Falls	Rideau Regional Hospital School
9.	Toronto	West End Creche
10.	Vineland	Bethesda Home for the Mentally Ill

11. The psychiatric facilities listed in schedules 2 and 4;

(*e*) in respect of consultative and educational services to local agencies, to the following psychiatric facilities:

1.	Guelph	Homewood Sanitarium Limited
2.	Vineland	Bethesda Home for the Mentally Ill
3.	The psychiatric facilities listed in schedules 2 and 4.	

O. Reg. 53/68, s. 4 (3); O. Reg. 305/68, ss. 2-5.

5.—(1) Subject to subsection 2, the observation, care and treatment of patients of a psychiatric facility shall be under the direction and supervision of a psychiatrist. O. Reg. 53/68, s. 5 (1).

(2) Subsection 1 does not apply to the following psychiatric facilities:

1.	Aurora	Ontario Hospital
2.	Cedar Springs	Ontario Hospital School
3.	Cobourg	Ontario Hospital
4.	Edgar	Adult Occupational Centre
5.	London	Children's Psychiatric Research Institute
6.	Orillia	Ontario Hospital School
7.	Palmerston	Midwestern Regional Children's Centre
8.	Smiths Falls	Rideau Regional Hospital School
9.	Toronto	Mental Retardation Centre
10.	Vineland	Bethesda Home for the Mentally Ill
11.	Woodstock	Ontario Hospital
12.	The psychiatric facilities listed in Schedule 2 except the following:	
	Kingston	Institute of Psychotherapy Ltd.
13.	The psychiatric facilities listed in Schedule 4.	

O. Reg. 53/68, s. 5 (2); O. Reg. 305/68, s. 6.

RETURNS

6. The Minister may require a psychiatric facility to furnish such returns, reports and information as he may from time to time consider necessary. O. Reg. 53/68, s. 6.

APPLICATION OF PART II OF ACT

7.—(1) Every psychiatric facility listed in schedules 2, 3 and 4 is exempt from the application of Part II of the Act. O. Reg. 53/68, s. 7 (1); O. Reg. 305/68, s. 7.

(2) Notwithstanding subsection 1, every psychiatric facility listed in Schedule 3 shall be deemed to be an appropriate place for the purpose of an examination referred to in section 9 or 10 of the Act. O. Reg. 53/68, s. 7 (2).

ABSENCE WITHOUT AUTHORIZATION

8.—(1) Where the absence without authorization of a patient who is subject to detention otherwise than under this Act becomes known to the officer-in-charge, the officer-in-charge shall forthwith,

(*a*) issue an order for return in the prescribed Form; and

(*b*) notify the appropriate law enforcement authorities.

(2) Where the officer-in-charge has issued an order for return under clause *b* of subsection 1 of section 21 of the Act and has notified law enforcement authorities, he shall further notify such authorities forthwith,

(*a*) when the patient has returned; or

(*b*) when the patient has not returned and the order has expired. O. Reg. 53/68, s. 8.

REVIEW BOARDS

9.—(1) An application for review under section 28 of the Act may be made where the attending physician or the officer-in-charge has received a request for the discharge of a patient and such request has been denied.

(2) An application for review under section 39 of the Act may be made where the attending physician or the officer-in-charge has received a request for cancellation of the certificate of incompetence or notice of continuance from the patient or former patient and such request has been denied.

(3) An application for review shall be endorsed by the attending physician or officer-in-charge with the particulars prescribed therein. O. Reg. 53/68, s. 9.

10. Where a request for the discharge of a patient has been denied, the patient or other person to whom the denial is made shall be advised of any rights he may have to make application to a review board. O. Reg. 53/68, s. 10.

11. Every psychiatric facility in respect of which a review board has jurisdiction shall provide applications for review and envelopes pre-addressed to the chairman of the review board having jurisdiction and an application and envelope shall be furnished forthwith to any person who requests them. O. Reg. 53/68, s. 11.

12. Where an application for review is completed by or on behalf of a patient and presented to his attending physician or the officer-in-charge for endorsement of particulars, such physician or the officer-in-charge shall so endorse the application as soon as possible and return it to the applicant. O. Reg. 53/68, s. 12.

13. The written report of the decision of a review board referred to in section 30 of the Act shall be transmitted to the persons described therein within seven days after the decision is reached and not later than one month from the date of receipt of the application for review by the chairman. O. Reg. 53/68, s. 13.

14. The written report of the recommendations of an advisory review board referred to in section 31 of the Act shall be transmitted to the Lieutenant Governor in Council within one month after the recommendations are settled. O. Reg. 53/68, s. 14.

15.—(1) A member of a review board who is,

(*a*) the chairman;

(*b*) a psychiatrist; or

(*c*) a barrister and solicitor,

shall be paid $100 for each day he is engaged upon the work of the board.

(2) A member of a review board who is not referred to in subsection 1 shall be paid $60 for each day he is engaged upon the work of the board.

(3) The chairman of an advisory review board who is a judge of the Supreme Court shall be paid only the necessary expenses referred to in subsection 6, but where he is a retired judge of the Supreme Court and there is one advisory review board, he shall be paid an annual honorarium of $12,500 which shall be deemed to include the necessary expenses referred to in that subsection.

(4) A member of an advisory review board who is,

(*a*) a psychiatrist; or

(*b*) a barrister and solicitor,

shall be paid $100 for each day he is engaged upon the work of the board.

(5) A member of an advisory review board who is not referred to in subsection 3 or 4 shall be paid $60 for each day he is engaged upon the work of the board.

(6) Except as otherwise provided, in addition to the remuneration set out in subsections 1 to 5 inclusive, each member of a review board or advisory review board shall be paid his necessary expenses incurred while he is engaged upon the work of the board. O. Reg. 298/68, s. 1.

APPLICATION OF PART III OF ACT

16. The following psychiatric facilities are exempt from the application of Part III of the Act:

1.	Guelph	Homewood Sanitarium Limited
2.	Kingston	Institute of Psychotherapy Ltd.
3.	Toronto	Dalmeny Hospital Ltd.
4.	Toronto	Sunnyside Private Hospital
5.	Willowdale	Willowdale Hospital Ltd.

6. The psychiatric facilities listed in schedules 3 and 4.

O. Reg. 53/68, s. 16; O. Reg. 305/68, s. 8.

FORMS

17.—(1) An application made under subsection 1 of section 8 of the Act shall be in Form 1.

(2) An order for examination issued under subsection 1 of section 9 of the Act shall be in Form 2.

(3) The document referred to in section 12 of the Act shall be in Form 3.

(4) A certificate of renewal to be completed under subsection 1 of section 13 of the Act shall be in Form 4.

(5) The document referred to in subsection 5 of section 13 of the Act shall be in Form 5.

(6) An order made under subsection 1 of section 14 of the Act shall be in Form 6.

(7) An order made under subsection 3 of section 14 of the Act shall be in Form 7.

(8) An order made under subsection 1 of section 15 of the Act shall be in Form 8.

(9) An order for return issued under clause *b* of subsection 1 of section 21 of the Act shall be in Form 9.

(10) A memorandum of transfer referred to in subsection 1 of section 22 of the Act shall be in Form 10.

(11) Where a patient is transferred under subsection 1 of section 23 of the Act, Form 11 shall be completed by the officer-in-charge.

(12) A warrant under section 24 of the Act shall be in Form 12.

(13) A warrant under section 25 of the Act shall be in Form 13.

(14) An application made under subsection 1 of section 28 or subsection 1 of section 39, as the case may be, of the Act shall be in Form 14.

(15) A certificate of incompetence issued under subsection 3 of section 32 of the Act shall be in Form 15.

(16) A financial statement forwarded under section 35 of the Act shall be in Form 16.

(17) A notice of cancellation of a certificate of incompetence under section 36 of the Act shall be in Form 17.

(18) A notice of continuance of a certificate of incompetence under subsection 2 of section 37 of the Act shall be in Form 18. O. Reg. 53/68, s. 17.

Form 1

The Mental Health Act

PHYSICIAN'S APPLICATION FOR INVOLUNTARY ADMISSION

NOTE: This form *must* be completed in full.

I, the undersigned physician, hereby certify that on

the.....day of....., 19...., I personally examined

.....
(name of person in full)

.....
(home address)

After making due inquiry into all the facts necessary for me to form a satisfactory opinion, I do hereby further certify that he/she suffers from mental disorder of a nature or degree so as to require hospitalization in the interests of his/her own safety or the safety of others.

1. Facts indicating mental disorder observed by myself: (e.g., appearance, conduct, conversation).

2. Other facts, if any, indicating mental disorder communicated to me by others: (state from whom the information was received).

3. State reason(s) why no measure short of hospitalization would be appropriate in the case of the above-named person:

.....

4. State reason(s) why the above-named person is not suitable for admission as an informal patient:

.....

I hereby apply for the involuntary admission of the above-named person to a psychiatric facility.

Signed this.....day of....., 19....

The name and address of the physician *must* be printed or typed below:

.....

.....

....
(signature of physician)

Indicate medication (*a*) routinely received by the patient:

(*b*) administered to the patient within the last twenty-four hours:

NOTE: In order to be valid, this application must be completed no later than seven days after the examination referred to above. The application is authority to admit only within fourteen days of the date it is completed.

O. Reg. 53/68, Form 1.

Form 2

The Mental Health Act

ORDER FOR EXAMINATION

TO the Peace Officers in the County/District of

.....

WHEREAS information upon oath has this day been brought before the undersigned, a Justice of the Peace in and for the said County/District, by

.....,
(name of person bringing the information)

that.....
(name or other description of person to be examined)

.....
(home address of person to be examined if known)

(*a*) is believed to be suffering from mental disorder; and

(*b*) should be examined in the interest of his/her own safety or the safety of others,

AND WHEREAS I am satisfied that

(*c*) such examination is necessary; and

(*d*) such examination can be arranged in no other way:

NOW THEREFORE, I hereby order and direct you, the said Peace Officers, or any of you, to take the said .....
(name or other description of person to be examined)

to an appropriate place for medical examination;

AND I HEREBY AUTHORIZE his/her detention until such examination is completed.

.....
Justice of the Peace

Date....., 19....

NOTE: This form does not constitute an order for admission to a psychiatric facility.

O. Reg. 53/68, Form 2.

Form 3

The Mental Health Act

CHANGE TO INVOLUNTARY STATUS

NOTE: This form *must* be completed in full.

I, the undersigned physician, hereby certify that on the.....day of....., 19....., I personally examined

.....
(name of person in full)

.....
(home address)

After making due inquiry into all the facts necessary for me to form a satisfactory opinion, I do hereby further certify that he/she suffers from mental disorder of a nature or degree so as to require involuntary hospitalization in the interests of his/her own safety or the safety of others.

1. Facts indicating metal disorder observed by myself: (e.g., appearance, conduct, conversation).

2. Other facts, if any, indicating mental disorder communicated to me by others: (state from whom the information was received).

3. State reason(s) why the above-named person is not suitable to be continued as an informal patient:

.....

Signed this.....day of....., 19....

The name and address of the physician *must* be printed or typed below:

.....

.....

.....

.....
(signature of physician)

O. Reg. 53/68, Form 3.

Form 4

The Mental Health Act

CERTIFICATE OF RENEWAL

I, the undersigned physician, hereby certify that on the.....day of....., 19....., I personally examined

.....
(name of patient in full)

.....
(home address)

After making due inquiry into all the facts necessary for me to form a satisfactory opinion, I do hereby further certify that he/she suffers from mental disorder of a nature or degree so as to require further hospitalization in the interests of his/her own safety or the safety of others.

State reason(s) why the above-named person is not suitable to be continued as an informal patient:

.....

Signed this.....day of....., 19....

.....
(signature of attending physician)

In accordance with *The Mental Health Act*, this certificate shall be effective from the.....day of ....., 19....., and shall remain in force for a period of.....months.

O. Reg. 53/68, Form 4.

Form 5

The Mental Health Act

CHANGE TO INFORMAL STATUS

I, the undersigned physician, hereby terminate the involuntary status of .....
(name of patient in full)

.....
(home address)

who shall henceforth be continued as an informal patient.

Signed this .....day of....., 19....

.....
(signature of attending physician)

O. Reg. 53/68, Form 5.

Form 6

The Mental Health Act

ORDER FOR ATTENDANCE FOR EXAMINATION

In the.....Court held at.....
(address)
for the County/District of.....

TO.....
(name of psychiatric facility)

WHEREAS.....
(name of person in full)

.....
(address)

Strike out inapplicable words | is charged with ..... (offence) / has been convicted of

contrary to section.....of the.....;

AND WHEREAS he/she has appeared before me and I have reason to believe that he/she suffers from mental disorder;

AND WHEREAS I have ascertained from

.....
(name of senior physician, as defined in the Act)

the senior physician of.....,
(name of psychiatric facility)

that the services of the said psychiatric facility are available to the above-named person;

I HEREBY ORDER that the above-named person attend, by appointment, the said psychiatric facility for examination;

AND I AUTHORIZE you, the authorities at the said psychiatric facility, to examine him/her.

.....
(Judge or Magistrate)

Date....., 19....

O. Reg. 53/68, Form 6.

Form 7

The Mental Health Act

ORDER FOR ATTENDANCE FOR TREATMENT

In the.....Court held at.....
(address)

for the County/District of.....

TO.....
(name of psychiatric facility)

WHEREAS.....
(name of person in full)

.....
(address)

was on....., 19.... ordered to attend

.....
(name of psychiatric facility)

for examination;

AND WHEREAS.....
(name of senior physician,

....., the senior physician of the said as defined in the Act)

psychiatric facility reports that the above-named person needs treatment;

AND WHEREAS I have ascertained from

.....,
(name of senior physician, as defined in the Act)

the senior physician of.....
(name of psychiatric facility)

that the services of such psychiatric facility are available to the above-named person;

I HEREBY ORDER that the above-named person attend such psychiatric facility for treatment, as and when required by the authorities thereat;

AND I AUTHORIZE you, the authorities at such psychiatric facility, to treat him/her.

.....
(Judge or Magistrate)

Date....., 19....

O. Reg. 53/68, Form 7.

Form 8

The Mental Health Act

ORDER FOR ADMISSION

In the.....Court held at.....
(address)

for the County/District of.....

TO the Peace Officers in the.....of.....

AND TO.....
(name of psychiatric facility)

WHEREAS.....
(name of person in full)

.....
(address)

is a person in custody charged with.....
(offence)

contrary to section.....of the.....;

AND WHEREAS he/she has appeared before me and I have reason to believe that he/she suffers from mental disorder;

AND WHEREAS I have ascertained from

.....,
(name of senior physician, as defined in the Act)

the senior physician of.....,
(name of psychiatric facility)

that the services of the said psychiatric facility are available to the above-named person;

I HEREBY ORDER that the above-named person be remanded for admission as a patient to the said psychiatric facility for a period of not more than

.....

AND I FURTHER ORDER and direct you, the said Peace Officers, or any of you, to convey him/her to the said psychiatric facility;

AND I AUTHORIZE you, the authorities at the said psychiatric facility, to admit him/her in accordance with this order.

.....
Judge or Magistrate

Date....., 19....

O. Reg. 53/68, Form 8.

Form 9

The Mental Health Act

ORDER FOR RETURN

TO.....

AND TO all or any Peace Officers, Police Officers or Constables in the Province of Ontario.

WHEREAS.....
(name of patient in full)

is subject to detention and is absent from

.....
(name of psychiatric facility)

without authorization;

AND WHEREAS his/her absence without authorization became known to me on....., 19....;

NOW THEREFORE I hereby direct and authorize you, or any of you, to return him/her to the said psychiatric facility;

AND in the course of returning him/her, you are authorized to detain him/her in an appropriate place.

THIS ORDER shall have force until.....,

19....

.....
Officer-in-charge

.....
Psychiatric Facility

Date....., 19....

O. Reg. 53/68, Form 9.

Form 10

The Mental Health Act

MEMORANDUM OF TRANSFER

Upon the advice of his/her attending physician,

I,....., officer-in-charge of

.....,
(psychiatric facility)

hereby transfer.....
(name of patient in full)

.....
(home address)

to....., arrangements having been made with the officer-in-charge thereof.

NOTE: The following portion of this memorandum *must* be completed.

☐ A. The patient is an informal one.

Check either A or B ☐ B. The patient is an involuntary one. (A copy of the document authorizing his/her detention must accompany this memorandum.)

☐ C. The estate of the patient is not under the management of a committee.

Check either C, D or E ☐ D. The estate of the patient is under the management of the Public Trustee. (Where committeeship has arisen under the authority of a certificate of incompetence, a copy thereof must accompany this memorandum.)

☐ E. The estate of the patient is under the management of

.....
(Committee appointed under *The Mental Incompetency Act*)

.....
Officer-in-Charge

Date....., 19....

O. Reg. 53/68, Form 10.

Form 11

The Mental Health Act

TRANSFER TO A PUBLIC HOSPITAL

Upon the advice of his/her attending physician

that.....
(name of patient in full)

.....
(home address)

requires treatment that cannot be supplied in this facility, I,.....,

officer-in-charge of.....,
(psychiatric facility)

hereby transfer the said patient to.....

until such time as his/her treatment therein is concluded.

NOTE: Where the patient is subject to detention, a copy of the document authorizing such detention must accompany this document.

.....
Officer-in-Charge

Date....., 19....

NOTE: By virtue of *The Mental Health Act*, the superintendent of a public hospital has, in addition to the powers conferred upon him by the Act under which the hospital operates, the powers under *The Mental Health Act* of an officer-in-charge of a psychiatric facility in respect of the custody and control of the patient. O. Reg. 53/68, Form 11.

Form 12

The Mental Health Act

WARRANT FOR TRANSFER FROM ONTARIO TO ANOTHER JURISDICTION

TO.....

Whereas it appears to me that

.....
(name of patient in full)

.....
(home address)

who is now a patient in.....
(psychiatric facility)

has come or has been brought into Ontario from .....and

(Strike out inapplicable clause)

(*a*) his/her hospitalization is the responsibility of.....; (name of jurisdiction)

or

(*b*) it would be in his/her best interests to be hospitalized in

.....
(name of jurisdiction)

AND WHEREAS the laws respecting hospitalization in.....
(name of jurisdiction)

have been complied with *mutatis mutandis:*

NOW THEREFORE I hereby authorize you, the said....., to transfer him/her to

.....
(place of transfer)

.....
Minister of Health

Date....., 19....

O. Reg. 53/68, Form 12.

Form 13

The Mental Health Act

WARRANT TO ADMIT A PERSON COMING INTO ONTARIO

To.....

And to.....
(psychiatric facility)

WHEREAS I have reason to believe that

.....
(name of person in full)

may come or be brought into Ontario from.....

and he/she is suffering from mental disorder:

NOW THEREFORE I hereby order and direct that you, the said.....convey him/her to.....
(psychiatric facility)

AND I further order and direct you, the authorities at the said psychiatric facility, to admit and detain him/her.

.....
Minister of Health

Date....., 19....

O. Reg. 53/68, Form 13.

Form 14

The Mental Health Act

APPLICATION FOR REVIEW

Date....., 19....

To: The Chairman of the Review Board

RE: ....., ...
(name of patient in full) (home address)

.....
(psychiatric facility)

NOTE: Part A or Part B or both Parts A and B may be completed.

PART A

1. I, ...
(name of applicant)

hereby apply for an inquiry into whether the above-named patient suffers from mental disorder of a nature or degree so as to require hospitalization in the interests of his/her own safety or the safety of others.

.....
(signature of applicant)

.....
(relationship/capacity)*

*The following persons are eligible to make application under Part A: an involuntary patient, any person on his/her behalf; the Minister of Health; the Deputy Minister of Health; and the officer-in-charge of the psychiatric facility.

(Paragraph 2 need not be completed where the applicant is the Minister of Health, Deputy Minister of Health or officer-in-charge.)

2. I, the undersigned, hereby certify that the discharge of the above-named patient has been requested and denied. The patient was last admitted to a psychiatric facility on....., 19...., and is currently detained under the authority of a certificate of renewal/document of change to involuntary status. (Strike out inapplicable term.)

Dated....., 19....

.....
(signature of attending physician or officer-in-charge)

PART B

1. I,.....
(name of applicant)

hereby apply for an inquiry into whether the above-named patient (or former patient) is not competent to manage his/her estate.

.....
(signature of applicant)

.....
(relationship/capacity)**

**The following persons are eligible to make application under Part B: the patient (or former patient); the Minister of Health; the Deputy Minister of Health; and the officer-in-charge of the psychiatric facility.

(Paragraph 2 need not be completed where the applicant is the Minister of Health, Deputy Minister of Health or officer-in-charge.)

2. I, the undersigned, hereby certify that the above-named patient (or former patient) has requested and was denied cancellation of the certificate of incompetence in his/her case. The estate of the patient (or former patient) is currently under the management of the Public Trustee under the authority of a certificate of incompetence dated ....., 19.... (and continued by a notice of continuance dated....., 19..). (complete where applicable.)

.....
(signature of attending physician or officer-in-charge)

O. Reg. 53/68, Form 14.

Form 15

The Mental Health Act

CERTIFICATE OF INCOMPETENCE

I, the undersigned physician, hereby certify that on the.....day of....., 19....,

I personally examined.....
(name of patient in full)

.....
(home address)

After making due inquiry into all the facts necessary for me to form a satisfactory opinion, I do hereby further certify that he/she is not competent to manage his/her estate.

1. Facts indicating incompetence observed by myself:

.....

2. Other facts, if any, indicating incompetence communicated to me by others:

.....
(state from whom the information was received):

.....

Date....., 19....

.....
(signature)

.....
(*print* or *type* name of signing physician)

.....
Psychiatric facility

Date of Admission.....,19....

O. Reg. 53/68, Form 15.

Form 16

The Mental Health Act

FINANCIAL STATEMENT

1. This form to be completed by a responsible person having knowledge of the assets of the patient and forwarded forthwith by the officer-in-charge to the Public Trustee under the provisions of section 35 of *The Mental Health Act*.

2. Under the provisions of *The Mental Health Act* where the Public Trustee has become Committee of the estate of a patient he is the only person having the legal authority to deal with the patient's estate. The Public Trustee endeavours to protect the interests of the patient's estate and to provide for the patient's dependants. Upon the Public Trustee ceasing to be Committee, the patient's assets will be returned to him.

1. Name of patient in full:

2. Sex:

3. Psychiatric facility:

4. Residence:
(Street and number or lot and concession):

(Municipality):

(County, etc. or district):

5. Length of residence in this municipality:

6. Date of birth:

7. Place of birth:

8. Citizenship:

9. Occupation:

10. Marital status:

11. If married, give the name and address of husband or wife:

12. If single, give the name and address of parent or responsible relative:

13. Give the names and ages of any dependants whom the patient has to support:

14. Give patient's:

    1. Social Insurance Number:

    2. Ontario Hospital Insurance Number:

    3. OHSIP Number:

    4. If other medical insurance plan, state name of company and contract number:

    5. Old Age Security Number:

15. Name and address of employer:

REAL ESTATE

16. Property of patient, and mortgages or charges on same, if any:

    1. Number of lot, concession, township and county, etc.:

    2. Number of acres:

    3. Leasehold or freehold:

    4. Name and address of mortgagee, if any:

    5. Market value of property:

17. If property of the patient has been rented, give the following information:

    1. Name of tenant:

    2. Particulars of tenancy, such as length and terms of lease:

    3. Is the lease in writing?

    4. If so, in whose possession is the document?

    5. Give the address of such person:

    6. To whom has the rent been paid?

    7. To what date has the rent been paid?

18. LIFE, ACCIDENT, DISABILITY AND INCOME PROTECTION INSURANCE

Name of the Company or Society	Number of Policy or Certificate	Amount of Insurance	In whose possession is the Policy?	Is this group insurance? State yes or no

19. PENSION OR SUPERANNUATION

If patient receives pension or superannuation, etc., give particulars:

PERSONAL ESTATE

20. CASH ON HAND, IN BANK ACCOUNTS AND SAFETY DEPOSITS

    1. Give name and address of person who is in possession of the cash:

    2. What is the amount?

    3. If deposited in a bank, give the name and address of the branch:

4. In whose possession is the bank book?

5. State the amount in the bank account:

6. If joint account, give name and address of joint owner:

7. If patient has a safety deposit box, give the location, and name and address of person in possession of the keys:

21. STOCKS, BONDS AND SIMILAR INVESTMENTS

Name of Security	Par Value	In whose possession

22. PERSONAL PROPERTY
(Give approximate values)

1. Farm Implements:

2. Stock in trade:

3. Live stock:

4. Farm produce:

5. Motor vehicles:

6. Other property or income (if any):

23. MONEYS SECURED BY MORTGAGE

1. Give the name and address of mortgagors who have borrowed money from the patient, setting out in detail separately each mortgage.

2. State in whose possession the mortgages are, and the address of such person:

24. BOOK DEBTS AND PROMISSORY NOTES OWING TO PATIENT

1. Give the names and addresses of debtors:

2. State in whose possession the notes are, and the address of such person:

25. LIABILITIES, IF ANY, OTHER THAN MORTGAGE DEBTS

26. Does the patient have a will ☐ Yes ☐ No

If so, state in whose possession it is, and the address of such person:

.....
(signature of responsible relative or friend)

.....
(address)

.....
(relationship to patient)

Date....., 19....

The officer-in-charge of the psychiatric facility shall retain one copy of this form and forward one copy to the Public Trustee, whether or not the patient has any estate.

O. Reg. 53/68, Form 16.

Form 17

The Mental Health Act

NOTICE OF CANCELLATION OF CERTIFICATE OF INCOMPETENCE

I, the undersigned physician, having examined

.....,
(name of patient in full)

.....,
(home address)

for such purpose, hereby cancel the certificate of incompetence which was issued with respect to him/her

by.....on....., 19....

Date....., 19....

.....
(signature)

.....
(*print* or *type* name of signing physician)

.....
(psychiatric facility)

O. Reg. 53/68, Form 17.

Form 18

The Mental Health Act

NOTICE OF CONTINUANCE OF CERTIFICATE OF INCOMPETENCE

I, the undersigned physician, having examined

....., (name of patient in full)

....., (home address)

who is about to be discharged, am of the opinion that he/she continues to be incompetent to manage his/her estate, and the certificate of incompetence which was issued with respect to him/her by.....

on....., 19.... is hereby continued.

State reason(s) why the above-named patient should not resume management of his/her estate:

Date....., 19....

.....
(signature)

.....
(*print* or *type* name of signing physician)

.....
(psychiatric facility)

O. Reg. 53/68, Form 18.

REGULATION 577

under The Mental Health Act

GRANTS

1. Where provincial aid is paid under the Act, it shall be paid in accordance with this Regulation. O. Reg. 298/69, s. 1.

PART I

OPERATING GRANT ASSISTANCE

2.—(1) Subject to the deduction mentioned in subsection 2, provincial aid in the form of operating grant assistance shall not exceed an amount equivalent to the reasonable cost as determined by the Minister of providing,

(*a*) general maintenance, including light, heat and power;

(*b*) administration;

(*c*) depreciation on furniture, equipment and apparatus; and

(*d*) patient care including salaries, supplies and equipment, including the expense of,

(i) the office of the officer-in-charge,

(ii) radiology and laboratory examinations,

(iii) patient records,

(iv) dietary services for patients only,

(v) housekeeping for patients only, and

(vi) the laundry.

(2) There shall be deducted from the provincial aid payable to a psychiatric facility under subsection 1 the following revenue received by the psychiatric facility:

1. Payments for services rendered by the psychiatric facility.

2. All money received from the municipality or the provincial or federal government.

3. 75 per cent of all money received from charitable organizations, benevolent foundations and individual endowments and bequests, unless such money is provided to the psychiatric facility for a specific purpose that is not ordinarily included in the routine operation of the psychiatric facility. O. Reg. 298/69, s. 2.

3. Notwithstanding section 2, a psychiatric facility that is not eligible to receive provincial aid in the form of capital grant assistance under Part II may be paid additional provincial aid not to exceed an amount equivalent to the reasonable allowance as determined by the Minister representing,

(*a*) depreciation on real property;

(*b*) return on investment of funds; and

(*c*) interest paid on real property mortgages. O. Reg. 298/69, s. 3.

4.—(1) The psychiatric facility shall annually prepare and submit to the Minister a budget estimate of the costs referred to in sections 2 and 3, including particulars of the clinical services proposed and the estimated cost thereof.

(2) The psychiatric facility may submit amendments to the budget estimate to the Minister. O. Reg. 298/69, s. 4.

5.—(1) Provincial aid under sections 2 and 3 may be paid provisionally in equal monthly instalments in advance, subject to final adjustment upon receipt of the annual financial statement of the psychiatric facility.

(2) The annual financial statement mentioned in subsection 1 shall include particulars of the revenue mentioned in subsection 2 of section 2. O. Reg. 298/69, s. 5.

PART II

CAPITAL GRANT ASSISTANCE

6. In this Part,

(*a*) "approved cost" means that portion of the actual cost of a building project of a psychiatric facility approved by the Minister, and includes,

(i) fees that are approved by the Minister and paid to an architect for his services and the services of his consulting engineers,

(ii) fees that are approved by the Minister for consultants, other than those paid through the architect,

(iii) necessary equipment and furnishings and the installation thereof,

(iv) land surveys and soil tests, and

(v) necessary paving and sodding,

but does not include,

(vi) initial supplies,

(vii) financing charges,

(viii) working capital and pre-opening expenses,

(ix) contingency allowances,

(x) landscaping, gardens, works of art, murals, busts, statues and similar decorations, or

(xi) facilities for ancillary revenue-producing operations;

(*b*) "balance of the cost" means the remainder after deducting the amount of the grant from the actual cost of the building project;

(*c*) "building project" means,

(i) the acquisition of existing buildings and alterations or additions thereto,

(ii) the construction of a new building or buildings excluding demolition of existing buildings and other clearance of site, and

(iii) the renovation or alteration of existing buildings. O. Reg. 298/69, s. 6.

7. The amount of capital grant assistance that may be paid by the Minister shall be two-thirds of the approved cost of the building project. O. Reg. 298/69, s. 7.

8. Notwithstanding section 7, the amount of capital grant assistance that may be paid by the Minister shall be the full approved cost of the building project where such project is undertaken solely to provide services for children in the following psychiatric facilities:

1. Hamilton—Chedoke Child and Family Care Centre. O. Reg. 366/69, s. 1.

9.—(1) An application for capital grant assistance shall be made to the Minister and shall set out such information as the Minister may require.

(2) An application for capital grant assistance shall be accompanied by a preliminary sketch plan in triplicate showing any existing buildings acquired or proposed to be acquired for the purpose of the building project and the alterations necessary thereto or showing the new construction, additions, or alterations, as the case may be.

(3) No tenders shall be called for any proposed new construction, additions or alterations until the Minister is satisfied and so advises in writing that the total funds required for the completion of the building project, including capital grant assistance, will be available. O. Reg. 298/69, s. 8.

10. No capital grant assistance shall be paid unless,

(*a*) the building project has been approved by the Minister;

(*b*) the applicant undertakes that it will not, without the consent of the Minister,

(i) sell, mortgage or otherwise dispose of the psychiatric facility or any part thereof,

(ii) use the psychiatric facility for any other purpose than that for which the grant is made, or

(iii) make any alterations or additions to any building forming part of the psychiatric facility; and

(*c*) in the case of a non-profit organization, the non-profit organization undertakes to pay the balance of the cost of the project. O. Reg. 298/69, s. 9.

11.—(1) Capital grant assistance shall be paid as follows:

1. One-fifth when the contract for the building project is signed.
2. One-tenth when one-eighth of the work is completed.
3. One-tenth when one-quarter of the work is completed.
4. One-tenth when three-eighths of the work is completed.
5. One-tenth when one-half of the work is completed.
6. One-tenth when five-eighths of the work is completed.
7. One-tenth when three-quarters of the work is completed.
8. One-tenth when seven-eighths of the work is completed.
9. The balance when the work is completed to the satisfaction of the Minister.

(2) No payment shall be made under subsection 1 unless a member of the Ontario Association of Architects certifies or the Minister is otherwise satisfied that the proper proportion of the work has been completed. O. Reg. 298/69, s. 10.

REGULATION 578

under The Mental Hospitals Act

GENERAL

1. The following are designated institutions to which the Act applies:

	LOCATION	NAME
1.	Aurora	Ontario Hospital
2.	Brockville	Brockville Psychiatric Hospital
3.	Cedar Springs	Ontario Hospital School
4.	Cobourg	Ontario Hospital
5.	Edgar	Adult Occupational Centre
6.	Goderich	Goderich Psychiatric Hospital
7.	Hamilton	Hamilton Psychiatric Hospital
8.	Kingston	Kingston Psychiatric Hospital
9.	London	London Psychiatric Hospital
10.	New Toronto	Lakeshore Psychiatric Hospital
11.	North Bay	North Bay Psychiatric Hospital
12.	Orillia	Ontario Hospital School
13.	Owen Sound	Dr. Mackinnon Phillips Hospital
14.	Palmerston	Midwestern Regional Children's Centre
15.	Penetanguishene	Mental Health Centre, Penetanguishene
16.	Porcupine	Northeastern Regional Mental Health Centre
17.	St. Thomas	St. Thomas Psychiatric Hospital
18.	Smiths Falls	Rideau Regional Hospital School
19.	Thunder Bay	Lakehead Psychiatric Hospital
20.	Toronto	Queen Street Mental Health Centre
21.	Whitby	Whitby Psychiatric Hospital
22.	Woodstock	Oxford Mental Health Centre

O. Reg. 190/68, s. 1; O. Reg. 455/69, s. 1.; O. Reg. 480/70, s. 1.

2. In awarding admission to patients the officer-in-charge of any institution is not required to consider the applications for admission in the order in which they are received, and he may grant priority to those cases that are, in his opinion, in most urgent need of care and attention in an institution. O. Reg. 190/68, s. 2.

3.—(1) In this section, "patient" includes a former patient of a psychiatric facility.

(2) No person shall have access to the records of a patient unless he has the authority of the officer-in-charge.

(3) No disclosure shall be made from the records of a patient without the authority of the officer-in-charge.

(4) The officer-in-charge may disclose or autnorize the disclosure of information from the records of a patient,

(*a*) with the written consent of,

(i) the patient if he is competent to give consent, or

(ii) the guardian or nearest relative of the patient if the patient is incompetent to give consent; or

(*b*) for academic, research or statistical purposes; or

(*c*) where it is clearly not against the best interests of the patient.

(5) The officer-in-charge shall disclose or authorize disclosure of information from the records of a patient,

(*a*) upon the order of a court of competent jurisdiction; or

(*b*) when otherwise required to do so by law.

(6) The provisions of this section apply notwithstanding that any information disclosed under the authority of this section is confidental or privileged and no action shall be instituted against the person who discloses it unless its disclosure is made maliciously or without reasonable or probable cause. O. Reg. 190/68, s. 3.

MAINTENANCE

4.—(1) The rate for which a patient, his estate or the person liable for his maintenance is liable in the general wards of any institution is the per diem rate of such institution and, where the patient's condition requires special care and treatment, such further charges may be made as the officer-in-charge determines. O. Reg. 190/68, s. 4 (1); O. Reg. 133/69, s. 1.

(2) The rate does not include clothing and the cost of clothing is an additional charge upon the patient,

his estate or the person liable for his maintenance. O. Reg. 190/68, s. 4 (2).

5. In any institution having private or semi-private wards, the rate for which a patient, his estate or the person liable for his maintenance is liable shall be determined in each case by the officer-in-charge, and the rate shall be based on the accommodation, care and treatment provided for the patient. O. Reg. 190/68, s. 5.

6. Where the maintenance of a patient occupying a private or semi-private ward is one-quarter in arrears and remains unpaid, the officer-in-charge may transfer the patient to a general ward and shall notify the surety or the person liable for the maintenance of his action and of the amount due and owing. O. Reg. 190/68, s. 6.

7.—(1) Where there is an amount due and owing for the maintenance of,

(*a*) a former patient who,

(i) has been discharged and is not a resident mentioned in Regulation 579 of Revised Regulations of Ontario, 1970, or

(ii) has died in a hospital; or

(*b*) a patient for whose maintenance a person is liable under section 19 of the Act and that person has died,

such amount, except as otherwise provided, shall be limited as prescribed by subsection 2.

(2) Subject to subsection 3, the amount payable in full satisfaction of the amount due and owing for maintenance mentioned in subsection 1 is limited to that accruing in the period of ten years immediately preceding the date of death or the date of discharge, as the case may be.

(3) Where the amount paid during the ten year period mentioned in subsection 2 exceeds the amount accruing during that period, the excess shall be applied upon any amount accruing prior to that period. O. Reg. 190/68, s. 7.

8.—(1) In this section,

(*a*) "debtor" means a person who is liable for maintenance under the Act;

(*b*) "dependant" means,

(i) a child under twenty-one years of age who is not in receipt of a taxable income or a child who is over twenty-one years of age but dependent because of disability and who is not in receipt of a taxable income, or

(ii) a widow or widower who is not in receipt of a taxable income;

(*c*) "net value" means the value of the property of a deceased debtor passing on his death after deducting,

(i) funeral and interment expenses,

(ii) testamentary expenses including surrogate, probate and other like court fees paid by the estate in respect of the death of the deceased, and

(iii) the legal debts of the deceased other than the amount that is due and owing for maintenance;

(*d*) "taxable income" means taxable income as determined under the *Income Tax Act* (Canada).

(2) The Deputy Minister may give a discharge for the amount due and owing for maintenance where the amount computed as prescribed by section 7 has been paid.

(3) Where the debtor dies leaving a dependant or dependants, and the net value of the estate after deducting $5,000 therefrom is less than the amount that is due and owing for maintenance, the amount that is owing for maintenance shall be deemed to be fully paid and satisfied upon payment of the balance of the net estate after deducting $5,000 therefrom and the Deputy Minister may give a discharge in full.

(4) Where the debtor dies leaving no dependant and the amount that is due and owing for the maintenance exceeds the value of the estate, the Deputy Minister may give a discharge for the amount that is due and owing upon payment of the balance of the estate after deducting,

(*a*) funeral and interment expenses; and

(*b*) testamentary expenses including surrogate, probate and other like court fees paid by the estate in respect of the death of the deceased.

(5) Before giving a discharge under this section, the Deputy Minister or an officer of the Department designated by him may require the applicant for the discharge to submit a copy of the affidavit of value and relationship filed under *The Succession Duty Act*, an affidavit of the debts of the deceased debtor and such other information as is necessary for the purposes of this section. O. Reg. 190/68 s. 8.

9. When a patient has been discharged from an institution and admission is again applied for on behalf of the patient, the officer-in-charge shall, where possible, obtain renewal of the bond for maintenance or a new bond. O. Reg. 190/68, s. 9.

10. Except as provided by sections 7 and 8, nothing in this Regulation shall be construed to relieve any person or persons or property from liability for the maintenance of any patient, and the execution of any bond or agreement for the payment of maintenance shall not have any such effect or in any way interfere with or prevent any other remedies for the recovery of moneys owing for the maintenance of a patient at the full rate of maintenance. O. Reg. 190/68, s. 10.

APPROVED HOMES

11.—(1) The Department may pay an amount of $35 a week for the care and maintenance of patients in an approved home. O. Reg. 190/68, s. 11 (1); O. Reg. 89/70, s. 1 (1).

(2) Where special care and maintenance are required by a patient, the Department may pay a weekly amount in excess of $35. O. Reg. 190/68, s. 11 (2); O. Reg. 89/70, s. 1 (2).

(3) Where a mentally defective patient who requires nursing care is a patient in an approved home, the Department may pay an amount not exceeding $10.50 a day for his care and maintenance. O. Reg. 190/68, s. 11 (3); O. Reg. 89/70, s. 1 (3).

12. Where a patient is in an approved home, the patient, his estate or the person liable for his maintenance is liable for the amount mentioned in section 11 and the cost of his clothing. O. Reg. 190/68, s. 12.

13. In sections 11 and 12, "patient" includes a former patient. O. Reg. 190/68, s. 13.

14. In sections 15 to 23, both inclusive, "employee" means a full-time or part-time employee of an institution other than an employee of an approved home connected with the institution. O. Reg. 190/68, s. 14.

15.—(1) Every employee shall receive an intradermal tuberculin test and x-ray film of the lungs within one week after the commencement of his employment unless the employee presents the institution with satisfactory proof of the taking of such tests within three months preceding the commencement of his employment.

(2) Every employee who has a negative tuberculin reaction shall receive an additional tuberculin test within six months of the date of the first test and shall receive successive tests within six months of the date of each test where the result of the test is negative.

(3) Every employee who has a positive tuberculin reaction on his first test shall receive an x-ray film of the lungs forthwith and every twelve months thereafter.

(4) Subject to section 16, where an employee has a negative reaction to his first tuberculin test and a positive reaction to any subsequent test, he shall receive an x-ray film of the lungs forthwith after such test and every three months for the next year, an additional x-ray film in six months thereafter and an additional x-ray film every twelve months thereafter.

(5) Every employee whose x-ray film shows evidence of abnormal shadowing shall forthwith receive further examination to determine the nature of the disease.

(6) No tests other than the intra-dermal (Mantoux) test, using one-twentieth of a milligram of Old Tuberculin, shall be used for the tests required by this section. O. Reg. 190/68, s. 15.

16. Where an employee is found to have developed a positive tuberculin reaction because of the administration of Bacillus Calmette-Guerin Vaccine, the employee shall receive an x-ray film of the lungs forthwith after developing the positive reaction and every twelve months thereafter, as long as the tuberculin sensitivity remains. O. Reg. 190/68, s. 16.

17. Notwithstanding subsection 6 of section 15, where an employee produces a certificate by a legally qualified medical practitioner stating that the intra-dermal (Mantoux) test causes an unusually severe reaction in the employee, the intra-dermal test shall not be performed on that employee, but he shall receive an x-ray film of the lungs within one week after the commencement of his employment and every twelve months thereafter. O. Reg. 190/68, s. 17.

18. No employee found to be suffering from active tuberculosis shall be permitted to work in the institution and the officer-in-charge shall report the case within twenty-four hours to the medical officer of health of the municipality in which the employee resides and to the medical officer of health in the municipality in which he is employed. O. Reg. 190/68, s. 18.

19.—(1) Where an employee shows evidence of tuberculosis, the officer-in-charge shall give to the Workmen's Compensation Board and to the Department written notice thereof, including a complete report of the medical findings within seven days of the time of diagnosis.

(2) Every officer-in-charge shall keep a permanent record of all examinations and tests of every employee of the institution and, if requested, shall send a copy of any record, including the x-ray films, to the Workmen's Compensation Board or to the Department.

(3) The permanent record of all examinations and tests referred to in subsection 2 shall be kept by the officer-in-charge for three years after the employee ceases to be employed in the institution.

(4) Any officer of the Workmen's Compensation Board who is authorized by its chairman may inspect the medical records of an employee at any time. O. Reg. 190/68, s. 19.

20. The institution is responsible for all examinations for tuberculosis of an employee and none of the expenses thereby incurred are payable by the employee. O. Reg. 190/68, s. 20.

21. No employee shall be detailed to care for a patient believed or suspected to be suffering from tuberculosis until the employee has received instructions as to the necessary technique to protect himself and others against infection and, where possible, the employee so detailed shall be a positive reactor to the tuberculin test. O. Reg. 190/68, s. 21.

22. Upon ceasing to be employed, every employee who has been employed for four or more months shall receive an x-ray film of the lungs and a non-reactor shall also receive a tuberculin test. O. Reg. 190/68, s. 22.

23. Nothing contained in sections 14 to 22, both inclusive, shall prevent any person from being employed in an institution when his tuberculosis is inactive. O. Reg. 190/68, s. 23.

24. Where a medical practitioner believes or suspects that a person admitted to an institution is suffering from tuberculosis, he shall notify the officer-in-charge forthwith. O. Reg. 190/68, s. 24.

FORMS

25.—(1) A certificate of the Minister under section 12 of the Act shall be in Form 1.

(2) A revocation of a certificate in Form 1 shall be in Form 2. O. Reg. 190/68, s. 25.

Form 1

The Mental Hospitals Act

CERTIFICATE FOR APPROVED HOME

I, the Minister of Health for the Province of Ontario, do hereby certify that the premises located

at..... in the.....of.....

in the County (or as the case may be) of.....

may be used by.....as an approved home

for patients of the.....
(name of institution)

unless and until this certificate is revoked in writing under my hand.

.....
Minister of Health

Date....., 19....

O. Reg. 190/68, Form 1.

Form 2

The Mental Hospitals Act

REVOCATION OF CERTIFICATE FOR APPROVED HOME

Whereas a certificate has been issued under the hand of the Minister of Health for the Province of

Ontario on the.....day of.....,

19...., to the effect that the premises located at

.....in the.....

of.....in the County (or as the case

may be) of.....may be used by.....

as an approved home for patients of the.....
(name

.....
of institution)

I do hereby revoke the said certificate.

.....
Minister of Health

Date....., 19....

O. Reg. 190/68, Form 2.

REGULATION 579

under The Mental Hospitals Act

RESIDENTIAL UNITS

1. In this Regulation, "resident" means a person received and lodged in a residential unit established under section 2. O. Reg. 191/68, s. 1.

2. The officer-in-charge may, with the approval of the Minister,

(*a*) establish a residential unit in any building or part thereof comprising the institution premises, and provide therein accommodation and facilities for the care of residents; or

(*b*) designate an approved home as a residential unit. O. Reg. 191/68, s. 2.

3. Any person,

(*a*) who has been a patient;

(*b*) who has been discharged from an institution; and

(*c*) for whom no immediate provision for care and lodging has been made; or

(*d*) who has been a resident in a home for special care approved or licensed under *The Homes for Special Care Act* and the regulations made under that Act,

may be admitted to a residential unit upon his own request or the request of a friend or relative. O. Reg. 191/68, s. 3.

4.—(1) A residential unit and the residents therein are exempt from the provisions of the Act except sections 1 to 7, section 9 and sections 18 to 21 of the Act which shall apply *mutatis mutandis*.

(2) Part III of *The Mental Health Act* and the relevant regulations thereunder apply *mutatis mutandis* to a resident in a residential unit as if the resident had continued as a patient in an institution.

(3) Notwithstanding subsection 2, where a notice of continuance has been issued under subsection 2 of section 37 of *The Mental Health Act* prior to the discharge of the resident from an institution, the provisions of clause *d* of section 38 of that Act shall not apply. O. Reg. 191/68, s. 4.

5.—(1) When a resident is admitted to a residential unit the officer-in-charge shall notify the person responsible for the maintenance of the resident or a relative or friend.

(2) A resident shall be discharged from the residential unit when provision has been made for his continued care and lodging. O. Reg. 191/68, s. 5.

6. A resident is discharged when the officer-in-charge so orders and communicates the order to the resident. O. Reg. 191/68, s. 6.

7. A resident or the person responsible for his maintenance is liable for his maintenance at the rate of $3 a day. O. Reg. 191/68, s. 7; O. Reg. 132/69, s. 2.

REGULATION 580

under The Milk Act

BY-LAWS FOR MARKETING BOARDS

1. The head office of a marketing board shall be in such place in Ontario as the local board from time to time determines. R.R.O. 1960, Reg. 420, s. 1; O. Reg. 281/65, s. 1.

2. The fiscal year of a marketing board shall end on the 31st day of March, but the local board may fix another date. R.R.O. 1960, Reg. 420, s. 2; O. Reg. 281/65, s. 1.

3. The first meeting of a marketing board shall be held not later than ten days after the election of the members thereof. R.R.O. 1960, Reg. 420, s. 3; O. Reg. 281/65, s. 1.

OFFICERS

4.—(1) At its first meeting after its appointment or election, as the case may be, a marketing board shall elect from its members a chairman and a vice-chairman. R.R.O. 1960, Reg. 420, s. 4 (1); O. Reg. 281/65, s. 1.

(2) When the chairman and vice-chairman are absent from a meeting, the marketing board may elect a chairman from the members present at the meeting. R.R.O. 1960, Reg. 420, s. 4 (2); O. Reg. 281/65, s. 1.

5. A majority of the members of a marketing board constitute a quorum for the transaction of business. R.R.O. 1960, Reg. 420, s. 5; O. Reg. 281/65, s. 1.

6.—(1) A marketing board shall appoint a secretary and treasurer. R.R.O. 1960, Reg. 420, s. 6 (1); O. Reg. 281/65, s. 1.

(2) The same person may be appointed secretary and treasurer. R.R.O. 1960, Reg. 420, s. 6 (2).

(3) No secretary or treasurer shall be a member of the marketing board. R.R.O. 1960, Reg. 420, s. 6 (3); O. Reg. 281/65, s. 1.

7. The secretary of a marketing board shall,

(*a*) attend all meetings of the marketing board and keep true minutes thereof;

(*b*) conduct the coreespondence of the marketing board; and

(*c*) keep a record of,

(i) all business transactions of the marketing board,

(ii) all orders, directions or determinations of the marketing board,

(iii) all reports of committees that are from time to time appointed by the marketing board, and

(iv) all annual statements and financial and auditor's reports. R.R.O. 1960, Reg. 420, s. 7; O. Reg. 281/65, s. 1.

8. The treasurer of a marketing board shall,

(*a*) receive all moneys paid to the marketing board and forthwith deposit them to the credit of the marketing board in a chartered bank, or in a branch of The Province of Ontario Savings Office, as the marketing board by resolution directs;

(*b*) keep the securities of the marketing board in safe custody;

(*c*) keep or cause to be kept proper books of account and make or cause to be made therein entries of all receipts and expenditures of the marketing board;

(*d*) prepare the annual financial statement of the marketing board; and

(*e*) prepare reports showing the financial position of the marketing board, as the marketing board from time to time directs. R.R.O. 1960, Reg. 420, s. 8; O. Reg. 281/65, s. 1.

MEETINGS OF MARKETING BOARD

9.—(1) Meetings of a marketing board shall be called by the chairman or by two members, by giving notice thereof to each member and to the secretary and treasurer of the marketing board. R.R.O. 1960, Reg. 420, s. 9 (1); O. Reg. 281/65, s. 1.

(2) Unless it is otherwise indicated in the notice calling the meeting, the meetings of the marketing board shall be held at the head office. R.R.O. 1960, Reg. 420, s. 9 (2); O. Reg. 281/65, s. 1.

(3) Notice of a meeting shall,

(*a*) include the date and time of the meeting of the marketing board;

(*b*) be given in writing, by prepaid mail or telegraph, or orally; and

(*c*) be given in such a manner as to ensure that each member has sufficient time to receive the notice and to attend the meeting. R.R.O. 1960, Reg. 420, s. 9 (3); O. Reg. 281/65, s. 1.

10.—(1) The order of business at a meeting of a marketing board shall be,

(*a*) roll call;

(*b*) reading and approving of minutes of last meeting;

(*c*) business arising out of minutes;

(*d*) report of treasurer;

(*e*) dealing with correspondence;

(*f*) unfinished business; and

(*g*) new business. R.R.O. 1960, Reg. 420, s. 10 (1); O. Reg. 281/65, s. 1.

(2) The order of business may be varied by a majority vote of the members present at a meeting. R.R.O. 1960, Reg. 420, s. 10 (2).

11. All questions arising at any meeting of a marketing board shall be decided by the majority of the votes of the members present, and in the event of a tie vote the chairman of the meeting has a second or casting vote. R.R.O. 1960, Reg. 420, s. 11; O. Reg. 281/65, s. 1.

TRANSACTION OF BUSINESS OTHER THAN AT A MEETING

12.—(1) A marketing board may transact a matter of business other than at a meeting called and conducted in accordance with sections 9, 10 and 11, upon the conditions that,

(*a*) the chairman of the marketing board is of the opinion that the matter of business should be decided sooner than a meeting may be called;

(*b*) the chairman submits the matter to be decided to the secretary of the marketing board;

(*c*) the chairman or the secretary submits the matter for decision to the members of the marketing board by prepaid mail or telegraph or orally; and

(*d*) the secretary makes a record in the minute book of the marketing board of the matter to be decided and the decision of each member. R.R.O. 1960, Reg. 420, s. 12 (1); O. Reg. 281/65, s. 1.

(2) Where the conditions under subsection 1 have been complied with and the record shows a majority of members in favour of or against the matter of business, it shall be decided accordingly. R.R.O. 1960, Reg. 420, s. 12 (2).

(3) Where the secretary of a marketing board makes a record in the minute book under subsection 1, the record shall be read and confirmed at the next meeting of the marketing board. R.R.O. 1960, Reg. 420, s. 12 (3); O. Reg. 281/65, s. 1.

13. Minutes of each meeting of a board shall be signed by the chairman of the meeting and the secretary. R.R.O. 1960, Reg. 420, s. 13.

14.—(1) No expenditure shall be made unless authorized by the marketing board in accordance with the powers conferred upon the marketing board by the Act, the marketing plan and the regulations. R.R.O. 1960, Reg. 420, s. 14 (1); O. Reg. 281/65, s. 1.

(2) All expenditures shall be paid by cheque. R.R.O. 1960, Reg. 420, s. 14 (2).

(3) Cheques shall be signed in the name of the marketing board by,

(*a*) the chairman, or in his absence by the vice-chairman; and

(*b*) the treasurer. R.R.O. 1960, Reg. 420, s. 14; O. Reg. 281/65, s. 1.

15.—(1) The treasurer of each marketing board shall be covered by a bond of a guarantee company approved under *The Guarantee Companies Securities Act* in an amount or amounts satisfactory to the marketing board. R.R.O. 1960, Reg. 420, s. 15 (1); O. Reg. 281/65, s. 1.

(2) The marketing board shall pay the cost of the bond. R.R.O. 1960, Reg. 420, s. 15 (2); O. Reg. 281/65, s. 1.

16.—(1) A marketing board shall cause its accounts to be audited annually by one or more auditors within three months after the end of the fiscal year of the marketing board. R.R.O. 1960, Reg. 420, s. 16 (1); O. Reg. 281/65, s. 1.

(2) The auditor shall make a report to the marketing board on the accounts examined by him and on every balance sheet laid before the marketing board at a general meeting and in the report shall state whether, in his opinion, the balance sheet referred to in the report is properly drawn up so as to exhibit a true and correct view of the state of the marketing board's affairs as shown by

its books and the treasurer's financial statement. R.R.O. 1960, Reg. 420, s. 16 (2); O. Reg. 281/65, s. 1.

(3) The secretary of the marketing board shall file the report of the auditor. R.R.O. 1960, Reg. 420, s. 16 (3); O. Reg. 281/65, s. 1.

17. Within six months after the end of each fiscal year of a marketing board, the secretary of the marketing board shall forward to the producers or growers entitled to vote under the marketing plan a copy of the annual statement and auditor's report and a general report of the marketing board's operations for the fiscal year last ended. R.R.O. 1960, Reg. 420, s. 17; O. Reg. 281/65, s. 1.

18.—(1) Each marketing board shall have a corporate seal. R.R.O. 1960, Reg. 420, s. 18 (1); O. Reg. 281/65, s. 1.

(2) The seal shall be in the form of two concentric circles with the name of the marketing board inserted in the space between the two circles. R.R.O. 1960, Reg. 420, s. 18 (2); O. Reg. 281/65, s. 1.

(3) Where the seal is used, it shall be attested by the chairman or vice-chairman and the secretary.

(4) The secretary shall have custody of the seal. R.R.O. 1960, Reg. 420, s. 18 (3, 4).

19. No marketing board shall dispose of any or all of its assets without the approval of the Commission. O. Reg. 341/65, s. 1.

REGULATION 581

under The Milk Act

CHEESE MARKETING

1. In this Regulation,

(*a*) "cheese" means cheese of every variety produced in Ontario;

(*b*) "producer of cheese" means the person who owns the cheese at the time it is made. O. Reg. 178/70, s. 1.

2. The Ontario Milk Marketing Board exempts from section 8 of Regulation 581 of Revised Regulations of Ontario, 1970,

(*a*) cheese that is sold directly to consumers at the plant of the producer thereof and the producer of such cheese;

(*b*) Trenton Riverside Dairy Products Limited in respect of cheese curd produced for processing;

(*c*) a producer of cheese named in column 1 of Schedule 1 in respect of cheese manufactured from pasteurized milk at the plant or plants set opposite the name of the producer in column 2; and

(*d*) a producer of cheese named in column 1 of Schedule 2 in respect of cheese packaged in containers other than,

(i) rectangular containers having a capacity of 40 pounds, or

(ii) round containers having a capacity of 90 pounds,

and manufactured at the plant or plants set opposite the name of the producer in column 2. O. Reg. 178/70, s. 2.

Schedule 1

Column 1	Column 2
Producer of Cheese	Location of Plant
Anderson's Dairy Products	Campbellford
Baxter Cheese Limited	Lunenburg
Darigold Products	Oakville
Foxboro Cheese Company Limited	Corbyville
Glenco Cheese Limited	Bonville
Greenwood Cheese Co. Ltd.	Sarsfield
Harrowsmith Cheese Factory Limited	Harrowsmith
Hillside Cheese Factory	St. Pascal Baylon
Hyndman Cheese Factory	Spencerville
Quinte Milk Products Limited	Wellington
Selby Cheese Factory Limited	Selby
Teeswater Creamery Limited	Clifford
Thornloe Cheese Factory	Thornloe
New Dundee Co-operative Limited	New Dundee
New Riverview Cheese Factory Limited	St. Eugene

Schedule 2

Column 1	Column 2
Producer of Cheese	Location of Plant
Apple Hill Dairy Limited	Apple Hill
Ault Milk Products Limited	Winchester
Creamerie Plantagenet Creamery Limited	Plantagenet
Kemptville College of Agricultural Technology	Kemptville
Kraft Foods Limited	Ingleside Berwick Wolfe Island
Mapleton Cheese & Butter Company Limited	St. Thomas
Millbank Cheese and Butter Manufacturing Company Limited	Millbank
Warkworth Cheese Company Limited	Warkworth

O. Reg. 451/70, s. 1.

REGULATION 582

under The Milk Act

CHEESE—MARKETING

INTERPRETATION

1. In this Regulation,

(*a*) "buyer" means a person engaged in the buying of cheese directly or indirectly from a producer of cheese;

(*b*) "cheese" means cheese of every variety produced in Ontario;

(*c*) "marketing board" means The Ontario Milk marketing Board;

(*d*) "plan" means The Ontario Milk Marketing Plan;

(*e*) "producer of cheese" means the person who owns the cheese at the time it is made. O. Reg. 44/66, s. 1.

APPLICATION OF REGULATION

2. This Regulation provides for the control and regulation in any or all respects of the marketing within Ontario of cheese, including the prohibition of such marketing in whole or in part. O. Reg. 44/66, s. 2.

LICENCES

3.—(1) No person shall commence or continue to engage in the buying of cheese except under the authority of a licence in Form 2.

(2) No licence in Form 2 shall be issued or renewed except upon application therefor in Form 1.

(3) A licence in Form 2 expires with the 31st day of March next following the date on which it is issued.

(4) The fee for a licence in Form 2, or a renewal thereof, is $5 and shall be forwarded with an application in Form 1.

(5) A licence in Form 2 is not transferable. O. Reg. 44/66, s. 3.

4.—(1) The Commission may refuse to issue a licence to commence to engage in the buying of cheese where the applicant is not qualified by experience, financial responsibility or equipment to properly engage in that business, or for any other reason that the Commission considers proper.

(2) The Commission may suspend or revoke, or refuse to issue or renew, a licence to continue to engage in the buying of cheese, for failure to observe, perform or carry out any of the provisions of the Act, the regulations, the plan, or any order or direction of the Commission or marketing board. O. Reg. 44/66, s. 4.

DELEGATION OF POWERS TO MARKETING BOARD

5. The Commission delegates to the marketing board the power,

(*a*) to require persons engaged in producing or marketing cheese to register their names, addresses and occupations with the marketing board;

(*b*) to require persons engaged in producing or marketing cheese to furnish such information relating to the production or marketing of cheese as the marketing board determines;

(*c*) to stimulate, increase and improve the marketing of cheese by such means as the marketing board considers proper; and

(*d*) to co-operate with a marketing board or a marketing agency of Canada or of any province of Canada for the purpose of marketing cheese. O. Reg. 44/66, s. 5.

6. The Commission delegates to the marketing board its powers to make regulations with respect to cheese,

(*a*) providing for the exemption from any or all of the regulations under the plan of any class, variety, grade or size of cheese, or of any person or class of persons engaged in the producing or marketing of cheese or any class, variety, grade or size of cheese;

(*b*) subject to sections 8 and 9, providing for the control and regulation of the marketing of cheese, including the times and places at which cheese may be marketed; and

(*c*) providing for the making of such orders and the issuing of such directions as are necessary to enforce the due observance and carrying out of the provisions of the Act, the regulations, the plan or any order or direction of the marketing board. O. Reg. 44/66, s. 6.

7. The Commission authorizes the marketing board,

(*a*) to prohibit the marketing of any class, variety, grade or size of cheese, other than cheese offered for sale but not sold on the Belleville Cheese Exchange or the Stratford Cheese Exchange;

(*b*) to require the price or prices of cheese to be paid to or through the marketing board, and to recover such price or prices by suit in a court of competent jurisdiction;

(*c*) to purchase or otherwise acquire such quantity or quantities of cheese as the marketing board considers advisable and to sell or otherwise dispose of such quantity or quantities of the cheese so purchased or otherwise acquired; and

(*d*) to appoint agents, to prescribe their duties and terms and conditions of employment and to fix their remuneration and provide for the payment thereof. O. Reg. 44/66, s. 7.

MARKETING OF CHEESE

8.—(1) Subject to clause *a* of section 6, all cheese shall be offered for sale and sold by auction through the Belleville Cheese Exchange or the Stratford Cheese Exchange.

(2) Subject to clause *a* of section 6, no producer of cheese shall offer to sell cheese except through the cheese exchanges mention in subsection 1.

(3) The marketing board may provide the premises, equipment and personnel required for the offering for sale and sale of cheese at each of the cheese exchanges mentioned in subsection 1. O. Reg. 44/66, s. 8.

9.—(1) Where cheese is bought on the Belleville Cheese Exchange, the buyer shall pay the marketing board in full for the cheese within five days of the date of purchase.

(2) Where cheese is bought on the Stratford Cheese Exchange, the buyer shall pay the marketing board in full for the cheese within five days of receipt of the cheese.

(3) Within five days of receipt of a payment for cheese from a buyer, the marketing board shall pay the amount received, less the amount of any levies or charges authorized under the *Agricultural Products Marketing Act* (Canada), to the producers of the cheese. O. Reg. 44/66, s. 9.

ADVISORY COMMITTEE

10.—(1) There shall be an advisory committee to be known as the "Advisory Committee for Cheese" appointed annually by the Commission in the month of April. O. Reg. 44/66, s. 10 (1).

(2) The advisory committee shall be composed of,

(*a*) a chairman; and

(*b*) fourteen members, of whom seven members shall be appointed from persons nominated by the marketing board, and seven members shall be appointed from persons nominated by buyers. O. Reg. 44/66, s. 10 (2); O. Reg. 81/66, s. 1 (1).

(3) Where the marketing board, or the buyers, as the case may be, fail to nominate a sufficient number of persons in accordance with subsection 2 prior to the 15th day of March in any year, the Commission may appoint such persons as are necessary to complete the advisory committee.

(4) Subject to subsection 5, the members of the advisory committee shall hold office until the 31st day of March of the year next following the year in which they are appointed.

(5) Where a member of the advisory committee dies or resigns or is unavailable to act before the expiration of his term of membership, the Commission shall nominate a person for the unexpired term of such member. O. Reg. 44/66, s. 10 (3-5).

(6) The secretary of the advisory committee shall be appointed by the Commission. O. Reg. 81/66, s. 1 (2).

11. The advisory committee is empowered to advise and make recommendations to the marketing board or to any person or organization represented on the committee in respect of,

(*a*) the promotion of harmonious relationships between persons engaged in the producing and marketing of cheese;

(*b*) the promotion of greater efficiency in the producing and marketing of cheese;

(*c*) the prevention and correction of irregularities and inequities in the marketing of cheese;

(*d*) the improvement of the quality and variety of cheese;

(*e*) the improvement of the circulation of market information respecting cheese; and

(*f*) without limiting the generality of any of the foregoing, any matter with respect to which the marketing board may be empowered to make regulations under the Act. O. Reg. 44/66, s. 11.

12. A meeting of the advisory committee may be convened at any time by notice in writing given by its chairman or secretary at least ten days before the date of the meeting, stating the time and place of the meeting, and a meeting shall be convened by the secretary upon the request in writing of any three members. O. Reg. 44/66, s. 12.

Form 1

The Milk Act

APPLICATION FOR LICENCE
TO ENGAGE IN THE BUYING OF CHEESE

To: The Milk Commission of Ontario,
Parliament Buildings,
Toronto 2, Ontario.

.....
(name of applicant)

.....
(address)

applies for a licence to engage in the buying of cheese under *The Milk Act*.

The licence fee of $5 accompanies this application.

Dated at....., this.....day of....., 19..

.....
(signature of applicant)

O. Reg. 44/66, Form 1.

Form 2

The Milk Act

LICENCE TO ENGAGE IN THE
BUYING OF CHEESE

Under *The Milk Act* and the regulations, and subject to the limitations thereof, this licence is issued

to.....
(name)

of.....
(address)

to engage in the buying of cheese.

This licence expires with the 31st day of March, 19....

Issued at Toronto, this....day of....., 19..

THE MILK COMMISSION OF ONTARIO:

.....
Chairman

.....
Secretary

O. Reg. 44/66, Form 2.

REGULATION 583

under The Milk Act

CLASSES OF MILK

1. The following classes of milk are established:

1. Class 1 milk.
2. Class 2 milk.
3. Class 3 milk.
4. Class 4 milk.
5. Class 5 milk.
6. Class 6 milk. O. Reg. 139/70, s. 1.

2.—(1) The amount in pounds of grade A milk that is equal to,

(*a*) the volume of sales in pounds by a processor of the following fluid milk products:

(i) Homogenized standard milk.

(ii) Lactic milk.

(iii) Partly-skimmed milk.

(iv) Special milk.

(v) Standard milk.

(vi) Sterilized milk.

(vii) Buttermilk and skim-milk, except buttermilk or skim-milk processed for the purpose of bulk sale and not for resale as fluid milk products;

(*b*) 90 per cent of the volume of sales in pounds by a processor of the following fluid milk products:

(i) Chocolate dairy drink.

(ii) Chocolate milk.

(iii) Fruit-flavoured dairy milk.

(iv) Fruit-flavoured milk; and

(*c*) shrinkage in excess of 2 per cent of the amount in pounds of grade A milk that a processor of fluid milk products buys from The Ontario Milk Marketing Board,

is Class 1 milk.

(2) The amount in pounds of milk, partly-skimmed milk, skim-milk or cream that is processed and used as concentrated liquid chocolate milk, concentrated liquid milk, concentrated liquid partly-skimmed milk or concentrated liquid skim-milk is Class 2 milk. O. Reg. 139/70, s. 2. (1, 2).

(3) The amount in pounds of milk, partly-skimmed milk, skim-milk or cream that is used in the processing of the following milk products:

(i) Cereal cream.

(ii) Cottage cheese.

(iii) Sour cream.

(iv) Table cream.

(v) Whipping cream.

(vi) Yogurt.

(vii) Sterilized infant foods,

including,

(*a*) bulk sales of milk, partly-skimmed milk, skim-milk or cream for use in a milk product or any other product not referred to herein; and

(*b*) in the case of a processor of fluid milk products, his inventory of grade A milk and fluid milk products,

is Class 3 milk. O. Reg. 139/70, s. 2 (3); O. Reg. 295/70, s. 1 (1).

(4) The amount in pounds of milk, partly-skimmed milk, skim-milk or cream that is used in the processing of,

(*a*) the following milk products:

(i) Ice cream.

(ii) Ice cream mix.

(iii) Ice milk.

(iv) Ice milk mix.

(v) Malted milk.

(vi) Malted milk powder.

(vii) Milk shake mix.

(viii) Sherbet.

(ix) Sherbet mix;

(*b*) brick cheese;

(*c*) colby cheese;

(*d*) confectionery products;

(*e*) puddings;

(*f*) soups; and

(*g*) specialty cheese,

is Class 4 milk. O. Reg. 295/70, s. 2 (4); O. Reg. 546/70, s. 1 (1).

(5) The amount in pounds of milk, partly-skimmed milk, skim-milk or cream that is used in the processing of,

(*a*) the following milk products:

(i) Butter.

(ii) Casein.

(iii) Condensed milk.

(iv) Dry milk.

(v) Evaporated milk.

(vi) Evaporated partly-skimmed milk.

(vii) Evaporated skim-milk.

(viii) Low-fat diary spread.

(ix) Milk albumen.

(x) Milk sugar.

(xi) Skim-milk powder.

(xii) Sodium caseinate.

(xiii) Whipped butter.

(xiv) Whole milk powder;

(*b*) cheddar cheese; and

(*c*) live stock feeds,

including the inventory of milk, partly-skimmed milk, skim-milk or cream at any plant other than a dairy and shrinkage not in excess of 2 per cent of the amount in pounds of grade A milk that a processor of fluid milk products buys from The Ontario Milk Marketing Board, is Class 5 milk. O. Reg. 295/70, s. 2 (5); O. Reg. 296/70, s. 1 (2).

(6) The amount in pounds of milk, partly-skimmed milk, skim-milk or cream that is used in the production of new food products is Class 6 milk. O. Reg. 139/70, s. 2 (6).

REGULATION 584

under The Milk Act

CONCENTRATED MILK—PLAN

1. The marketing plan in the Schedule is approved and declared to be in force in Ontario. R.R.O. 1960, Reg. 426, s. 1.

2. The marketing board named in the Schedule is given all of the powers that are vested in a co-operative corporation incorporated under Part V of *The Corporations Act*. O. Reg. 244/65, s. 1; O. Reg. 285/65, s. 1.

3. The members of the marketing board shall be deemed to be the shareholders and directors thereof in the exercise of any of the powers mentioned in section 2. O. Reg. 244/65, s. 1; O. Reg. 285/65, s. 1.

Schedule

The Milk Industry Act

PLAN

1. This plan may be cited as "The Ontario Concentrated Milk Producers' Marketing-for-Processing Plan".

2. In this plan,

(*a*) "concentrated milk products" means milk products manufactured at a plant, other than,

(i) cheese, and

(ii) creamery butter made from cream delivered to the plant;

(*b*) "producer" means a person engaged in the production of milk for the manufacture of concentrated milk products.

3. There shall be a marketing board to be known as "The Ontario Concentrated Milk Producers' Marketing Board".

4. The marketing board shall be composed of eight members who are producers.

5.—(1) Producers are divided into two districts as follows:

1. District 1, comprising the counties of Dundas, Durham, Frontenac, Glengarry, Grenville, Hastings, Lanark, Leeds, Lennox and Addington, Northumberland, Ontario, Peterborough, Prescott, Prince Edward, Renfrew, Russell, Stormont, and Victoria and The Regional Municipality of Ottawa-Carleton.

2. District 2, comprising the counties of Brant, Bruce, Dufferin, Elgin, Essex, Grey, Haldimand, Halton, Huron, Kent, Lambton, Middlesex, Norfolk, Oxford, Peel, Perth, Simcoe, Waterloo, Wellington, Wentworth, York as it existed on the 31st day of December, 1970, and The Regional Municipality of Niagara.

(2) A producer in a territorial district or the Provisional County of Haliburton who is not included in a district mentioned in subsection 1 may become a member of the group of producers in the district nearest to his place of production.

6.—(1) There shall be a committee in each district mentioned in subsection 1 of section 5 to be known as a "District Concentrated Milk Producers' Committee".

(2) On or before the 1st day of March in each year, the producers in each district shall elect the members, who shall be producers, of the District Concentrated Milk Producers' Committee on the basis of one member of the committee for each 150 producers or fraction thereof.

7. On or before the 31st day of March in each year, the District Concentrated Milk Producers' Committee for District 1 shall elect three members, who shall be producers, to the marketing board and the District Concentrated Milk Producers' Committee for District 2 shall elect five members, who shall be producers, to the marketing board.

8.—(1) When in any year a District Concentrated Milk Producers' Committee fails to elect the members to the marketing board in accordance with section 7, the marketing board may at its first meeting after the 31st day of March in that year appoint the members necessary to complete the marketing board.

(2) When a member elected to the marketing board dies or resigns before the 31st day of March of the year next following the date of his election, the members of the marketing board may appoint a member for the unexpired term.

(3) A person appointed a member of the marketing board under subsection 1 or 2 shall be a producer in the district for which he is appointed.

9. No person shall be a member of the marketing board or of a District Concentrated Milk Producers' Committee unless he was a producer for a period of at least six months immediately prior to his election or appointment. R.R.O. 1960, Reg. 426, Sched.; O. Reg. 43/64; O. Reg. 285/65, s. 2.

REGULATION 585

under The Milk Act

CREAM FOR PROCESSING—PLAN

1. The marketing plan in the Schedule is approved and declared to be in force in Ontario. R.R.O. 1960, Reg. 428, s. 1.

Schedule

The Milk Industry Act

PLAN

1. This plan may be cited as "The Ontario Cream Producers' Marketing-for-Processing Plan".

2. In this plan,

(*a*) "cream" means cream produced in Ontario and delivered to a plant for manufacture into creamery butter;

(*b*) "producer" means a producer engaged in the production of cream.

3. This plan applies to the regulation and control of the marketing locally within Ontario of cream produced in Ontario and delivered to a plant for manufacture into creamery butter.

4. There shall be a marketing board to be known as "The Ontario Cream Producers' Marketing Board".

5. The marketing board shall be composed of nine producer-members.

6.—(1) Producers are divided into nine districts as follows:

1. District 1, comprising the counties of Dundas, Glengarry, Grenville, Lanark, Leeds, Renfrew, Russell, Stormont, Prescott and The Regional Municipality of Ottawa-Carleton.
2. District 2, comprising the counties of Durham, Frontenac, Hastings, Lennox and Addington, Northumberland, Peterborough, Prince Edward and Victoria.
3. District 3, comprising the counties of Halton, Ontario, Peel, Simcoe and York as it existed on the 31st day of December, 1970.
4. District 4, comprising the counties of Brant, Haldimand, Norfolk, Oxford and Wentworth and The Regional Municipality of Niagara.
5. District 5, comprising the counties of Dufferin, Waterloo and Wellington.
6. District 6, comprising the counties of Huron and Perth.
7. District 7, comprising the counties of Bruce and Grey.
8. District 8, comprising the counties of Elgin, Essex, Kent, Lambton and Middlesex.
9. District 9, comprising the territorial districts of Algoma, Cochrane, Kenora, Manitoulin, Muskoka, Nipissing, Parry Sound, Rainy River, Sudbury, Thunder Bay and Timiskaming, and the Provisional County of Haliburton.

(2) A producer in a territorial district or in a county not included in a district mentioned in subsection 1 may become a member of the county group of producers nearest to his place of production.

7. Producers in each of the counties, territorial districts and the Provisional County of Haliburton named in subsection 1 of section 6 form a group of producers to be known as a "county group of producers".

8. There shall be a committee in each district mentioned in subsection 1 of section 6 to be known as a "District Cream Producers' Committee".

9. On or before the 1st day of November in each year each county group of producers shall elect a representative or representatives from its members to the District Cream Producers' Committee for the district in which the county, territorial district or the Provisional County of Haliburton is located on the basis of one representative for each 250 producers or fraction thereof.

10. On or before the 30th day of November in each year each District Cream Producers' Committee shall elect from the producers in the district one member to the marketing board.

11.—(1) When in any year a District Cream Producers' Committee fails to elect the member to the marketing board in accordance with section 10, the marketing board may at its first meeting after the 30th day of November in that year appoint a producer to the marketing board.

(2) When a member elected to the marketing board dies or resigns before the 30th day of November of the year next following the date of his election, the members of the marketing board may appoint a producer for the unexpired term.

(3) A producer appointed a member of the marketing board under subsection 1 or 2 is a producer in the district for which he is appointed. R.R.O. 1960, Reg. 428, Sched.; O. Reg. 256/65; O. Reg. 287/65.

REGULATION 586

under The Milk Act

CREAM FOR PROCESSING—MARKETING

1.—(1) In this Regulation,

(*a*) "cream" means cream produced in Ontario and delivered to a plant for manufacture into creamery butter;

(*b*) "creamery operator" means a person engaged in the manufacture of creamery butter at a plant;

(*c*) "marketing board" means The Ontario Cream Producers' Marketing Board;

(*d*) "plan" means The Ontario Cream Producers' Marketing-for-Processing Plan;

(*e*) "producer" means a producer engaged in the production of cream. R.R.O. 1960, Reg. 427, s. 1; O. Reg. 286/65, s. 1 (1).

(2) In this Regulation, "Commission" means The Milk Commission of Ontario. O. Reg. 286/65, s. 1 (2).

2. This Regulation applies to the regulation and control of the marketing locally within Ontario of cream produced in Ontario and delivered to a plant for manufacturing into creamery butter. R.R.O. 1960, Reg. 427, s. 2.

LICENCES

3.—(1) No person shall commence or continue to engage in the production of cream except under the authority of a licence as a producer of cream in Form 1.

(2) Subject to section 5, every producer shall be deemed to be the holder of a licence as a producer of cream in Form 1. R.R.O. 1960, Reg. 427, s. 3.

4. No person shall be a creamery operator except the holder of a licence for the operation of a plant under Regulation 600 of Revised Regulations of Ontario, 1970. R.R.O. 1960, Reg. 427, s. 4.

5.—(1) Every producer shall pay licence fees at the rate of one-half of a cent for each pound or fraction thereof of milk-fat in cream delivered to a plant and manufactured into creamery butter. R.R.O. 1960, Reg. 427, s. 5 (1).

(2) The operator of the plant shall deduct the licence fees payable by the producer from the sum of money due to the person from whom the cream was received.

(3) Where the sum of money due to any person from whom cream was received at a plant is less than the amount of the licence fees payable by the producer, the operator of the plant shall charge the amount of the licence fees to the account of the person from whom the cream was received. R.R.O. 1960, Reg. 427, s. 5 (2, 3).

(4) The operator of the plant shall forward to the marketing board the licence fees,

(*a*) deducted under subsection 2; and

(*b*) charged to the account of the person from whom the cream was received under subsection 3,

in any month not later than the 15th day of the following month. R.R.O. 1960, Reg. 427, s. 5 (4); O. Reg. 286/65, s. 3 (2).

AUTHORIZATION OF LOCAL BOARD

6.—(1) The Commission authorizes the marketing board to use any class of licence fees and other moneys payable to it for the purposes of paying the expenses of the marketing board, carrying out and enforcing the Act and the regulations and carrying out the purposes of the plan under which the marketing board is established. R.R.O. 1960, Reg. 427, s. 6 (1); O. Reg. 286/65, s. 3 (1, 2).

(2) The Commission authorizes the marketing board to establish a fund in connection with the plan for the payment of any moneys that may be required for the purposes mentioned in subsection 1. R.R.O. 1960, Reg. 427, s. 6 (2); O. Reg. 286/65, s. 3 (1, 2).

7. The Commission delegates to the marketing board the power,

(*a*) to stimulate, increase and improve the marketing of cream by such means as it considers proper; and

(*b*) to co-operate with a marketing board, a local board or a marketing agency of any other province for the purpose of marketing cream. R.R.O. 1960, Reg. 427, s. 7; O. Reg. 286/65, s. 3 (1, 2).

NEGOTIATING AGENCY

8.—(1) There shall be a negotiating agency to be known as "The Negotiating Committee for Cream" of ten persons appointed annually after the 1st day of January and before the 1st day of April upon the

request in writing of the Commission, of whom five shall be appointed by the marketing board and five shall be appointed by the creamery operators. R.R.O. 1960, Reg. 427, s. 8 (1); O. Reg. 286/65, s. 3 (1, 2).

(2) Where the marketing board or the creamery operators fail to appoint the persons in accordance with subsection 1 within seven days of the request in writing of the Commission, the Commission may appoint such representatives as are necessary to complete The Negotiating Committee for Cream. R.R.O. 1960, Reg. 427, s. 8 (2); O. Reg. 286/65, s. 3 (1, 2).

9. The Negotiating Committee for Cream is empowered to adopt or settle by agreement,

(*a*) minimum prices for cream or for any class or grade of cream;

(*b*) terms, conditions and forms of agreements relating to the producing or marketing of cream; and

(*c*) any charges, costs or expenses relating to the production or marketing of cream. R.R.O. 1960, Reg. 427, s. 9.

10.—(1) A meeting of a negotiating agency may be convened by a notice in writing given by the members of the negotiating agency appointed by the marketing board or by the creamery operators to the other members of the negotiating agency at least seven days, but not more than ten days, before the date of the meeting stating the time and place of the meeting. R.R.O. 1960, Reg. 427, s. 10 (1); O. Reg. 286/65, s. 3 (2).

(2) A copy of the notice under subsection 1 shall be forwarded to the Commission. R.R.O. 1960, Reg. 427, s. 10 (2).

BOARD OF ARBITRATION

11.—(1) Where a meeting of the negotiating agency is not held in accordance with the notice under section 10 or, where a meeting is held and the negotiating agency does not arrive at an agreement respecting all matters that it is empowered to adopt or settle by agreement within fourteen days after the date of the meeting stated in the notice under section 10, the matters in dispute shall be referred by the Commission to a Board of Arbitration. R.R.O. 1960, Reg. 427, s. 11 (1); O. Reg. 286/65, s. 3 (1).

(2) Where the negotiating agency decides within fourteen days after the date of the meeting stated in the notice under section 10 that an agreement on all matters that it is empowered to adopt or settle by agreement cannot be reached, it shall so notify the Commission. R.R.O. 1960, Reg. 427, s. 11 (2).

(3) Where the negotiating agency does not arrive at an agreement on all matters that it is empowered to adopt or settle by agreement, it may submit in writing to the Commission a statement or statements of the matters in dispute. R.R.O. 1960, Reg. 427, s. 11 (3); O. Reg. 286/65, s. 3 (1).

12.—(1) The Board of Arbitration shall be composed of three members. R.R.O. 1960, Reg. 427, s. 12 (1).

(2) One member may be appointed by the members of the negotiating agency appointed by the marketing board and one other member may be appointed by the members of the negotiating agency appointed by the creamery operators. R.R.O. 1960, Reg. 427, s. 12 (2); O. Reg. 286/65, s. 3 (2).

(3) Where the two members are appointed to the Board of Arbitration in accordance with subsection 2, the two members so appointed may appoint a third member to the Board of Arbitration but, where the two members fail to agree on the third member within seven days after the Commission was notified under subsection 2 of section 11, or fourteen days after the date stated in the notice under section 10, as the case may be, the Commission shall appoint the third member. R.R.O. 1960, Reg. 427, s. 12 (3); O. Reg. 286/65, s. 3 (1).

(4) Where members of the negotiating agency fail to make the appointment to the Board of Arbitration in accordance with subsection 2, within seven days after the Commission was notified under subsection 2 of section 11, or fourteen days after the date stated in the notice under section 10, as the case may be, the Commission shall appoint such members as are necessary to complete the Board of Arbitration. R.R.O. 1960, Reg. 427, s. 12 (4); O. Reg. 286/65, s. 3 (1).

(5) The Commission shall submit to the Board of Arbitration any statement or statements of the matters in dispute received from the negotiating agency under subsection 3 of section 11. R.R.O. 1960, Reg. 427, s. 12 (5); O. Reg. 286/65, s. 3 (1).

(6) The Board of Arbitration shall meet within seven days after the appointment of the third member thereof and shall make an award in respect of the matters referred to it, or in respect of all matters that the negotiating agency is empowered to adopt to settle by agreement, as the case may be. R.R.O. 1960, Reg. 427, s. 12 (6).

Form 1

The Milk Act

LICENCE AS A PRODUCER OF CREAM

Under *The Milk Act* and the regulations, and subject to the limitations thereof, this licence is issued

to .....
(name)

of .....
(address)

to engage in the production of cream.

Issued at Toronto, this .....day of....., 19....

THE MILK COMMISSION OF ONTARIO:

.....
Chairman

.....
Secretary

R.R.O. 1960, Reg. 427, Form 1; O. Reg. 286/65, s. 4.

REGULATION 587

under The Milk Act

DESIGNATION OF GRADE A MILK AND INDUSTRIAL MILK

1. Milk that,

(*a*) grades A or B on a sediment test;

(*b*) grades 1 on a plate loop test; and

(*c*) is produced on premises and with equipment that comply with sections 9 to 16, both inclusive, of Regulation 590 of Revised Regulations of Ontario, 1970,

is designated as grade A milk. O. Reg. 280/65, s. 1; O. Reg. 103/70, s. 1.

2. Milk that,

(*a*) grades A or B on a sediment test;

(*b*) grades,

(i) 1 or 2 on a plate loop test where the milk is delivered by tank truck, or

(ii) 1, 2 or 3 on a Resazurin reduction test where the milk is delivered other than by tank truck; and

(*c*) is produced on premises and with equipment that comply with sections 9, 10, 11, 13, 15 and 16 of Regulation 590of Ontario, 1970,

is designated as industrial milk. O. Reg. 280/65, s. 2; O. Reg. 103/70, s. 2.

REGULATION 588

under The Milk Act

DESIGNATIONS—MILK PRODUCTS

1. The following products are designated as milk products:

1. Buttermilk.
2. Buttermilk powder.
3. Concentrated liquid chocolate milk.
4. Concentrated liquid milk.
5. Concentrated liquid partly-skimmed milk.
6. Concentrated liquid skim-milk.
7. Evaporated milk.
8. Evaporated partly-skimmed milk.
9. Evaporated skim-milk.
10. Ice milk.
11. Ice milk mix.
12. Low-fat dairy spread.
13. Malted milk powder.
14. Milk albumen.
15. Milk shake mix.
16. Milk sugar.
17. Modified milks.
18. Partly-skimmed milk.
19. Skim-milk.
20. Skim-milk powder.
21. Sodium caseinate.
22. Sour cream.
23. Sterilized milk.
24. Sterilized skim-milk.
25. Whey.
26. Whey butter.
27. Whey cream.
28. Whey powder.
29. Whipped butter. O. Reg. 107/66, s. 1; O. Reg. 128/67, s. 1.

REGULATION 589

under The Milk Act

FLUID MILK PRODUCTS—DESIGNATION, CONTAINERS AND LABELLING

INTERPRETATION

1. In this Regulation,

(*a*) "buttermilk" means grade A milk from which the milk-fat is removed by churning and includes the product that is obtained by adding a lactic-acid culture with or without common salt, to skim-milk;

(*b*) "cereal cream" means grade A milk that contains not less than 10 per cent and not more than 15.9 per cent of milk-fat;

(*c*) "chocolate dairy drink" menas grade A milk that contains not less than 2 per cent and not more than 2.9 per cent of milk-fat and to which a chocolate flavouring has been added;

(*d*) "chocolate milk" means grade A milk that contains not less than 3 per cent of milk-fat and to which a chocolate flavouring has been added;

(*e*) "fruit-flavoured dairy drink" means grade A milk that contains not less than 2 per cent and not more than 2.9 per cent of milk-fat and to which a fruit flavouring has been added;

(*f*) "fruit-flavoured milk" means grade A milk that contains not less than 3 per cent of milk-fat and to which a fruit flavouring has been added;

(*g*) "homogenized standard milk" means standard milk that has been subjected to a mechanical treatment that prevents separation of the milk-fat;

(*h*) "lactic milk" means grade A milk in which lactic acid has been produced by the aid of a culture and that has an acidity between .75 and .85 per cent and contains not more than 2 per cent of milk-fat;

(*i*) "partly-skimmed milk" means grade A milk that contains not less than .1 per cent and not more than 3.24 per cent of milk-fat and not less than 8.25 per cent of milk solids other than milk-fat;

(*j*) "skim-milk" means grade A milk that contains less than .1 per cent of milk-fat and not less than 8.5 per cent of milk solids other than milk-fat;

(*k*) "special milk" means grade A milk that contains not less than 4 per cent and not more than 9.9 per cent of milk-fat and not less than 8.5 per cent of milk solids other than milk-fat;

(*l*) "standard milk" means grade A milk that contains not less than 3.25 per cent and not more than 3.9 per cent of milk-fat and not less than 8 per cent of milk solids other than milk-fat;

(*m*) "sterilized milk" means chocolate milk, chocolate dairy drink, fruit-flavoured milk, fruit-flavoured dairy drink, homogenized standard milk, partly-skimmed milk, skim-milk, special milk or standard milk that,

(i) has been heated without concentration or appreciable loss of volume, colour or flavour to a temperature of at least 212°F. for a length of time sufficient to kill all organisms in the milk, and

(ii) is packaged in a container that is hermetically sealed;

(*n*) "table cream" means grade A milk that contains not less than 16 per cent and not more than 31.9 per cent of milk-fat;

(*o*) "whipping cream" means grade A milk that contains not less than 32 per cent of milk-fat. O. Reg. 107/67, s. 1; O. Reg. 323/67, s. 1; O. Reg. 209/68, s. 1.

DESIGNATION OF FLUID MILK PRODUCTS

2. The following classes of milk and milk products are designated as fluid milk products:

1. Buttermilk.
2. Cereal cream.
3. Chocolate dairy drink.
4. Chocolate milk.
5. Fruit-flavoured dairy drink.
6. Fruit-flavoured milk.

7. Homogenized standard milk.

8. Lactic milk.

9. Partly-skimmed milk.

10. Skim-milk.

11. Special milk.

12. Standard milk.

13. Sterilized milk.

14. Table cream.

15. Whipping cream. O. Reg. 107/67, s. 2; O. Reg. 323/67, s. 2.

3.—(1) No person shall add to a fluid milk product any substance other than,

(*a*) chocolate flavouring;

(*b*) common salt;

(*c*) fruit flavouring;

(*d*) lactic acid cultures;

(*e*) milk solids; or

(*f*) vitamins.

(2) Notwithstanding subsection 1, a stabilizing agent may be added to,

(*a*) cereal cream;

(*b*) table cream; or

(*c*) whipping cream. O. Reg. 209/68, s. 2.

SIZE OF CONTAINERS

4.—(1) A container used for a fluid milk product for retail sale shall be in one of the following sizes:

1. Eight fluid ounces, except in the case of glass containers.

2. Half-pint.

3. Pint.

4. Quart or multiple thereof.

5. 250 cubic centimetres.

6. 500 cubic centimetres. O. Reg. 107/67, s. 4 (1); O. Reg. 433/68, s. 1 (1).

(2) Subsection 1 does not apply to a container that,

(*a*) is less than a quarter-pint in size;

(*b*) is less than 125 cubic centimetres in size;

(*c*) is used for the purpose of sale or distribution of a fluid milk product to pupils in schools; or

(*d*) is used for,

(i) chocolate milk,

(ii) chocolate dairy drink,

(iii) fruit-flavoured milk, or

(iv) fruit-flavoured dairy drink.

O. Reg. 107/67, s. 4 (2); O. Reg. 209/68, s. 3.

(3) Where a fluid milk product is in a container for the purpose of sale or distribution to pupils in schools, no person shall sell or distribute the fluid milk product for any other purpose. O. Reg. 107/67, s. 4 (3).

LABELLING OF CONTAINERS

5.—(1) Every container used for the sale or distribution of a fluid milk product shall have a label imprinted on the container, affixed to the container or imprinted on the cap of the container stating the fluid milk product contained therein and, in the case of fruit-flavoured milk or fruit-flavoured dairy drink, the name of the fruit flavouring. O. Reg. 107/67, s. 5 (1); O. Reg. 209/68, s. 4.

(2) No distributor shall sell or distribute a fluid milk product in a container that has not been labelled in accordance with subsection 1.

(3) No distributor shall sell or distribute in a container a fluid milk product other than the fluid milk product stated on the label of the container. O. Reg. 107/67, s. 5 (2, 3).

6. Except where partly-skimmed milk contains not less than 10 per cent of milk solids other than milk-fat, no distributor shall indicate by advertising, labelling or otherwise the addition of milk solids to the partly-skimmed milk. O. Reg. 107/67, s. 6.

REGULATION 590

under The Milk Act

GRADE A MILK—GENERAL

1.—(1) In this Regulation,

(*a*) "bulk-tank milk grader" means the holder of a bulk-tank milk grader's certificate in Form 11 under Regulation 600 of Revised Regulations of Ontario, 1970;

(*b*) "cream grader" means the holder of a cream grader's certificate in Form 12 under Regulation 600 of Revised Regulations of Ontario, 1970;

(*c*) "cream tester" means the holder of a cream tester's certificate in Form 9 under Regulation 600 of Revised Regulations of Ontario, 1970;

(*d*) "farm bulk tank" means a stationary storage tank used only for the holding and cooling of milk on the premises of a producer and includes fixtures thereto and the equipment required for use of the tank;

(*e*) "marketing board" means The Ontario Milk Marketing Board;

(*f*) "milk grader" means the holder of a milk grader's certificate in Form 10 under Regulation 600 of Revised Regulations of Ontario, 1970;

(*g*) "milk tester" means the holder of a milk tester's certificate in Form 8 under Regulation 600 of Revised Regulations of Ontario, 1970;

(*h*) "milking equipment" includes those parts of a milking machine and its pipe lines, connections and appurtenances with which milk comes into contact when the milking machine is used;

(*i*) "non-processor-distributor" means a distributor other than a processor-distributor or a shopkeeper-distributor;

(*j*) "processor-distributor" means a distributor who buys grade A milk from the marketing board and operates a dairy;

(*k*) "shopkeeper-distributor" means an operator of a shop who is engaged in buying fluid milk products from any other class of distributor and selling or distributing on the shop premises such fluid milk products directly to consumers;

(*l*) "tank truck" means a motor vehicle having a tank used only for the purpose of hauling milk from farm bulk tanks to plants or from one plant to another plant;

(*m*) "tank-truck operator" means the operator of a tank truck;

(*n*) "utensils" means containers and equipment used in the producing, handling and storing of milk, other than farm bulk tanks and milking equipment, with which milk comes into contact, or is likely to come into contact, on the premises of a producer. R.R.O. 1960, Reg. 432, s. 1; O. Reg. 76/67, s. 1; O. Reg. 72/68, s. 1.

(2) In this Regulation, any reference to,

(*a*) "milk for purposes of human consumption" or "milk for human consumption" shall be deemed to be a reference to grade A milk; and

(*b*) "milk for purposes of processing" or "milk for processing" shall be deemed to be a reference to industrial milk. O. Reg. 289/65, s. 3.

QUALITY OF MILK

2. No producer shall sell or offer for sale milk for purposes of human consumption or of processing that is not produced, handled, stored and transported in accordance with this Regulation. R.R.O. 1960, Reg. 432, s. 2.

3.—(1) Every cow from which milk is obtained by a producer for sale for purposes of human consumption or of processing shall be in good physical condition and free from any condition or disease that adversely affects the quality or wholesomeness of the milk.

(2) No cow that is,

(*a*) suffering from a condition; or

(*b*) infected with a disease,

that adversely affects the quality or wholesomeness of the milk shall be stabled so as to come into contact with cows from which milk is obtained for sale for purposes of human consumption or of processing. R.R.O. 1960, Reg. 432, s. 3.

4.—(1) No producer shall sell or offer for sale milk for human consumption or of processing that is obtained from a cow,

(*a*) in the period of fifteen days before, or in the period of five days after, parturition; or

(*b*) where medicine or an antibiotic has been injected into the udder, in the period of three full days from the time of the last injection. R.R.O. 1960, Reg. 432, s. 4 (1).

(2) Where the milk obtained from a cow,

(*a*) is not sweet and clean;

(*b*) has an objectionable flavour or odour;

(*c*) shows evidence of being watery, flaky, stringy, bloody, thick or adulterated or insanitary;

(*d*) shows evidence of coagulation or casein;

(*e*) contains melted fat; or

(*f*) contains any foreign substance, including insects and vermin,

the producer shall not sell or offer for sale any of that milk for purposes of human consumption or of processing. R.R.O. 1960, Reg. 432, s. 4 (2); O. Reg. 208/61, s. 1.

(3) No producer shall sell or offer for sale milk for human consumption or processing to which water in any form or in any manner has been added or from which any part of the milk-fat has been removed. O. Reg. 45/62, s. 1.

(4) No transporter shall transport milk for human consumption or processing where he has reason to believe that water has been added to the milk or that any part of the milk-fat had been removed from the milk. O. Reg. 45/62, s. 1.

5.—(1) A producer shall not sell or offer for sale milk that he has reason to believe the operator of a plant cannot accept under Regulation 600 of Revised Regulations of Ontario, 1970 or this Regulation. O. Reg. 72/68, s. 2 (1).

(2) A producer shall not sell or offer for sale milk that he has reason to believe contains more than 100,000 bacteria in a millilitre of the milk as determined by the plate loop count method. O. Reg. 208/61, s. 2 (1); O. Reg. 104/70, s. 1 (1).

plant cannot accept under Regulation 600 of Re-

6.—(1) No person shall give to any milking cow any food other than clean, wholesome food.

(2) Where any food is given to a cow of a kind or at a time or in a manner that causes her milk,

(*a*) to give off an objectionable odour; or

(*b*) to have a taste or appearance other than that of normal milk,

no person shall give that food at such time or in such manner to a cow from which grade A milk is obtained by a producer for the purpose of human consumption or of processing. R.R.O. 1960, Reg. 432, s. 6; O. Reg. 289/65, s. 2 (1).

7. No person shall adulterate milk for sale for the purposes of human consumption or of processing. R.R.O. 1960, Reg. 432, s. 7.

SANITARY CONDITIONS

8.—(1) Cows shall be clean.

(2) When cows are in stables, the hair on udders, flanks, and tails above the switch of the cows shall be kept short.

(3) No switch of a cow's tail shall be longer than a switch that clears the floor by at least four inches when the cow is standing.

(4) Immediately before the time of each milking of a cow, the flanks and udder shall be wiped with a clean cloth moistened with a disinfecting solution. R.R.O. 1960, Reg. 432, s. 8.

9.—(1) Every producer shall keep all buildings or premises where cows are stabled or milked,

(*a*) clean and in a sanitary condition;

(*b*) free from flies and other insects;

(*c*) free from dust;

(*d*) lighted; and

(*e*) ventilated sufficiently to prevent odours from affecting the milk. R.R.O. 1960, Reg. 432, s. 9 (1); O. Reg. 208/61, s. 3.

(2) Except in the case of glazed walls, all walls, ceilings, partitions and other parts of the stable shall be painted or whitewashed at least once each year. R.R.O. 1960, Reg. 432, s. 9 (2).

10. No producer shall permit animals other than of the bovine genus in any part of a stable used for the stabling or milking of cows. R.R.O. 1960, Reg. 432, s. 10.

11.—(1) Every producer shall keep all parts of the premises, except loafing-type stables, clean and free from accumulations of manure and refuse.

(2) Every producer keeping cows in loafing-type stables shall provide a plentiful supply of bedding in the stables, and keep the stables free from an accumulation of refuse. R.R.O. 1960, Reg. 432, s. 11.

12.—(1) Every producer of milk for purposes of human consumption shall provide a milk house. O. Reg. 208/61, s. 4.

(2) Every milk house shall be in a location that ensures good drainage and freedom from contamination. O. Reg. 208/61, s. 4.

(3) Every milk house shall,

(*a*) have clear space sufficient for washing, cleaning, rinsing and storing utensils and milking equipment;

(*b*) have a floor capable of supporting, without sagging or heaving, the cooling and storing facilities for milk and cream and the milking equipment and utensils;

(*c*) have a floor with a smooth surface that is impermeable to liquids, and that has a slope of a least one-eighth of an inch to one foot to a drain;

(*d*) have a drain that can be maintained in a sanitary condition located in the floor of the milk house in an open position with a diameter of at least four inches and capable of draining any liquids from the floor to a location outside the milk house;

(*e*) have walls with smooth surfaces, impermeable to liquids, extending for at least three feet from the floor;

(*f*) be lighted sufficiently for the carrying out of all operations therein;

(*g*) be provided with at least one door to the outside;

(*h*) have each door equipped with a self-closing device;

(*i*) be provided with screens for all windows and other openings sufficient to prevent entry of insects;

(*j*) have walls and roof insulated to prevent condensation of moisture upon the inside walls and ceiling except such condensation as is caused by steam or hot water used in the milk house;

(*k*) be properly ventilated;

(*l*) be provided with a sink having two compartments;

(*m*) be provided with a pressure system for supplying cold, potable water; and

(*n*) where a supply of hot water is not available, be provided with a means of heating water. O. Reg. 208/61, s. 4.

(4) Every milk house constructed after the 1st day of July, 1961, and located on premises on which milk is produced for purposes of human consumption shall have a floor area, excluding vestibule floor area, of at least 168 square feet. O. Reg. 208/61, s. 4.

(5) Every milk house shall be,

(*a*) kept clean at all times;

(*b*) used only for,

(i) cooling and storing of milk or cream,

(ii) storing of milking equipment and utensils, and

(iii) washing and disinfecting of milking equipment and utensils;

(*c*) equipped with a screen to cover each opening; and

(*d*) equipped with self-closing doors.

(6) No animals shall be permitted to enter a milk house. R.R.O. 1960, Reg. 432, s. 12 (2, 3).

13.—(1) No person shall use milking equipment or utensils that were not,

(*a*) immediately after each use,

(i) rinsed with cold or lukewarm water, and

(ii) thoroughly cleaned to remove all dirt and milk deposits; and

(*b*) immediately before each use,

(i) immersed in water having a temperature of at least 170°F. for at least two minutes, or

(ii) rinsed with a disinfectant.

(2) Every producer shall provide and maintain in good condition and state of repair adequate milking equipment and utensils for the producing, handling and storing of milk.

(3) A producer shall not use utensils that are not in good condition and state of repair.

(4) Every producer shall provide equipment and materials necessary to clean, rinse and disinfect milking equipment and utensils.

(5) A producer shall not use milking equipment or utensils for the production, handling, storage or transportation of milk if the milking equipment or utensils are made of materials that,

(*a*) adversely affect the flavour of milk that comes into contact with them;

(*b*) have rough surfaces or surfaces not easily cleaned;

(*c*) have joints not flush with the surfaces; or

(*d*) have open seams, cracks or exposed threads.

(6) No person shall milk a cow unless he,

(*a*) has washed his hands clean immediately before the milking; and

(*b*) keeps his hands clean and dry during the milking.

(7) No person shall milk a cow or handle utensils or milking equipment that come into contact with milk, except a person who is,

(*a*) in good health;

(*b*) free from a communicable disease as defined in *The Public Health Act* and the regulations thereunder;

(*c*) cleanly dressed; and

(*d*) personally clean at each time of milking and of handling milk and utensils. R.R.O. 1960, Reg. 432, s. 13.

14.—(1) All utensils when not in use shall be stored on clean racks in the milk house.

(2) Where a milking machine is used, all parts of the milking machine not permanently installed, when not in use, shall be stored under sanitary conditions in the milk house. R.R.O. 1960, Reg. 432, s. 14.

15.—(1) Every producer of milk for human consumption shall provide facilities in the milk house capable of cooling milk to a temperature below 40° F.

(2) Every producer shall, as soon as possible after milking but within two hours of the time of milking, cool milk,

(*a*) where the milk is produced for the purpose of human consumption, to a temperature below 50° F.; and

(*b*) where the milk is produced for purposes of processing, to a temperature below 59° F.

(3) Every producer of milk for purposes of processing shall provide facilities capable of cooling milk to a temperature below 55° F.

(4) All milk cooled shall be kept at a temperature not lower than 33° F. and,

(*a*) in the case of milk for human consumption, at a temperature not higher than 55° F.; or

(*b*) in the case of milk for purposes of processing, at a temperature not higher than 65° F.,

until the milk is received at a plant. O. Reg. 208/61, s. 5.

16. No person shall use a farm bulk tank for holding or cooling milk for sale for purposes of human consumption or processing except a farm bulk tank that complies with sections 17 to 36. R.R.O. 1960, Reg. 432, s. 16 (1).

17.—(1) Where a farm bulk tank is installed by a producer on his premises, the farm bulk tank shall be located in a milk house. R.R.O. 1960, Reg. 432, s. 17 (1).

(2) Every milk house in which a farm bulk tank is located shall,

(*a*) have a floor area, excluding vestibule floor area, of at least 168 square feet;

(*b*) have at least twenty-four inches clear space between the tank and any wall of the milk house;

(*c*) have the drain in the floor of the milk house located at least two feet from the outlet of the farm bulk tank; and

(*d*) be provided with one opening, equipped with a self-closing device, used only for the passing of hose in the transfer of milk from the bulk tank to the tank truck. O. Reg. 208/61, s. 6.

(3) A farm bulk tank in a milk house other than a farm bulk tank installed on an island shall be at least six inches above the floor of the milk house but, in the case of a tank with a rounded bottom, the lowest part of the tank may be not less than four inches above the floor.

(4) Where a farm bulk tank is installed on an island,

(*a*) the island shall be of concrete and shall extend at least two inches above the floor of the milk house;

(*b*) the island shall be of such size that the tank upon installation thereof extends at least one inch beyond the edges of the island on each side;

(*c*) the top surface of the island shall be level; and

(*d*) the top surface and all side surfaces of the island shall be coated with a layer of waterproof material that hardens without cracking and provides a seal against water entering between the tank and the island. R.R.O. 1960, Reg. 432, s. 17 (3, 4).

18.—(1) Each farm bulk tank installed in a milk house shall be equipped with,

(*a*) a refrigeration unit capable of,

(i) cooling milk that reaches the tank to a temperature of 50° F. or lower within one hour, and 40° F. or lower within two hours,

(ii) except in a period of two hours after milking, maintaining a temperature of milk in the tank not lower than 33° F. and not higher than 40° F. while milk remains in the tank, and

(iii) regulating the temperature by an automatic control mechanism to within 2° F. of a designated temperature;

(*b*) an agitator capable of stirring milk in the tank, without splashing or churning, so that the milk is thoroughly mixed in three minutes;

(*c*) a measuring device by which the weights of milk in the tank may be accurately determined; and

(*d*) an indicating thermometer with scale divisions of at least one-sixteenth of an inch for each change of 2° F. within a range of temperature from 32° F. to 120° F. that measures accurately to within 2° F. the temperature of the milk in the tank and located so as to register temperatures of the milk when the tank contains 20 per cent of its capacity.

(2) The compressor parts of a refrigeration unit shall be enclosed by screening. R.R.O. 1960, Reg. 432, s. 18.

19. Each farm bulk tank shall be,

(*a*) installed and maintained in a level position;

(*b*) equipped with a means of adjusting the tank to a level position and determining whether the tank is in a level position; and

(*c*) anchored to the floor firmly enough to prevent such movement of the tank as is likely to affect the accuracy of the measuring device by which the quantity of milk in the tank is determined. R.R.O. 1960, Reg. 432, s. 19.

20.—(1) Where a gauge rod is used as the measuring device to determine the weight of milk in a farm bulk tank, the gauge rod shall be plainly marked in inches and fractions thereof to at least one-sixteenth of each inch, beginning at the bottom of the rod.

(2) Where a farm bulk tank is designed for the use of a gauge rod, the tank shall be provided with a fixed point for the suspension of the gauge rod.

(3) Each gauge rod shall be supported in the vertical position at which the tank has been calibrated.

(4) No person shall use a measuring device in determining the weight of milk in a farm bulk tank except a measuring device that determines for milk of the weight in column 1 a weight within a tolerance of weight set opposite thereto in column 2 of the Table, as follows:

TABLE

Column 1	Column 2
under 1500 pounds.....	3 pounds
1500 pounds to 3000 pounds.....	4 pounds
3000 pounds to 4500 pounds.....	5 pounds
4500 pounds to 6000 pounds.....	6 pounds
6000 pounds to 7500 pounds.....	7 pounds
7500 pounds to 9000 pounds.....	8 pounds

(5) A producer shall maintain in good condition near the farm bulk tank in the milk house a chart showing the number of pounds of milk for each reading of the measuring device used to determine the weights of milk in the tank and showing the number of pounds for each graduation of the measuring device.

(6) No person shall use a measuring device or a chart other than a measuring device or a chart having the same manufacturer's serial number as the serial number of the farm bulk tank. R.R.O. 1960, Reg. 432, s. 20.

21.—(1) The inside lining, covers, bridges, doors, underside of insulated covers or bridges, agitators, tubing for compressed air agitation, inlet and outlet connections, measuring device and any other parts of a farm bulk tank coming into contact with milk or milk products shall be of 18-8 stainless steel with a carbon content of not more than .12 per cent, and the surfaces of all such parts shall be at least as smooth as No. 4 mill finish or 120 grit finish properly applied.

(2) In subsection 1, "inside lining" means all surfaces that come into contact with milk or that extend above the breast of the tank as a cooling surface and includes those surfaces that enclose the ends, sides and top of the tank instead of bridges or fixed covers.

(3) Where welds are made to the inside lining, the metal used in the weld shall be as corrosion-resistant as stainless steel. R.R.O. 1960, Reg. 432, s. 21.

22.—(1) A tank not provided with an integral cooling surface shall be so insulated as to prevent the temperature of the tank full of water from rising more than 3° F. in eighteen hours when the differential between the temperature of the water and that of the atmosphere is 50° F.

(2) A tank provided with an integral cooling surface for direct expansion of refrigerated water shall be provided with an outer shell and an automatic temperature-control system that prevents a rise of more than 5° F. in the temperature of the cooled milk, except when additonal milk is added. R.R.O. 1960, Reg. 432, s. 22.

23. The portion of the outer shell that covers the outside of the insulation or heat-exchange jacket shall be of a continuous metal covering that is smooth, sanitary and sealed by welding or other effective means. R.R.O. 1960, Reg. 432, s. 23.

24. Surfaces of every farm bulk tank that come into contact with milk, including surfaces of covers, doors, fittings and accessories thereof, shall be clearly visible, easily accessible and readily cleanable. R.R.O. 1960, Reg. 432, s. 24.

25.—(1) Where welds are made to the inside lining or the breast of a tank, the welds shall be ground smooth and polished so that the finish is flush with the adjoining surface.

(2) Inside corners of the bottom, sides and ends of the inside lining of a tank and any attachments within the tank shall be rounded with radii of not less than one-half of an inch.

(3) The inside lining shall remain in a fixed position in relation to the outer shell or body of the tank and shall be of such construction that in normal use it does not develop any sag, buckle or distortion under load or from any other condition that is likely to affect the accuracy of the measuring device by which the quantity of milk in the tank is determined.

(4) The inside lining shall be pitched to the outlet to effect complete drainage.

(5) All exterior seams of the outer shell shall be sealed against moisture and vermin.

(6) Where the outside surface is not of corrosion-resistant material, the entire outside surface shall be painted and shall be smooth.

(7) The breast, or that portion of the metal used to join the inside lining to the outer vertical wall, shall be integral with or welded to the inside lining and shall be sloped or so arranged that all drainage is toward the outer edge of the tank. R.R.O. 1960, Reg. 432, s. 25.

26.—(1) Main covers and doors of a tank shall be of types that can be opened without being removed and shall be self-draining.

(2) Covers or doors shall have at least three-eighths of an inch of raised flange on all edges and shall fit as tightly to the tank as is practicable.

(3) When covers or doors are open, any liquid from the inner or outer surfaces of main covers and doors shall not drain into the milk compartment. R.R.O. 1960, Reg. 432, s. 26.

27.—(1) Fixed covers located at ends or sides of the tank shall not extend more than twelve inches over the surface of the milk and shall have at least three-eighths of an inch of raised flange.

(2) Bridges and fixed covers shall be so installed that the undersides therof are visible from outside the tank.

(3) Bridges of a tank shall,

(*a*) not exceed twenty-four inches in width;

(*b*) be pitched to the outside edge of the tank for complete drainage; and

(*c*) have at least three-eighths of an inch of raised flange where the edges meet main covers. R.R.O. 1960, Reg. 432, s. 27.

28.—(1) The edges of all openings in the covers or bridges of a tank shall be flanged upwards at least three-eighths of an inch.

(2) Openings not continuously in use shall be provided with removable covers.

(3) Main covers, when fitted for the use of strainers, shall have openings with a rim capable of supporting the strainer.

(4) Main covers for a tank with a capacity of not more than 150 gallons shall be provided with at least one strainer opening.

(5) Covers for a tank with a capacity of more than 150 gallons shall be provided with at least two strainer openings.

(6) A removable cover shall be provided for each strainer opening and shall be self-draining to the outside edge of the cover and shall have a downward flange of not less than one-quarter of an inch.

(7) Every cover shall be provided with a handle or knob welded in place and weld-ground smooth.

(8) All openings into the tank shall be adequately protected against drip, dust, oil, insects and other things likely to contaminate the milk in the tank. R.R.O. 1960, Reg. 432, s. 28.

29.—(1) Every tank shall have an outlet connection that is of sanitary construction and readily cleanable.

(2) The outlet connection shall be sanitary pipe having an inside diameter of at least 1½ inches and,

(*a*) in the case of a horizontal outlet connection, that portion of the metal used to convey milk from the inside lining shall be in a generally horizontal position, with the lower surface of the connection at or below the level of the surface of the bottom of the inside lining and pitched for drainage, but in no case shall the lower surface of the connection be below the level of the surface of the outside bottom of the tank and the fittings shall not extend more than two inches beyond the outer shell of the tank;

(*b*) in the case of an outlet connection at the top of the tank, the sanitary pipe shall have an outside diameter of at least 1½ inches; and

(*c*) in the case of a vertical outlet connection, the vertical centre line of the outlet that extends through the bottom of the outer shell shall be as close as is practicable to an adjacent wall and shall terminate with a 90° L that is integral with the outlet, and the horizontal centre line of the L shall be at least four inches above the floor of the milk house. R.R.O. 1960, Reg. 432, s. 29.

30.—(1) Every valve provided in a tank shall be of sanitary construction and readily cleanable.

(2) Every outlet valve shall be of 18-8 gauge stainless steel or nickel alloy. R.R.O. 1960, Reg. 432, s. 30.

31.—(1) Every tank shall be supported on adjustable legs of adequate size and spacing to support the weight of the tank when filled to capacity.

(2) The bases of the legs shall rest on solid masonry and be sealed in concrete.

(3) The legs shall be capable of raising the tank high enough for attachment of fittings and for draining the tank.

(4) The outside of the leg sockets shall be of corrosion-resistant material or painted and shall be readily cleanable. R.R.O. 1960, Reg. 432, s. 31.

32. The agitator shall be so constructed that visual inspection of it can be made from outside the tank and it shall be readily cleanable. R.R.O. 1960, Reg. 432, s. 32.

33.—(1) In the case of an agitator that is not removable from the tank, the agitator shall be provided with at least one inch of space between the bottom of the inside lining and the nearest point of the agitator blade, but this subsection does not apply where the agitator is hinged with the main cover.

(2) All interior angles of the agitator blades shall be rounded and have radii of at least one-quarter of an inch.

(3) The opening through the bridge or the main cover shall be provided with at least one inch of space for brush cleaning between the shaft and the inside surface of the opening.

(4) The inside surface of the opening shall be not more than three-quarters of an inch in vertical depth. R.R.O. 1960, Reg. 432, s. 33.

34.—(1) In the case of an agitator that is removable from the tank, the agitator shaft shall be provided with a coupling that is easily accessible and readily dismountable.

(2) A coupling for use inside the tank shall be of a sanitary type.

(3) The coupling when located outside the tank shall be installed above the protection provided for the shaft opening into the tank.

(4) All surfaces of the bottom support of an agitator shall be visible when the agitator shaft is removed.

(5) The bottom support shall not interfere with proper drainage of the tank.

(6) The opening through the bridge or the main cover shall be provided with at least one inch of space for brush cleaning between the shaft and the inside surface of the opening. R.R.O. 1960, Reg. 432, s. 34.

35. The shaft of a horizontal agitator shall be provided with a sanitary type rotary seal and shall be dismountable for cleaning. R.R.O. 1960, Reg. 432, s. 35.

36.—(1) Where the agitation of the milk is by compressed air, the air before being used for this purpose shall be filtered to remove dust, insects, all extraneous material and any source of objectionable odours and shall be conveyed to the milk by sanitary piping from a point above the surface of the milk in the tank.

(2) The piping used to convey the air shall be designed to prevent siphoning or back-flow of milk into the air system. R.R.O. 1960, Reg. 432, s. 36.

37. Every producer shall clean his farm bulk tank after each time it is empty and before it is used again by means of a cleaning compound capable of removing dirt and milk deposits and shall rinse the tank with a solution containing an effective disinfecting agent. R.R.O. 1960, Reg. 432, s. 37.

TANK TRUCKS

38. No person shall be a tank-truck operator who transports milk from a farm bulk tank except a bulk-tank milk grader. R.R.O. 1960, Reg. 432, s. 38.

39.—(1) No person shall transport milk from a farm bulk tank except in a tank truck.

(2) No person shall transfer milk to or from a tank truck except by means of hose.

(3) No person shall operate a tank truck for the transportation of milk except a tank truck equipped with,

(*a*) a tank with an inside lining of stainless steel;

(*b*) an insulated dust-tight cabinet constructed of stainless steel for the holding of milk hose, a pump and other equipment used in transferring milk to or from the tank truck;

(*c*) an insulated dust-tight cabinet for the holding of samples of milk and a means by which the samples are maintained at a temperature of not less than 32° and not more than 40° F.;

(*d*) a hose that has smooth surfaces, is readily cleaned, is not toxic and does not affect the flavour of milk that comes in contact with the hose; and

(*e*) spray-ball equipment for cleaning by means of the continuous circulation of a cleaning fluid all surfaces that come in contact with milk. O. Reg. 210/68, s. 1.

40.—(1) A tank-truck operator shall, before transferring any milk from a farm bulk tank to his tank truck, examine the milk in the tank and, where he finds that the milk examined would be rejected at the plant to which he transports milk, he shall not transfer any of the milk from the tank to the tank truck but shall,

(*a*) take a sample of the milk; and

(*b*) deliver to the producer or attach to the tank a rejection tag showing the reason for the rejection.

(2) Where a producer receives a rejection tag, he may apply to the operator of the plant to which he supplies milk for acceptance of the milk for which the rejection tag was issued.

(3) Where the operator of a tank truck declines to transfer milk from a farm bulk tank under subsection 1, the producer shall not sell or offer for sale the milk for human consumption or processing unless it is accepted by a plant upon application under subsection 2. R.R.O. 1960, Reg. 432, s. 40.

41.—(1) No tank-truck operator shall transfer milk from a farm bulk tank without determining the weight of the milk in the tank.

(2) The operator of a tank truck immediately after he determines the weight of the milk in the tank shall make a report to the producer showing,

(*a*) the date;

(*b*) the weight of milk in the tank;

(*c*) the reading of the gauge rod or other measuring device; and

(*d*) the temperature of the milk.

(3) Where a measuring device used in determining the weight of the milk in the tank does not show the weight of the milk, the tank-truck operator shall compute the weight.

(4) In computing the weight of milk under subsection 3, one gallon of milk shall be deemed to weigh 10.32 pounds.

(5) Immediately after determining the weight of milk in the tank, the tank-truck operator shall start the agitator.

(6) After the agitator has been in operation for at least five minutes and so much longer as may be necessary for the milk to be thoroughly mixed, the tank-truck operator shall take a sample of at least one ounce of the milk.

(7) Each sample of milk taken under subsection 6 shall be put into a glass bottle used only for

holding samples of milk from the tank of one producer, and the bottle shall be closed by a rubber stopper that fits over the top of the bottle and on which is clearly marked the name or number of the producer.

(8) The tank-truck operator shall add to each composite sample of milk such amounts of mercuric chloride or other preservative equivalent for the purpose as may be necessary to preserve the composite sample.

(9) A tank-truck operator shall, after transferring the milk from a tank to his tank truck, rinse the tank with cold or lukewarm water. R.R.O. 1960, Reg. 432, s. 41.

42.—(1) Subject to subsection 2, the operator of a tank truck used in the transportation of milk shall, immediately after each load of milk is emptied, thoroughly clean and sanitize all surfaces that come in contact with milk or cause such surfaces to be so cleaned and sanitized.

(2) Where more than one load of milk is emptied from a tank truck in any one day, the operator of the tank truck shall,

(*a*) after each load is emptied, rinse with cold or lukewarm water all surfaces that come in contact with milk or cause such surfaces to be so rinsed; and

(*b*) immediatley after the last load of milk is emptied, thoroughly clean and sanitize all surfaces that come in contact with milk or cause such surfaces to be so cleaned and sanitized.

(3) The cleaning and sanitizing prescribed by subsection 1 and by clause *b* of subsection 2 shall be carried out at a tank truck wash station.

(4) After each cleaning and sanitizing of a tank truck at a tank truck wash station, the operator of the tank truck shall,

(*a*) determine by inspection that the tank truck is clean and sanitary; and

(*b*) keep a record of such cleaning and sanitizing in a form approved by the Commission and retain such record for a period of sixty days.

(5) Every operator of a tank truck shall maintain in a clean condition all surfaces of the tank truck that do not come in contact with milk. O. Reg. 210/68, s. 2.

43.—(1) Every plant shall be equipped with or the operator thereof shall have readily available a tank truck wash station that complies with the provisions of section 44.

(2) The use of a tank truck wash station and the equipment and materials for cleaning and sanitizing tank trucks shall be made available by the operator of a plant without charge to operators of tank trucks delivering milk to the plant, but the operator of the plant is not required to provide personnel to clean and sanitize tank trucks. O. Reg. 210/68, s. 2.

44. Every tank truck wash station shall,

(*a*) have clear space sufficient for cleaning and sanitizing tank trucks;

(*b*) have a floor,

(i) capable of supporting tank trucks without sagging or heaving,

(ii) with a smooth surface that is impermeable to liquids, and

(iii) that has a slope to a drain of at least one quarter of an inch to one foot;

(*c*) have a drain that can be maintained in a sanitary condition located in the floor in an open position with a diameter of at least six inches and capable of draining any liquids from the floor;

(*d*) have, under pressure, an adequate supply of potable hot and cold water;

(*e*) have an adequate supply of the materials required for cleaning and sanitizing tank trucks;

(*f*) have a sink with two compartments;

(*g*) have a pump with sufficient capacity and pressure to thoroughly clean all surfaces that come in contact with milk;

(*h*) have a return pump with a capacity equal to or greater than the capacity of the pump mentioned in clause *g* to remove the cleaning solution; and

(*i*) have adequate means of sanitizing all surfaces that come in contact with milk. O. Reg. 210/68, s. 2.

45.—(1) Only detergents, wetting agents, sanitizing agents or other similar materials that are recommended by the manufacturers thereof for the cleaning or sanitizing of tank trucks shall be used at a tank truck wash station.

(2) The materials mentioned in subsection 1 shall,

(*a*) be used in the manner recommended by the manufacturers; and

(*b*) be prepared and maintained for use by the operator of the tank truck wash station. O. Reg. 210/68, s. 2.

TRANSPORTATION OTHER THAN BY TANK TRUCK

46. Where grade A milk of a producer is transported other than by tank truck, the containers of the grade A milk shall be,

(*a*) metal;

(*b*) in good condition;

(*c*) free from rust, open seams and other defects; and

(*d*) covered by a secure lid. R.R.O. 1960, Reg. 432, s. 42; O. Reg. 289/65, s. 2 (1).

47.—(1) No person shall transport grade A milk in a vehicle,

(*a*) that is in an insanitary condition; or

(*b*) that has been used for a purpose that may cause contamination of grade A milk, or containers thereof, subsequently transported in the vehicle.

(2) No person shall transport grade A milk in a vehicle other than a tank truck, except,

(*a*) a vehicle with a covered van body having rigid walls, an insulated roof and a solid floor, so that wind, dust and moisture cannot seriously affect the milk or containers thereof or permit extreme heat or freezing conditions within the shipping space of the vehicle; or

(*b*) a vehicle used to transport grade A milk when the milk and containers thereof are protected from extreme heat and freezing conditions, dust and contamination and the grade A milk is received at a plant before 10 a.m. on the day it is transported from the premises of the producers.

(3) No person shall deck containers of grade A milk in a vehicle used to transport milk or cream without decking boards that are supported from the body of the vehicle and so located that clearance is provided for the containers in each deck.

(4) Grade A milk shall be transported without delay. R.R.O. 1960, Reg. 432, s. 43; O. Reg. 289/65, s. 2 (1).

TRAFFICKING IN FLUID MILK PROHIBITED

48. No transporter shall engage in the purchasing or selling of grade A milk or the trafficking in grade A milk. R.R.O. 1960, Reg. 432, s. 44; O. Reg. 289/65, s. 2 (1).

DISTRIBUTORS

49. The following classes of distributors are designated:

1. Non-processor-distributors.
2. Processor-distributors.
3. Shopkeeper-distributors. O. Reg. 72/68, s. 3.

50.—(1) An application for the issue or renewal of a licence to carry on business as a distributor shall be in Form 1. O. Reg. 76/67, s. 3.

(2) A licence as a processor-distributor, shopkeeper-distributor or non-processor-distributor shall be in Form 2, Form 3 or Form 4, respectively. O. Reg. 72/68, s. 4.

(3) A licence in Form 2 or Form 4 expires with the 31st day of May next following the date on which it becomes effective. O. Reg. 72/68, s. 4.

(4) The fee for a licence in Form 2 or Form 4 is $10. O. Reg. 72/68, s. 4.

(5) Every shopkeeper-distributor, so long as he observes, performs and carries out the provisions of the Act, the regulations or any order of the Commission, shall be deemed to be the holder of a licence in Form 3. O. Reg. 76/67, s. 3.

(6) A licence is not transferable. O. Reg. 76/67, s. 3.

51. Every holder of a licence in Form 2 shall be deemed to be the holder of a licence for the operation of a dairy. O. Reg. 72/68, s. 5.

52. The Commission may refuse to issue a licence to or renew a licence of any distributor,

(*a*) where the applicant is not qualified by experience, financial responsibility, personnel or equipment to properly engage in the business for which the application was made;

(*b*) where the applicant fails to deposit the security required under section 60;

(*c*) where the applicant fails to observe, perform or carry out the requirements of the Act, the regulations, any plan, agreement or award, or any order of the Commission or marketing board;

(*d*) where, in the opinion of the Commission, the distribution area or municipality or part thereof in respect of which the application is made is already adequately served;

(*e*) where, in the opinion of the Commission, regular delivery service of fluid milk products to consumers in the distribution area or municipality or part thereof in respect of which the application is made should be provided or continued and the applicant will not provide or continue such service;

(*f*) where the fluid milk products delivered, sold or distributed by the applicant are obtained in whole or in part from any other distributor and the number of delivery vehicles operated by the applicant for the delivery, sale or distribution of fluid milk products exceeds, without the approval in writing of the Commission, the number of delivery vehicles operated by him for such purpose on the 16th day of January, 1967;

(*g*) where, in the opinion of the Commission, the existing relationship between the producers and distributors in the distribution area or municipality or part thereof in respect of which the application is made should be continued;

(*h*) where, in the opinion of the Commission, any material representation or information made or provided by or on behalf of the applicant is false or misleading;

(*i*) where the applicant is required to and does not hold a certificate of approval for the pasteurizing of milk under *The Public Health Act* and the regulations thereunder. O. Reg. 86/66, s. 1; O. Reg. 76/67, s. 6; O. Reg. 196/67, s. 1; O. Reg. 72/68, s. 6.

53.—(1) A licence in Form 2 or 4 is issued on the terms and conditions that,

(*a*) the holder of the licence observes, performs and carries out the provisions of the Act, the regulations, any plan, agreement or award, or any order of the Commission or marketing board;

(*b*) where so required by the Commission, the holder of a licence provides or continues regular delivery service of fluid milk products to consumers in the distribution area or municipality or part thereof designated on his licence;

(*c*) where the fluid milk products delivered, sold or distributed by the holder of the licence are obtained in whole or in part from any other distributor, the number of delivery vehicles operated by the holder of the licence for the delivery, sale or distribution of fluid milk products does not exceed, except with the approval in writing of the Commission, the number of delivery vehicles operated by him for such purpose on the 16th day of January, 1967;

(*d*) the holder of the licence complies with the provisions of *The Public Health Act* and the regulations made thereunder;

(*e*) where the holder of the licence operates a dairy, every person grading or testing grade A milk received at the dairy or at a farm bulk tank is the holder of a certificate under Regulation 600 of Revised Regulations of Ontario, 1970;

(*f*) the holder of a licence pays the marketing board in accordance with Regulation 591 of Revised Regulations of Ontario, 1970;

(*g*) where the licence was issued subject to the deposit of security under section 60, the holder of the licence deposits and maintains the security in accordance with sections 60 and 61;

(*h*) where any payment is made to the marketing board under *The Farm Products Payments Act* and the regulations thereunder for grade A milk purchased by the holder of the licence, the holder of the licence complies with the provisions of such regulations respecting repayment. O. Reg. 86/66, s. 1; O. Reg. 76/67, s. 7; O. Reg. 196/67, s. 2; O. Reg. 72/68, s. 7 (1-4).

(2) The Commission may suspend or revoke a licence in Form 2 or 4 for any failure to comply with the terms and conditions upon which it is issued. O. Reg. 86/66, s. 1; O. Reg. 72/68, s. 7 (5).

54. A producer who sells pasteurized cream in any public market where products of the farm are sold direct to consumers and the cream is not delivered to the premises of the consumer is exempt from section 50. R.R.O. 1960, Reg. 432, s. 47 (2).

55. No person shall supply for resale fluid milk products to, or pasteurize grade A milk for, any other person who is,

(*a*) not the holder of a licence under this Regulation; or

(*b*) not exempt from the Act or this Regulation. R.R.O. 1960, Reg. 432, s. 48; O. Reg. 289/65, s. 2 (1).

56. Every distributor who delivers, sells or distributes fluid milk products from more than one location is required to be the holder of a licence in respect of each location and shall be deemed to be a separate distributor in respect of each such location. O. Reg. 76/67, s. 9; O. Reg. 196/67, s. 3.

57. Where a distributor ceases to carry on the business for which he is licensed, he shall forthwith surrender his licence to the Commission. R.R.O. 1960, Reg. 432, s. 51; O. Reg. 289/65, s. 2 (2).

58.—(1) No person other than the holder of a licence in Form 2 shall operate a dairy without a licence therefor from the Commission. O. Reg. 72/68, s. 9 (1).

(2) A licence to operate a dairy shall be in Form 5. O. Reg. 148/63, s. 2; O. Reg. 72/68, s. 9 (2).

(3) No licence in Form 5 shall be issued or renewed except upon application therefor in Form 6. O. Reg. 148/63, s. 2.

(4) A licence in Form 5 expires with the 31st day of May next following the date on which it becomes effective. O. Reg. 76/67, s. 11 (2).

(5) A licence in Form 5 is not transferable. O. Reg. 148/63, s. 2.

(6) The fee for a licence in Form 5, or for a renewal thereof, is $10. O. Reg. 47/65, s. 2 (2).

59. Where a distributor purchases grade A milk from the marketing board and the marketing board has not received payment on the date prescribed therefor by Regulation 591 of Revised Regulations of Ontario, 1970, the marketing board shall forthwith notify the Commission of the default in payment by the distributor. O. Reg. 72/68, s. 11.

60.—(1) Where the Commission is not satisfied in respect of the financial responsibility of a distributor who purchases grade A milk from the marketing board, the distributor shall deposit with the Commission security in a form satisfactory to the Commission and in an amount prescribed by the Commission. O. Reg. 196/67, s. 4; O. Reg. 72/68, s. 12 (1).

(2) Security deposited with the Commission under subsection 1 shall be applicable solely to the claims of the marketing board for grade A milk sold to the distributor and in respect of which payments have been made under *The Farm Products Payments Act* and the regulations thereunder. O. Reg. 196/67, s. 4; O. Reg. 72/68, s. 12 (2).

61.—(1) Where the Commission receives notice pursuant to *The Farm Products Payments Act* and the regulations thereunder that a payment has been made to the marketing board from The Fund For Milk and Cream Producers in respect of a distributor who deposited security under subsection 1 of section 60, the Commission may realize upon the security or such part thereof as it considers necessary. O. Reg. 196/67, s. 4; O. Reg. 72/68, s. 13 (1).

(2) Where security has been realized upon under subsection 1, the Commission shall pay into The Fund for Milk and Cream Producers the moneys obtained therefrom or so much thereof as is necessary to reimburse the Fund for the amount paid to the marketing board. O. Reg. 196/67, s. 4; O. Reg. 72/68, s. 13 (2).

(3) Where security has been realized upon under subsection 1, the distributor shall deposit with the Commission such additional security as is necessary to comply with the amount prescribed by the Commission under subsection 1 of section 60 and, on the deposit of such additional security by the distributor, the Commission shall pay to the distributor the moneys remaining, if any, after payment is made to The Fund for Milk and Cream Producers pursuant to subsection 2. O. Reg. 156/67, s. 4.

SELECTING AND REJECTING FLUID MILK

62.—(1) Subject to subsection 2, no person other than a milk tester shall test for milk-fat content or supervise the testing of grade A milk received at a plant.

(2) An apprentice milk tester may test grade A milk for milk-fat content while personally supervised by a milk tester. R.R.O. 1960, Reg. 432, s. 58; O. Reg. 289/65, s. 2 (1).

63.—(1) Subject to subsections 2 and 3, no person other than a milk grader shall select, grade, reject, weigh or sample, or supervise the selecting, grading, rejecting, weighing or sampling of grade A milk received in a plant or in a farm bulk tank.

(2) A bulk-tank milk grader may select, grade, reject, weigh or sample milk in a farm bulk tank.

(3) An apprentice milk grader may select, grade, reject, weigh or sample grade A milk while personally supervised by a milk grader. R.R.O. 1960, Reg. 432, s. 59; O. Reg. 289/65, s. 2 (1).

64. Grade A milk rejected at a plant or at a farm bulk tank shall be known as "rejected milk". R.R.O. 1960, Reg. 432, s. 60; O. Reg. 289/65, s. 2 (1).

65. The milk grader at a plant shall select or reject grade A milk delivered by each producer immediately after the lid of the container is loosened and before any of the grade A milk of the producer is removed from the container other than for testing purposes. R.R.O. 1960, Reg. 432, s. 61; O. Reg. 289/65, s. 2 (1).

66. The milk grader at a plant or at a farm bulk tank shall reject grade A milk of a producer that,

(*a*) is not sweet;

(*b*) has an objectionable flavour or odour; or

(*c*) shows evidence of being watery, flaky, stringy, bloody, thick or adulterated or insanitary. R.R.O. 1960, Reg. 432, s. 62; O. Reg. 289/65, s. 2 (1).

67. The milk grader at a plant shall reject grade A milk delivered in a container that is not,

(*a*) metal;

(*b*) in good condition;

(*c*) free from rust, open seams and other defects; or

(*d*) covered by a secure lid. R.R.O. 1960, Reg. 432, s. 63; O. Reg. 289/65, s. 2 (1).

TESTING FOR SEDIMENT CONTENT OF GRADE A MILK

68.—(1) The grades for grade A milk when tested for sediment content of the grade A milk are,

(*a*) grade A, consisting of fluid milk that contains not more than 0.25 milligram of sediment to sixteen ounces of grade A milk;

(*b*) grade B, consisting of fluid milk that contains not more than 1.25 milligrams of sediment to sixteen ounces of grade A milk;

(*c*) grade C, consisting of fluid milk that contains not more than 2.0 milligrams of sediment to sixteen ounces of grade A milk; and

(*d*) grade D, consisting of fluid milk that contains more than 2.0 milligrams of sediment to sixteen ounces of grade A milk.

(2) Tests made for sediment content of grade A milk shall be known as "sediment tests". R.R.O. 1960, Reg. 432, s. 64; O. Reg. 289/65, s. 2 (1).

69.—(1) For making sediment tests, the operator of a plant shall provide,

(*a*) at least one sediment tester having a capacity of sixteen ounces of milk;

(*b*) an additional head for each sediment tester;

(*c*) two holders of a clamp type;

(*d*) a quantity of lintine cotton discs having a diameter of 1 1/4 inches; and

(*e*) charts of sediment standards.

(2) The milk grader at a plant shall maintain in good repair equipment for making sediment tests and shall from time to time examine the equipment to ensure that, when a sediment tester is used, the sample of grade A milk drawn for each test is at least sixteen ounces.

(3) The milk grader shall, for purposes of testing, draw each sample of grade A milk by a sediment tester from the bottom of the container of grade A milk so that the head of the sediment tester passes diametrically across the bottom of the container as the sample of grade A milk is drawn into the sediment tester. R.R.O. 1960, Reg. 432, s. 65; O. Reg. 289/65, s. 1.

70.—(1) A milk grader shall make at least one sediment test of grade A milk delivered to a plant from each producer each month. O. Reg. 208/61, s. 7; O. Reg. 289/65, s. 2 (1).

(2) A bulk tank milk grader shall make at least one sediment test of milk in each farm bulk tank from which he obtains milk each month. O. Reg. 208/61, s. 7.

(3) When a sediment test is made, the test shall be made of the grade A milk in at least one container received from the producer and selected at random, before any of the grade A milk received from the producer on that day is removed from its containers.

(4) The milk grader shall make the sediment test of the grade A milk immediately after the lid of the container is first removed and before any of the grade A milk is removed from the container.

(5) Where a sediment test is made of the grade A milk in one container delivered by a producer and the sediment test shows that the grade A milk is grade C or grade D, the grader shall,

(*a*) make a sediment test of the fluid milk in every container of grade A milk received from the producer on the day of the test;

(*b*) make a sediment test of every container of grade A milk subsequently delivered by that producer until all of the grade A milk received from that producer on a subsequent day complies with the standards of at least grade B or all of the grade A milk delivered by that producer is rejected under section 71;

(*c*) where he finds by a sediment test that any grade A milk is grade D, reject the grade A milk; and

(*d*) where he finds by a sediment test that any grade A milk is grade C,

(i) where the container is owned by the producer, attach to the container a warning tag on which is recorded the particulars of the delivery and the grade and return the container promptly to the producer, or

(ii) send by prepaid post or deliver to the producer a notice of the particulars of the delivery of grade A milk and the grade. R.R.O. 1960, Reg. 432, s. 66 (2-4); O. Reg. 289/65, s. 2 (1).

71.—(1) Where a milk grader finds by sediment tests that grade A milk delivered to a plant by a producer fails to comply with at least grade B on more than six days in any fifteen-day period, he shall reject all grade A milk from that producer until the producer shows that the grade A milk he delivers complies with the requirements of at least grade B.

(2) Where a milk grader rejects grade A milk under subsection 1, the milk grader shall send by prepaid mail or deliver to the producer a notice of the particulars of the delivery of grade A milk and the cause of the rejection and return to the producer at his expense any grade A milk delivered thereafter until the producer shows that the grade A milk he delivers complies with the requirements of at least grade B. R.R.O. 1960, Reg. 432, s. 67.

72. Where a milk grader rejects grade A milk, he shall,

(*a*) attach to the container in which the grade A milk was delivered a rejection tag bearing the words "rejected milk";

(*b*) state on the rejection tag the cause for the rejection;

(*c*) add to the grade A milk a harmless food colouring; and

(*d*) return as soon as is practicable to the producer the grade A milk in the container in which it was delivered. R.R.O. 1960, Reg. 432, s. 68.

73. No person shall sell, offer for sale, transport or deliver rejected milk for use as food, or in the preparation of food, for human consumption. R.R.O. 1960, Reg. 432, s. 69.

TESTING FOR BACTERIAL CONTENT

74. Where the milk of a producer is delivered to a plant, his milk shall be tested for bacterial content at least once in each month. O. Reg. 104/70, s. 3.

75. Where milk is tested for bacterial content by a plate loop test, the grades for milk are,

(*a*) grade 1, for milk that contains less than 100,000 bacteria in a millilitre of the milk;

(*b*) grade 2, for milk that contains not less than 100,000 and not more than 199,999 bacteria in a millilitre of the milk; and

(*c*) grade 3, for milk that contains 200,000 or more bacteria in a millilitre of the milk. O. Reg. 104/70, s. 5.

76.—(1) Where the milk of a producer is tested by a plate loop test and grades 2 or 3, the Commission shall forthwith notify the producer in writing of the results of the test.

(2) Where the milk of a producer is tested by a plate loop test and grades 2 or 3 on two consecutive tests,

(*a*) the Commission shall forthwith notify the marketing board and the producer in writing; and

(*b*) the marketing board shall cause the milk of the producer to be rejected for the purposes of,

(i) processing fluid milk products, or

(ii) manufacturing concentrated liquid milk under the provisions of Regulation 600 of Revised Regulations of Ontario, 1970,

until the producer establishes that the milk produced by him complies with the requirements of grade 1 as prescribed by clause *a* of section 75.

(3) The notice referred to in clause *a* of subsection 2 shall state the cause for the rejection under clause *b* of subsection 2. O. Reg. 104/70, s. 6.

SAMPLING AND TESTING FOR MILK-FAT CONTENT

77. An operator of a plant shall provide,

(*a*) containers of at least eight-ounce capacity with close-fitting tops or stoppers to hold composite samples of fluid milk of producers delivering fluid milk to the plant;

(*b*) a supply of mercuric chloride or other preservative equivalent for the purpose for use in preserving the composite samples of fluid milk;

(*c*) equipment for obtaining a sample of fluid milk from the fluid milk received from a producer; and

(*d*) a tank of sufficient size to be a tempering bath for samples of fluid milk in the making of a test for milk-fat content of the fluid milk. R.R.O. 1960, Reg. 432, s. 77.

78.—(1) Subject to subsection 2, after grade A milk delivered in cans by a producer to a plant is graded, the milk grader shall,

(*a*) empty the grade A milk from the cans in which he received the grade A milk from the producer into a weighing-can on, or hanging from, scales;

(*b*) ensure that the outlet of the weighing-can does not leak during the weighing and sampling of the grade A milk;

(*c*) weigh the grade A milk and record the weight to the nearest pound; and

(*d*) take a sample of at least ten millilitres of the fluid milk from each quantity of grade A milk weighed in one weighing thereof after it is thoroughly mixed in the weighing-can.

(2) Where,

(*a*) a distributor purchases not more than 144 gallons of grade A milk from producers each day; and

(*b*) the weight of each empty can in which the distributor receives the grade A milk is clearly marked thereon,

the milk grader may weigh and sample the grade A milk in the can in which he receives the grade A milk.

(3) Where a milk grader weighs grade A milk in the can in which he receives it under subsection 2, he shall take a sample of at least ten millilitres of grade A milk from a mixture of grade A milk obtained by thoroughly mixing aliquot portions of the grade A milk in all cans of grade A milk received from each producer.

(4) The milk grader shall make a composite sample of grade A milk received from each producer by putting each sample of grade A milk received from the producer in a period of not more than sixteen days into one container on which is clearly marked the name or number of the producer.

(5) Where a sample of grade A milk is added to a composite sample, the milk grader shall mix the sample with the composite sample by a rotary method.

(6) The milk grader shall add to each composite sample of grade A milk such amounts of mercuric chloride, or other preservative equivalent for the purpose, as may be necessary to preserve the composite sample.

(7) A milk grader shall maintain each composite sample of the grade A milk he is grading at a temperature of not lower than 40° F. or higher than 60° F. until the composite sample is tested for milk-fat content.

(8) No person shall put into a sample of grade A milk,

(*a*) subject to subsection 6, any foreign substance; or

(*b*) any fluid milk other than samples of grade A milk from the same producer in accordance with this section. R.R.O. 1960, Reg. 432, s. 79; O. Reg. 289/65, s. 2 (1).

79.—(1) Every composite sample of grade A milk referred to in section 41 or 78, as the case may be, shall be tested for milk-fat content by an Infra Red Milk Analyzer, and the test of each composite sample shall be made within five days after the last sample was added to the composite sample. O. Reg. 111/69, s. 2 (1).

(2) Where a composite sample of grade A milk is tested for milk-fat content by an Infra Red Milk Analyzer,

(*a*) the test shall be made at a laboratory approved by the Commission for that purpose; and

(*b*) a fee of 20 cents shall be paid to the Treasurer of Ontario, as follows:

1. 10 cents by The Ontario Milk Marketing Board.

2. 10 cents by the operator of the plant to which the grade A milk was delivered. O. Reg. 24/68, s. 1.

80. The milk-fat content of a composite sample shall be deemed to be the milk-fat content of the grade A milk from which the samples were taken. R.R.O. 1960, Reg. 432, s. 81; O. Reg. 289/65, s. 2 (1).

81. Where a field-man or a milk tester obtains a sample of any class of fluid milk products for purposes of making a test for milk-fat content thereof, the test shall be made by the Babcock test. R.R.O. 1960, Reg. 432, s. 83.

RECORDS AND RETURNS

82. A distributor shall keep for twelve months complete records of all grade A milk bought and the records shall include,

(*a*) the weights of all grade A milk received daily;

(*b*) the milk-fat tests of all grade A milk received; and

(*c*) the original entries of the weights of grade A milk bought and the milk-fat tests of the grade A milk. R.R.O. 1960, Reg. 432, s. 84; O. Reg. 289/65, s. 2 (1); O. Reg. 72/68, s. 15.

83. A distributor shall keep for at least twelve months a complete record of fluid milk products sold and the records shall include,

(*a*) the number of gallons sold in bulk and the number of gallons, quarts, pints, half-pints and other units of fluid milk products sold by wholesale and at retail each day by by each driver-salesman of a delivery vehicle and the proceeds of sales by retail and wholesale;

(*b*) the number of gallons, quarts, pints, half-pints and other units of fluid milk products sold each day at the dairy and the proceeds of the sales;

(*c*) the number of gallons, quarts, pints and half-pints of fluid milk products sold each day to peddlers and to other distributors; and

(*d*) the total amount of all fluid milk products sold for each payment period by a distributor, including the total number of gallons, quarts, pints and half-pints sold and the selling price of the fluid milk products. R.R.O. 1960, Reg. 432, s. 86.

84.—(1) Every distributor of fluid milk products shall furnish to the Commission within three months after the end of the fiscal year of the distributor three copies of the financial statement of the operations during the fiscal year of the distributor, including the balance sheet and profit and loss statement, in respect of each plant operated by the distributor in Ontario.

(2) Every financial statement furnished by a distributor of fluid milk products under subsection 1 shall be certified by his auditor. R.R.O. 1960, Reg. 432, s. 87 (1, 2); O. Reg. 289/65, s. 2 (2).

(3) Every distributor,

(*a*) who obtains fluid milk products from any other distributor; and

(*b*) whose delivery, sale or distribution of fluid milk products is governed by an agreement, in writing or otherwise, with such other distributor,

shall furnish to the Commission a copy of any agreement in writing or the provisions of any agreement not in writing, as the case may be. O. Reg. 76/67, s. 13.

(4) A distributor of fluid milk products shall, in addition to the information or returns required under subsection 1, furnish to the Commission such information or returns as the Commission from time to time determines.

(5) Producers and transporters of grade A milk shall furnish to the Commission such information or returns as the Commission determines. R.R.O. 1960, Reg. 432, s. 87 (3, 4).

DELIVERY OF FLUID MILK PRODUCTS

85. No distributor shall,

(*a*) deliver fluid milk products to consumers, shopkeeper-distributors or operators of hotels, restaurants or other premises except by means of the regular delivery vehicle for the area in which the consumer, shopkeeper-distributor or hotel, restaurant or other premises is located, which vehicle is operated by the regular driver of that vehicle during the time of the regular service for that area;

(*b*) subject to sections 86 to 91, make more than seven deliveries a week to any consumer, shopkeeper-distributor or operator of a hotel, restaurant or other premises; or

(*c*) provide special delivery service to consumers in a portion of an area, either before or after the regular time of delivery for that area. R.R.O. 1960, Reg. 432, s. 88; O. Reg. 76/67, s. 14.

86. No distributor shall deliver fluid milk products on Sunday to a consumer, shopkeeper-distributor or hotel, restaurant or other premises in the areas named in column 1 and described in column 2 of Schedule 1. R.R.O. 1960, Reg. 432, s. 89; O. Reg. 76/67, s. 15.

87.—(1) No distributor shall deliver fluid milk products on Sunday or Wednesday to a consumer, shopkeeper-distributor or hotel, restaurant or other premises in the areas named in column 1 and described in column 2 of Schedule 2. R.R.O. 1960, Reg. 432, s. 90 (1); O. Reg. 76/67, s. 16.

(2) The distributors in the areas described in items 1 and 2 of Schedule 2 are exempt from subsection 1 in respect of deliveries of fluid milk products to a factory to employees working therein.

(3) The distributors in the areas described in item 6 of Schedule 2 are exempt from subsection 1 in respect of deliveries of fluid milk products to schools and boats. R.R.O. 1960, Reg. 432, s. 90 (2, 3).

88. No distributor shall deliver fluid milk products on Sunday to a consumer, shopkeeper-distributor or hotel, restaurant or other premises or on Wednesday to a consumer in the areas named in column 1 and described in column 2 of Schedule 3. R.R.O. 1960, Reg. 432, s. 91; O. Reg. 76/67, s. 17.

89. No distributor shall deliver fluid milk products on Sunday or Wednesday to a consumer in the areas named in column 1 and described in column 2 of Schedule 4. R.R.O. 1960, Reg. 432, s. 92.

90. No distributor shall deliver fluid milk products on Sunday to a consumer or to a shopkeeper-distributor or to a hotel, restaurant or other premises or on a Wednesday to a consumer or to a shopkeeper-distributor or to a hotel, restaurant or other premises for resale for consumption off the premises of the shopkeeper-distributor or of the hotel, restaurant or other premises, in the areas named in column 1 and described in column 2 of Schedule 5. R.R.O. 1960, Reg. 432, s. 93; O. Reg. 76/67, s. 18.

91. No distributor shall deliver fluid milk products on Sunday to a consumer, shopkeeper-distributor or hotel, restaurant or other premises or on Thursday to a consumer in the areas named in column 1 and described in column 2 of Schedule 6. R.R.O. 1960, Reg. 432, s. 94; O. Reg. 76/67, s. 19.

92.—(1) Where distributors are prohibited from making deliveries of fluid milk products on Wednesdays under this Regulation, and New Year's Day, Dominion Day or Christmans Day falls on a Tuesday, Thursday or Friday in any week, the prohibition does not apply in respect of the Wednesday in that week. O. Reg. 344/64, s. 1.

(2) In subsection 1, "week" means a period of seven days commencing with Monday. R.R.O. 1960, Reg. 432, s. 95 (2).

DISTRIBUTION AREAS

93.—(1) The areas named in column 1 and described in column 2 of Schedule 7 are designated as distribution areas. R.R.O. 1960, Reg. 432, s. 96.

(2) The premises of each shop operated by a shopkeeper-distributor are defined and designated as a distribution area in respect of that shop. O. Reg. 76/67, s. 20.

(3) In respect of each shop operated by a shopkeeper-distributor, the distribution area referred to in subsection 2 shall be deemed to be designated on the licence in Form 3 in respect of that shop. O. Reg. 76/67, s. 20.

94.—(1) The distribution area or municipality or part thereof in which a distributor may deliver, sell or distribute fluid milk products shall be designated on the licence issued to him.

(2) No distributor shall supply fluid milk products to any other distributor for delivery, sale or distribution or for resale in any distribution area or municipality or part thereof other than the distribution area or municipality or part thereof designated on the licence of the distributor who supplies such fluid milk products.

(3) No distributor who obtains fluid milk products from any other distributor shall deliver, sell or distribute, or resell such fluid milk products in a distribution area or municipality or part thereof other than the distribution area or municipality or part thereof designated on the licence of the distributor from whom such fluid milk products were obtained.

(4) Notwithstanding subsection 3, no distributor shall deliver, sell or distribute fluid milk products in any distribution area or municipality or part thereof other than the distribution area or municipality or part thereof designated on his licence. O. Reg. 76/67, s. 21.

95. Where, pursuant to a lawful practice that was established before and in operation on the 16th day of January, 1967,

(*a*) a distributor obtained fluid milk products from any other distributor; and

(*b*) the distribution area or municipality or part thereof designated on the licence of such distributor is other than the distribution area or municipality or part thereof designated on the licence of such other distributor,

subsections 2 and 3 of section 94 do not apply to the distributors in so far as the continuation of such practice is concerned. O. Reg. 76/67, s. 21.

96. Where, with the approval of the Commission, on application in writing therefor, a distributor,

(*a*) ceases the processing of fluid milk products and has the grade A milk purchased or produced by him, as the case may be, processed by any other distributor on whose licence is designated a distribution area or municipality or part thereof other than the distribution area or municipality or part thereof designated on his licence; or

(*b*) obtains fluid milk products from any other distributor on whose licence is designated a distribution area or municipality or part thereof other than the distribution area or municipality or part thereof designated on his licence,

subsections 2 and 3 of section 94 do not apply to the distributors in so far as the delivery, sale, distribution or resale of such fluid milk products is concerned. O. Reg. 76/67, s. 21.

DUTIES AND POWERS OF FIELD-MEN

97.—(1) Where a field-man inspects premises on which grade A milk is produced, he shall make a report in triplicate.

(2) The field-man shall deliver or send one copy of the report to the producer, send one copy to the Commission and retain one copy for his records.

(3) Where the field-man finds that,

(*a*) the grade A milk delivered from a producer for purposes of human consumption or processing does not comply with this Regulation; or

(*b*) premises on which milk is produced do not comply with this Regulation,

the field-man shall notify immediately the producer and any plant to which the grade A milk is delivered of his findings and may by order require that no grade A milk from the producer be accepted at a plant until the milk, or premises, comply with this Regulation.

(4) A producer who deems himself aggrieved by an order of a field-man under subsection 3, may appeal to the Commission and the Commission may, after a hearing, confirm, amend or revoke the order. O. Reg. 208/61, s. 11; O. Reg. 289/65, s. 2.

Schedule 1

Item	Column 1 Name of Area	Column 2 Description of Area
1	Town of Preston	the whole.
2	City of Stratford	the whole.
3	Ottawa	City of Ottawa, the Town of Vanier, the Village of Rockcliffe Park and the townships of Gloucester, March, Nepean and Torbolton.

R.R.O. 1960, Reg. 432, Sched. 1.

Schedule 2

Item	Column 1 Name of Area	Column 2 Description of Area
1	Galt	City of Galt.
2	Guelph	City of Guelph and the townships of Guelph and Puslinch.
3	London	City of London, and the townships of London, Westminster, North Dorchester and West Nissouri.
4	Owen Sound	City of Owen Sound.
5	St. Thomas	City of St. Thomas.
6	Cornwall	City of Cornwall and Township of Cornwall.
7	Timmins	Town of Timmins and the townships of Deloro, Mountjoy, Tisdale and Whitney.
8	Thunder Bay	City of Thunder Bay and the geographic townships of MacGregor, McIntyre, Neebing, Oliver and Paipoonge.
9	Atikokan	Township of Atikokan.

R.R.O. 1960, Reg. 432, Sched. 2; O. Reg. 335/61, s. 1, *amended.*

Schedule 3

Item	Column 1 Name of Area	Column 2 Description of Area
1	Township of Ancaster	All that portion of the Township of Ancaster, in the County of Wentworth, lying east of the westerly boundary of Lot 37 in Concession 1.
2	Township of Beverly	All that portion of the Township of Beverly, in the County of Wentworth, lying east of the westerly boundary of Lot 29 in concessions I, II and III.
3	City of Brantford	The whole.
4	Village of Bronte	The whole.
5	Town of Burlington	The whole.
6	Town of Dundas	The whole.
7	Township of East Flamborough	The whole.
8	Kitchener-Waterloo	Beginning at the northwesterly angle of the Township of Waterloo; thence southeasterly along the westerly boundary of the township to the production westerly of the centre line of the road allowance between lots 132 and 133 in the Township of Waterloo; thence easterly along that production and the centre line of the road allowance across Lot 140, Hiestand's Tract, Bechtel's Tract, and its production easterly to the centre line of County Suburban Road 14; thence northerly along the last-mentioned centre line to its intersection with the centre line of a road extending westerly through Lot 12 in Beasley's Old Survey, and through Bechtel's Tract; thence easterly along the last-mentioned centre line and its production easterly to the high-water mark on the easterly bank of the Grand River; thence along the high-water mark in a general northerly direction to the most westerly limit of Lot 114 in the Township of Waterloo; thence northerly along the most westerly limit of Lot 114 to the northwesterly angle thereof; thence easterly along the northerly limit of Lot 114 to the centre line of County Suburban Road 13; thence northerly along that centre line to the northerly boundary of the Township of Waterloo; thence westerly along the boundary to the point of beginning.
9	Township of Nelson	The whole.
10	City of Niagara Falls	The whole.
11	Town of Oakville	The whole.
12	Village of Waterdown	The whole.
13	Township of West Flamborough	The whole.
14	St. Catharines	City of St. Catharines, the towns of Merritton, Port Dalhousie and Thorold and the Township of Grantham as they existed on the 31st day of December, 1969.
15	Kenora-Keewatin	Towns of Keewatin and Kenora and the townships of Jaffray, Melick and Pellatt.

R.R.O. 1960, Reg. 432, Sched. 3.

Schedule 4

Item	Column 1 Name of Area	Column 2 Description of Area
1	Town of Blenheim	The whole.
2	Town of Bothwell	The whole.
3	Township of Camden	The whole.
4	Gore of Camden	All that part of the Township of Dawn, now known as the Gore of Camden, in the County of Kent, and comprising lots 1 to 10, both inclusive, in each of concessions VII to XIV, both inclusive.
5	Township of Dawn	All that part of the Township of Dawn comprising lots 11 to 20, both inclusive, in each of concessions I to XIV, both inclusive.
6	Village of Erie Beach	The whole.
7	Village of Erieau	The whole.
8	Township of Harwich	All that part of the Township of Harwich lying southerly of the right-of-way of the Chesapeake and Ohio Railroad.
9	Township of Howard	The whole.
10	City of North Bay	The whole.
11	Township of Orford	The whole.
12	Town of Orillia	Town of Orillia and the townships of Orillia and Rama.
13	Township of Raleigh	All that part of the Township of Raleigh lying southerly of the right-of-way of the Chesapeake and Ohio Railroad.
14	Town of Ridgetown	The whole.
15	Town of St. Marys	The whole.
16	Village of Thamesville	The whole.
17	Township of Zone	The whole.

R.R.O. 1960, Reg. 432, Sched. 4.

Schedule 5

Item	Column 1 Name of Area	Column 2 Description of Area
1	Town of Deep River	The whole.
2	Borough of East York	The whole.
3	Borough of Etobicoke	The whole.
4	Borough of North York	The whole.
5	Pembroke-Chalk River	City of Pembroke, the Village of Chalk River, and the townships of Alice and Fraser, Head, Clara and Maria, Pembroke, Petawawa, Rolph, Buchanan, Wylie and McKay, Stafford and Westmeath.
6	Village of Port Credit	The whole.
7	Borough of Scarborough	The whole.
8	City of Toronto,	The whole.
9	Town of Mississauga	The whole.
10	Township of Toronto Gore	The whole.
11	Village of Woodbridge	The whole.
12	Borough of York	The whole.

R.R.O. 1960, Reg. 432, Sched. 5, *amended*.

Schedule 6

Item	Column 1 Name of Area	Column 2 Description of Area
1	City of Chatham	The whole.
2	Town of Tilbury	The whole.
3	Town of Dryden	The whole.

R.R.O. 1960, Reg. 432, Sched. 6.

Schedule 7

Item	Column 1 Name of Area	Column 2 Description of Area
1	Distribution Area No. 1	The counties of Essex, Kent and Lambton.
2	Distribution Area No. 2	The counties of Elgin, Middlesex and Oxford.
3	Distribution Area No. 3	(*a*) the County of Brant except the Township of South Dumfries; and (*b*) the counties of Haldimand and Norfolk and The Regional Municipality of Niagara.
4	Distribution Area No. 4	(*a*) the towns of Burlington and Oakville in the County of Halton; (*b*) the townships of East Whitby, Pickering and Whitby in the County of Ontario; (*c*) The Town of Mississauga and the Township of Toronto Gore in the County of Peel. (*d*) the County of Wentworth except the Township of Beverly; and (*e*) the County of York except the townships of East Gwillimbury, Georgina, King, North Gwillimbury and Whitchurch, as it existed on the 31st day of December, 1970.
5	Distribution Area No. 5	(*a*) The Township of South Dumfries in the County of Brant; (*b*) the County of Halton except the towns of Burlington and Oakville; (*c*) the county of Peel except the Town of Mississauga and the Township of Toronto Gore; (*d*) the counties of Huron, Perth, Waterloo and Wellington; and (*e*) the Township of Beverly in the County of Wentworth.
6	Distribution Area No. 6	The counties of Bruce, Dufferin, Grey and Simcoe.
7	Distribution Area No. 7	(*a*) the counties of Durham, Peterborough, Northumberland and Victoria and the Provisional County of Haliburton; (*b*) the County of Ontario except the townships of East Whitby, Pickering and Whitby; and (*c*) the townships of East Gwillimbury, Georgina, King, North Gwillimbury and Whitchurch in the County of York, as they existed on the 31st day of December, 1970.
8	Distribution Area No. 8	(*a*) the counties of Frontenac, Hastings, Lennox and Addington and Prince Edward; and (*b*) the County of Leeds except the townships of Kitley and South Elmsley.
9	Distribution Area No. 9	(*a*) the counties of Dundas, Glengarry, Grenville, Lanark, Prescott, Renfrew, Russell and Stormont and The Regional Municipality of Ottawa-Carleton; and (*b*) the townships of Kitley and South Elmsley in the County of Leeds.
10	Distribution Area No. 10	(*a*) the Territorial District of Muskoka; and (*b*) the Territorial District of Parry Sound except the geographic Township of North Himsworth.

Item	Column 1 Name of Area	Column 2 Description of Area
11	Distribution Area No. 11	(*a*) the Territorial District of Thunder Bay; (*b*) the Improvement District of White River in the Territorial District of Algoma; and (*c*) that part of the Territorial District of Rainy River lying east of longitude 92° 00′ 00″.
12	North Bay, Sturgeon Falls and Verner distribution area	(*a*) those parts of the Territorial District of Nipissing described as follows: (i) the City of North Bay, (ii) the towns of Bonfield, Cache Bay and Sturgeon Falls, and (iii) the geographic townships of Askin, Bastedo, Beaucage, Belfast, Blyth, Bonfield, Caldwell, Calvin, Clement, Commanda, Crerar, Dana, East Ferris, Field, Gibbons, Gladman, Joan, Kirkpatrick, Law, Lyman, Macpherson, McLaren, Merrick, Olive, Pardo, Pedley, Phelps, Phyllis, Poitras, Scholes, Sisk, Springer, Thistle, West Ferris and Widdifield; (*b*) the geographic Township of North Himsworth in the Territorial District of Parry Sound as it existed on the 31st day of December, 1970; and (*c*) the geographic townships of Afton, Appleby, Armagh, Casimir, Cherriman, Dunnet, Haddo, Hagar, Janes, Jennings, Macbeth, McNish and Ratter in the Territorial District of Sudbury.

O. Reg. 76/67, s. 22; O. Reg. 210/68, s. 3, *amended*.

Form 1

The Milk Act

*APPLICATION FOR A LICENCE AS

A PROCESSOR-DISTRIBUTOR.....

A NON-PROCESSOR-DISTRIBUTOR.....

A SHOPKEEPER-DISTRIBUTOR.....

*(Mark Class of Licence Applied for)

To: The Milk Commission of Ontario,
Parliament Buildings,
Toronto, Ontario.

.....
(name of corporation, partnership or person, and if partnership, give names of all partners)

makes application for a licence under *The Milk Act* and the regulations, and in support of this application the following facts are stated:

1. The applicant is:

i. A co-operative corporation.....

ii. A corporation, other than a co-operative..

iii. A partnership.....

iv. A sole proprietor.....

2. Name under which business is conducted.....

.....
(street and number) (city, town or village)

.....
(county, etc.)

3. Name of Manager.....

4. If a non-processor-distributor, give name and address of processor-distributor from whom fluid milk products are obtained.....

5. If a shopkeeper-distributor, give type of business conducted.....

6. Products sold:

1. fluid milk products?.....
("Yes" or "No")

2. cream only? .....
("Yes" or "No")

7. Do you manufacture or sell edible oil products under *The Edible Oil Products Act*?..... ("Yes" or "No")

If "yes", name products.....

8. The distribution area applied for in this application is as follows:

i. Distribution Area No.....

ii. Additional municipality or part thereof....

9. Number of delivery vehicles: i. Retail.....

ii. Wholesale..

10. The quantity and value of grade A milk bought and delivered to the dairy of applicant during each month of the previous calendar year are shown on the following Table:

TABLE

Month	Quantity of Grade A Milk	Value
January		
February		
March		
April		
May		
June		
July		
August		
September		
October		
November		
December		
Total for Year		

11. Are you responsible for payments to the marketing board?..... If "No", who is?.... ("Yes" or "No")

.....

12. If applicant has not been previously licensed,

(*a*) has an existing business been acquired?

..... ("Yes" or "No")

(*b*) If "yes", give name and address of business acquired..... (name) (address)

(*c*) give information respecting experience, financial responsibility and equipment...

.....

(*d*) give the date of intention to commence business.....

13. Where applicant is licensed, a copy of the latest financial statement, including the balance sheet and profit and loss statement, certified correct by applicant's auditor, accompanies this application.

14. The licence fee of $10 accompanies this application.

Dated at....., this....day of....., 19..

.....
(signature of applicant)

By: .....
(title of official signing if partnership or corporation)

O. Reg. 72/68, s. 17.

Form 2

The Milk Act

LICENCE AS A PROCESSOR-DISTRIBUTOR

Year..... No.-D.....

Under *The Milk Act* and the regulations, and subject to the limitations thereof, this licence is issued to

.....
(name)

.....
(name of dairy)

.....
(address) (county)

Schedule Area as a processor-distributor in the area or areas specified in the schedule in the margin hereof.

This licence becomes effective on the.... day of....., 19.... and expires with the 31st day of May, 19....

Issued at Toronto, the....day of....., 19....

THE MILK COMMISSION OF ONTARIO:

.....
(signature of Chairman)

.....
(signature of Secretary)

R.R.O. 1960, Reg. 432, Form 2; O. Reg. 47/65, s. 4; O. Reg. 289/65, s. 5; O. Reg. 76/67, s. 24.

Form 3

The Milk Act

LICENCE AS A SHOPKEEPER-DISTRIBUTOR

Year..... No.....

Under *The Milk Act* and the regulations, and subject to the limitations thereof, this licence is issued to

.....
(name)

.....
(address) (county)

Schedule Area as a shopkeeper-distributor in the area specified in the schedule in the margin hereof.

Issued at Toronto, this....day of....., 19....

THE MILK COMMISSION OF ONTARIO:

.....
Chairman

.....
Secretary

O. Reg. 76/67, s. 28.

Form 4

The Milk Act

LICENCE AS A NON-PROCESSOR-DISTRIBUTOR

Year..... No.....

Under *The Milk Act* and the regulations, and subject to the limitations thereof, this licence is issued to

.....
(name)

.....
(address) (county, etc.)

Schedule Area as a non-processor-distributor in the area or areas specified in the schedule in the margin hereof.

This licence becomes effective on the.... day of....., 19.... and expires with the 31st day of May, 19....

Issued at Toronto, the....day of....., 19....

THE MILK COMMISSION OF ONTARIO:

.....
(signature of Chairman)

.....
(signature of Secretary)

R.R.O. 1960, Reg. 432, Form 5; O. Reg. 47/65, s. 7; O. Reg. 289/65, s. 5; O. Reg. 76/67, s. 26.

Form 5

The Milk Act

LICENCE AS OPERATOR OF A DAIRY

Year..... No.....

Under *The Milk Act* and the regulations, and subject to the limitations thereof, this licence is issued to

.....
(name)

.....
(name of dairy)

.....
(address) (county)

as the operator of a dairy.

This licence becomes effective on the.....

day of....., 19.... and expire with the

31st day of May, 19....

Issued at Toronto, this.....day of....., 19...

THE MILK COMMISSION OF ONTARIO:

.....
(signature of Chairman)

.....
(signature of Secretary)

O. Reg. 148/63, s. 4; O. Reg. 47/65, s. 8; O. Reg. 289/65, s. 6; O. Reg. 72/68, s. 19.

Form 6

The Milk Act

APPLICATION FOR LICENCE AS OPERATOR OF A DAIRY

To: THE MILK COMMISSION OF ONTARIO,
PARLIAMENT BUILDINGS,
TORONTO, ONTARIO.

.....
(name of corporation, partnership or person, and if partnership, give names of all partners)

makes application for a licence for the operation of a dairy under *The Milk Act* and the regulations, and in support of this application the following facts are stated:

1. The applicant is:

   i. A co-operative corporation.....

   ii. A corporation, other than a co-operative...

   iii. A partnership.....

   iv. A sole proprietor.....

2. Name and address of dairy operated.....
(name)

.....
(street and number) (city, town or village)

.....
(county)

3. Name of Manager.....

4. Names of fluid milk products processed:.....

.....

5. Do you manufacture or sell edible oil products under *The Edible Oil Products Act*?.....
("Yes" or "No")

   If "yes", name products:.....

6. The quantity and value of grade A milk bought and delivered to the dairy of applicant during each month of the previous calendar year are shown on the following Table:

TABLE

Month	Quantity of Grade A Milk	Value
January		
February		
March		
April		
May		
June		
July		
August		
September		
October		
November		
December		
Total for Year		

7. Are you responsible for payments to the marketing board? .....
("Yes" or "No")

   If "no", who is?.....

8. If applicant has not been previously licensed,

   (*a*) has an existing business been acquired?

   .....
   ("Yes" or "No")

   (*b*) if "yes", give name and address of business acquired.....

(*c*) give information respecting experience, financial responsibility and equipment....

.....

(*d*) give the date of intention to commence business.....

9. Where applicant is licensed, a copy of the latest financial statement, including the balance sheet and profit and loss statement, certified correct by applicant's auditor, accompanies this application.

10. The licence fee of $10 accompanies this application.

Dated at....., this....day of....., 19..

.....
(signature of applicant)

By: .....
(title of official signing if partnership or corporation)

O. Reg. 72/68, s. 20.

REGULATION 591

under The Milk Act

GRADE A MILK—MARKETING

INTERPRETATION

1. In this Regulation,

(*a*) "marketing board" means The Ontario Milk Marketing Board;

(*b*) "processor" means a person engaged in the processing of fluid milk products or on whose behalf fluid milk products are processed, and includes a person engaged in the processing of concentrated liquid milk, concentrated liquid chocolate milk, concentrated liquid partly-skimmed milk or concentrated liquid skim-milk;

(*c*) "producer" means a producer of milk to whom a quota for the marketing of grade A milk has been fixed and allotted by the marketing board, but does not include a producer whose quota has been cancelled by the marketing board. O. Reg. 70/68, s. 1.

APPLICATION OF REGULATION

2. This Regulation provides for the control and regulation in any or all respects of the marketing within Ontario of milk, including the prohibition of such marketing in whole or in part. O. Reg. 70/68, s. 2.

PURCHASE AND SALE OF MILK

3. All milk supplied to a processor shall be sold to the processor by the marketing board and bought by the processor from the marketing board on the terms and conditions prescribed in this Regulation. O. Reg. 70/68, s. 3; O. Reg. 130/68, s. 2.

4.—(1) No processor shall buy milk from any person other than the marketing board.

(2) No person other than the marketing board shall sell milk to a processor.

(3) No processor shall sell the milk produced by a producer. O. Reg. 70/68, s. 4.

5. No processor shall process, pack or package any milk that has not been sold by the marketing board. O. Reg. 70/68, s. 5.

6.—(1) Every person shall pay to the marketing board the price or prices for all milk sold to him by the marketing board.

(2) The marketing board may recover from any person by suit in a court of competent jurisdiction any price or prices for milk payable to the marketing board. O. Reg. 70/68, s. 6.

ASSIGNMENT OF PRODUCERS

7.—(1) The marketing board shall assign to a processor a sufficient number of producers to supply his requirements for CLASSES 1, 2, 3 and 4 milk. O. Reg. 130/68, s. 3; O. Reg. 482/70, s. 1.

(2) Except as otherwise provided in this Regulation, every processor shall receive all milk supplied to him by the producers assigned to him by the marketing board. O. Reg. 70/68, s. 7(2).

8.—(1) On a request by a processor, the marketing board shall assign to him producers who have Jersey cows or Guernsey cows, as the case may be, where,

(*a*) such producers were supplying milk to the processor immediately preceding the coming into force of this Regulation; and

(*b*) the average milk-fat content of the total volume of milk in pounds supplied by each of such producers during the three-month period immediately preceding the request was not less than 4.4 per cent.

(2) On a request by a processor, including a processor mentioned in subsection 1, the marketing board shall assign to him producers who have Jersey cows or Guernsey cows, as the case may be, where,

(*a*) such producers are readily available; and

(*b*) the average milk-fat content of the total volume of milk in pounds supplied by each of such producers during the three-month period immediately preceding the request was not less than 4.4 per cent.

(3) No processor mentioned in subsections 1 and 2 shall cease to receive the milk of a producer assigned to him by the marketing board until the expiry of thirty days after the marketing board receives notice in writing of the processor's intention to cease receiving the milk of the producer. O. Reg. 70/68, s. 8.

REJECTED MILK

9. Where milk supplied to a processor is rejected by a milk grader at a plant under Regulation 590 of Revised Regulations of Ontario, 1970.

(*a*) the processor shall notify the marketing board forthwith; and

(*b*) the marketing board, on receipt of a notice under clause *a*, shall,

(i) supply to him an equivalent amount of milk as soon as possible after receipt of the notice, and

(ii) cause the rejected milk to be removed from his premises at no cost to him. O. Reg. 70/68, s. 9.

INSUFFICIENT SUPPLY OF MILK

10. Where the producers assigned to a processor under subsection 1 of section 7 fail to supply his normal requirements for milk, the marketing board shall assign additional producers to him. O. Reg. 70/68, s. 10.

11.—(1) Where from time to time the amount of milk supplied to a processor by the producers assigned to him under subsection 1 of section 7 is not sufficient for his requirements, he shall notify the marketing board respecting the amount of additional milk required by him.

(2) On receipt of a notice under subsection 1, the marketing board,

(*a*) where milk is readily available; or

(*b*) where the notice is received not less than thirty-six hours preceding the time the milk is required,

shall supply to the processor the amount of additional milk required by him.

(3) The marketing board shall not,

(*a*) assign additional producers to a processor under section 10; or

(*b*) supply additional milk to a processor under subsection 2,

unless the processor is utilizing all milk supplied to him by the producers assigned to him under subsection 1 of section 7. O. Reg. 70/68, s. 11.

EXCESS SUPPLY OF MILK

12. Where,

(*a*) producers assigned to a processor supply milk in excess of his normal requirements; and

(*b*) the processor notifies the marketing board,

the marketing board shall reduce the number of producers so as to satisfy his normal requirements. O. Reg. 70/68, s. 12.

13.—(1) Where from time to time the amount of milk supplied to a processor by the producers assigned to him is in excess of his requirements, he shall forthwith notify the marketing board respecting the amount of excess milk.

(2) The marketing board shall divert the amount of excess milk by,

(*a*) re-directing such milk to another processor; or

(*b*) causing such milk to be removed from the processor's plant,

within thirty-six hours of receipt of a notice under subsection 1.

(3) Subject to subsection 4, where excess milk is removed from a processor's plant under clause *b* of subsection 2, the processor shall compensate the marketing board for,

(*a*) the cost of removing the milk; and

(*b*) the losses incurred by the marketing board in disposing of the milk. O. Reg. 70/68, s. 13 (1-3).

(4) Where the marketing board fails to remove excess milk within thirty-six hours of receipt of a notice under subsection 1, the processor is not liable to compensate the marketing board under subsection 3. O. Reg. 70/68, s. 13 (4); O. Reg. 130/68, s. 4.

14.—(1) Notwithstanding section 13, where from time to time the amount of milk supplied to a processor by the producers assigned to him is in excess of his requirements, the processor may, with the approval in writing of the marketing board obtained on application therefor, divert such excess milk to the plant or plants designated by the marketing board in its approval upon notifying,

(*a*) the transporters transporting the excess milk; and

(*b*) the operator of each plant to which such milk is diverted. O. Reg. 70/68, s. 14 (1); O. Reg. 130/68, s. 5 (1, 2).

(2) An approval by the marketing board under subsection 1,

(*a*) shall designate,

(i) the producers whose milk may be diverted, and

(ii) the transporters and operators of plants with whom the processor may

arrange for the diversion of excess milk;

(*b*) may be cancelled at any time by the marketing board by notice in writing to the processor not less than forty-eight hours before the cancellation takes effect; and

(*c*) is issued on the condition that the processor furnishes the marketing board with such information respecting the diversion of milk as the marketing board requires. O. Reg. 70/68, s. 14 (2); O. Reg. 130/68, s. 5 (3).

(3) Where a processor diverts excess milk in accordance with this section, the marketing board shall compensate him for his actual expenses in connection therewith. O. Reg. 70/68, s. 14 (3).

15. For the purposes of sections 9, 11 and 13, the marketing board shall have personnel available on every day except Sunday as follows:

1. Monday to Friday, both inclusive, from 9 a.m. until 5 p.m.

2. Saturday and a statutory holiday, from 9 a.m. until 4 p.m. O. Reg. 70/68, s. 15.

PRICES

16.—(1) All Class 1 milk supplied to a processor in those parts of Ontario comprising the Northern Ontario Pool, the Northwestern Ontario Pool and the Thunder Bay Pool, as described in Regulation 592 of Revised Regulations of Ontario, 1970, shall be sold by the marketing board and bought by the processor for not less than a minimum price of $7.22 per 100 pounds for milk testing 3.5 per cent milk-fat.

(2) All Class 1 milk supplied to a processor in those parts of Ontario comprising the Muskoka-Parry Sound Pool and the Southern Ontario Pool, as described in Regulation 592 of Revised Regulations of Ontario, 1970, shall be sold by the marketing board and bought by the processor for not less than a minimum price of $6.65 per 100 pounds for milk testing 3.5 per cent milk-fat.

(3) All Class 2 milk supplied to a processor shall be sold by the marketing board and bought by the processor for not less than a minimum price of $6.21 per 100 pounds for milk testing 3.5 per cent milk-fat.

(4) All Class 3 milk supplied to a processor shall be sold by the marketing board and bought by the processor for not less than a minimum price of $3.85 per 100 pounds for milk testing 3.5 per cent milk-fat, where the milk is delivered to the processor by tank-truck.

(5) All Class 4 milk supplied to a processor shall be sold by the marketing board and bought by the processor for not less than a minimum price of $3.85 per 100 pounds for milk testing 3.5 per cent milk-fat, where the milk is delivered to the processor by tank-truck.

(6) All Class 5 milk supplied to a processor shall be sold by the marketing board and bought by the processor for not less than a minimum price of $3.70 per 100 pounds for milk testing 3.5 per cent milk-fat, where the milk is delivered to the processor by tank-truck.

(7) All Class 6 milk supplied to a processor shall be sold by the marketing board and bought by the processor for not less than a minimum price of $3.70 per 100 pounds for milk testing 3.5 per cent milk-fat, where the milk is delivered to the processor by tank-truck.

(8) The minimum prices that apply under subsections 1, 2 and 3 shall be increased or decreased at the rate of 6 cents for each one-tenth of 1 per cent above or below the test of 3.5 per cent milk-fat in each 100 pounds of milk.

(9) Where milk is delivered to a processor other than by tank-truck, the minimum price that applies shall be 10 cents per 100 pounds less than the minimum price determined under subsection 4, 5, 6 or 7, as the case may be.

(10) The minimum prices that apply under subsections 4, 5, 6, 7 and 9 shall be increased or decreased at the rate of 7½ cents for each one-tenth of 1 per cent above or below the test of 3.5 per cent milk-fat in each 100 pounds of milk. O. Reg. 144/70, s. 2.

DELIVERY OF MILK

17.—(1) Milk shall be delivered to a processor on the days and at the times agreed upon by the marketing board and the processor. O. Reg. 70/68, s. 17 (1).

(2) Every processor shall,

(*a*) provide space and facilities for the unloading of milk from a tank-truck;

(*b*) unload the milk from a tank-truck,

(i) within two hours of the time of arrival at the plant where the arrival is at a time agreed upon under subsection 1, or

(ii) within such additional time as may be required where an emergency exists at the plant by reason of a processing breakdown;

(*c*) receive from the operator of the tank-truck the original and the first copy of the milk collection report made and signed by the operator;

(*d*) acknowledge receipt of milk by signing the original and the second copy of the milk collection report referred to in clause *c*; and

(*e*) make and sign a milk collection summary in a form provided by the marketing board. O. Reg. 70/68, s. 17 (2); O. Reg. 130/68, s. 6; O. Reg. 144/70, s. 3.

REPORTS

18. Where a processor receives milk on any day, he shall on the next following day that is not a Saturday or a holiday forward to the marketing board by prepaid first class mail,

(*a*) the original of the milk collection report referred to in clause *d*; and

(*b*) one copy of the milk collection summary referred to in clause *e*,

of subsection 2 of section 17. O. Reg. 70/68, s. 18; O. Reg. 130/68, s. 7; O. Reg. 144/70, s. 4.

19.—(1) Every processor shall, in respect of each month,

(*a*) make and sign a milk utilization report in a form provided by the marketing board; and

(*b*) mail such milk utilization report to the marketing board by prepaid first class mail before the sixth day of the next following month or, where a holiday falls within that six-day period, before the seventh day of that month. O. Reg. 70/68, s. 19 (1).

(2) Subject to subsection 3, where a processor fails to comply with subsection 1 in respect of any month,

(*a*) all milk supplied to the processor in the month shall be deemed to have been utilized by the processor as Class 1 milk; and

(*b*) the processor shall pay the marketing board for the milk at the price determined under section 16 for Class 1 milk. O. Reg. 70/68, s. 19 (2); O. Reg. 144/70, s. 5.

(3) Upon receipt of the milk utilization report mentioned in subsection 1, the marketing board shall adjust the amount determined under clause *b* of subsection 2 in accordance with the utilization of the milk as shown on such report. O. Reg. 70/68, s. 19 (3).

PAYMENT FOR MILK

20.—(1) The marketing board shall, in respect of each month,

(*a*) prepare a statement of the milk supplied to the processor in the month that determines the amount that the processor shall pay to the marketing board for milk supplied to him in the month; and

(*b*) mail such statement to the processor by prepaid first class mail not later than the fifteenth day of the next following month. O. Reg. 70/68, s. 20 (1); O. Reg. 144/70, s. 6.

(2) The statement mentioned in subsection 1 shall be accompanied by a further statement containing,

(*a*) a list of all truck loads of milk received by the processor in the month;

(*b*) the weight of milk in each truck load; and

(*c*) the milk-fat content of the milk in each truck load. O. Reg. 70/68, s. 20 (2).

21.—(1) Every processor shall pay to the marketing board the amount payable for milk supplied to the processor in any month as follows:

1. A payment on account, at the rate of $4.00 per 100 pounds, not later than the fourteenth day of the next following month or, where a holiday falls within the first twelve days of that month, not later than the fifteenth day of that month.

2. The balance of the amount payable not later than the twenty-first day of the next following month. O. Reg. 70/68, s. 21 (1); O. Reg. 260/69, s. 1.

(2) Every payment made to the marketing board under subsection 1 shall be identified with the plant of the processor in respect of which it is made. O. Reg. 70/68, s. 21 (2).

22.—(1) For the purpose of this Regulation, milk shall be tested for milk-fat content by an Infra Red Milk Analyzer at a laboratory approved by The Milk Commission of Ontario in accordance with Regulation 590 of Revised Regulations of Ontario, 1970. O. Reg. 144/70, s. 7 (1).

(2) Where milk is tested for milk-fat content by an Infra Red Milk Analyzer, the marketing board shall furnish the processor with a copy of the statement supplied by the laboratory of the milk-fat content of the milk of each producer assigned to the processor. O. Reg. 70/68, s. 22 (2).

(3) Where a load of milk is received by a processor,

(*a*) from producers assigned to him; or

(*b*) from producers whose milk was diverted to him,

the weighted average of the milk-fat content of the milk of the producers thereof for the test period estab-

lished for such producers under Regulation 590 of Revised Regulations of Ontario, 1970, in which the load was received shall be the milk-fat content of the milk in the load.

(4) Where a processor receives milk that is diverted by another processor who cannot identify the producers of such milk, the milk-fat content of the milk shall be agreed upon by such processors and shall be recorded on the milk collection report that accompanies the tank-truck of diverted milk and, failing such agreement, the weighted average of the milk-fat content of the milk of the producers assigned to the diverting processor as determined by the marketing board shall be the milk-fat content of the diverted milk. O. Reg. 70/68, s. 22 (4, 5).

VERIFICATION OF MILK WEIGHTS

23.—(1) For the purposes of determining the amount payable by a processor for milk supplied to him in any month, the processor shall accept as the weight of each tank-truck of milk received by him the weight recorded in the milk collection report of the operator of the tank-truck.

(2) Notwithstanding subsection 1, a processor may verify the weight of milk received by him,

(*a*) during any month by weighing every tank-truck of milk received by him in that month in respect of a transport route of a transporter in accordance with clause *a* or *b* of subsection 1 of section 24;

(*b*) by weighing from time to time any tank-truck of milk received by him in accordance with clause *a* or *b* of subsection 1 of section 24;

(*c*) during any month by measuring the volume in gallons of the milk in every tank-truck of milk received by him in that month in respect of a transport route of a transporter in accordance with clause *c* of subsection 1 of section 24; or

(*d*) by measuring from time to time the volume in gallons of milk in any tank-truck in accordance with clause *c* of subsection 1 of section 24.

(3) Where,

(*a*) a processor verifies the weight of milk in accordance with clause *a* of subsection 2;

(*b*) the total weight for the month is less than recorded on the milk collection reports therefor; and

(*c*) the shortage exceeds .35 per cent of the weight recorded,

the processor may submit a claim for payment to the marketing board for that portion of the shortage that exceeds .35 per cent of the weight recorded.

(4) Where,

(*a*) a processor verifies the weight of a tank-truck of milk in accordance with clause *b* of subsection 2;

(*b*) the weight is less than recorded on the milk collection report therefor; and

(*c*) the shortage exceeds .70 per cent of the weight recorded,

the processor may submit a claim for payment to the marketing board for that portion of the shortage that exceeds .70 per cent of the weight recorded.

(5) Where,

(*a*) a processor verifies the weight of milk in accordance with clause *c* of subsection 2;

(*b*) the total weight for the month is less than recorded on the milk collection reports therefor; and

(*c*) the shortage exceeds .25 per cent of the weight recorded,

the processor may submit a claim for payment to the marketing board for that portion of the shortage that exceeds .25 per cent of the weight recorded.

(6) Where,

(*a*) a processor verifies the weight of a tank-truck of milk in accordance with clause *d* of subsection 2;

(*b*) the weight is less than recorded on the milk collection report therefor; and

(*c*) the shortage exceeds .50 per cent of the weight recorded,

the processor may submit a claim for payment to the marketing board for that portion of the shortage that exceeds .50 per cent of the weight recorded.

(7) No claim shall be made,

(*a*) under subsection 4 in respect of a tank-truck of milk included in a claim under subsection 3;

(*b*) under subsection 6 in respect of a tank-truck of milk included in a claim under subsection 5; or

(*c*) under subsection 3, 4, 5 or 6 where the total weight of all tank-trucks of milk

received by a processor in any month exceeds the weight recorded on the milk collection reports therefor.

(8) Where,

(*a*) a processor verifies the weight of milk in accordance with clause *c* of subsection 2;

(*b*) the total weight for the month is less than recorded on the milk collection reports therefor; and

(*c*) the shortage exceeds .25 per cent of the weight recorded,

the processor shall furnish the marketing board with particulars in writing of the shortage and the name of the transporter. O. Reg. 307/69, s. 1.

24.—(1) For the purposes of a claim under subsection 3, 4, 5 or 6 of section 23, the weight of milk received by a processor shall be verified,

(*a*) by weighing the tank-truck of milk on a platform-type weighing machine,

(i) inspected, verified and stamped under the *Weights and Measures Act* (Canada),

(ii) capable of weighing the gross weight, including all axles of the tank-truck, and

(iii) so located that the tare weight may be measured without moving the tank-truck;

(*b*) by weighing the tank-truck of milk by means of a weighing machine,

(i) inspected, verified and stamped under the *Weights and Measures Act* (Canada), and

(ii) equipped with a tank having a capacity of not less than one-third of the capacity of the tank-truck; or

(*c*) by measuring the volume in gallons of the milk in the tank-truck by means of a measuring machine, equipped with a meter and meter installation and inspected, verified and stamped under the *Weights and Measures Act* (Canada), and converting the gallons to pounds on the basis that one gallon weighs 10.32 pounds. O. Reg. 70/68, s. 24 (1); O. Reg. 307/69, s. 2.

(2) Where the weight of milk is verified under subsection 1 at a place other than at the plant of the processor, the processor shall pay,

(*a*) any weighing or measuring charges; and

(*b*) where extra mileage is required in transporting the milk for that purpose, any charges therefor in respect of each tank-truck if the extra mileage for the tank-truck exceeds twenty miles in any month, calculated in accordance with the rates contained in Schedule 2 of the order of the marketing board appointing the transporter of the milk as its agent.

(3) Where the weight of a tank-truck of milk is being verified under subsection 1, the operator of the tank-truck,

(*a*) shall be present during the verification; and

(*b*) shall sign the weigh-slip or meter-slip, as the case may be. O. Reg. 70/68, s. 24 (2, 3).

25.—(1) A claim under subsection 3, 4, 5 or 6 of section 23,

(*a*) shall be made in a form provided therefor by the marketing board; and

(*b*) shall be forwarded to the marketing board not later than the fifteenth day of the month next following the month in respect of which the claim is made. O. Reg. 70/68, s. 25 (1); O. Reg. 307/69, s. 3 (1).

(2) Where a claim under subsection 3, 4, 5 or 6 of section 23 is approved by the marketing board, the amount payable in respect thereof shall be determined at the price determined under section 16 for Class 3 milk. O. Reg. 70/68, s. 25 (2); O. Reg. 307/69, s. 3 (2); O. Reg. 144/70, s. 8.

26.—(1) A processor, for any purpose other than to establish a claim,

(*a*) may from time to time verify the weight of milk received by him by weighing any tank-truck of milk on a weighing machine inspected, verified and stamped under the *Weights and Measures Act* (Canada); and

(*b*) shall pay,

(i) any weighing charges; and

(ii) where extra mileage is required in transporting the milk for the purpose of weighing, any charges therefor in respect of each tank-truck if the extra mileage for the tank-truck exceeds twenty miles in any month, calculated in accordance with the rates contained in Schedule 2 of the order of the marketing board appointing the transporter of the milk as its agent.

(2) Where,

(*a*) on weighing under subsection 1 of two consecutive tank-trucks of milk in respect of a route of a transporter, the total weight of the milk is less than recorded on the milk collection reports; and

(*b*) the shortage exceeds .35 per cent of the weight recorded,

the processor may furnish the marketing board with particulars in writing of the shortage and the name of the transporter.

(3) On receipt of particulars under subsection 2, a fieldman of the marketing board shall,

(*a*) on two consecutive collections accompany the operator of the tank-truck on the route referred to in clause *a* of subsection 2;

(*b*) ensure that the operator records accurate readings of the volume of milk in the farm bulk tank of every producer on the route; and

(*c*) cause each tank-truck of milk to be weighed at no cost to the processor on a weighing machine inspected, verified and stamped under the *Weights and Measures Act* (Canada).

(4) Where,

(*a*) the total weight of the milk determined under clause *c* of subsection 3 is less than recorded on the milk collection reports for the tank-trucks; and

(*b*) the shortage exceeds .35 per cent of the weight recorded,

a fieldman of the marketing board shall ensure that the calibration of the farm bulk tank of every producer on the route complies with the provisions of Regulation 590 of Revised Regulations of Ontario, 1970. O. Reg. 70/68, s. 26.

GENERAL

27. Where the observance, performance or carrying out of any provision of this Regulation is prevented in whole or in part by an act of God, adverse weather, fire, strike, lock-out, invasion or order of a civil or military authority, a failure by the marketing board or a processor, as the case may be, to observe, perform or carry out the provision by reason of such prevention shall not be deemed to be a contravention of this Regulation. O. Reg. 70/68, s. 27.

28. The marketing board,

(*a*) shall cease to supply milk to a processor who is not the holder of a licence under Regulation 590 or 600 of Revised Regulations of Ontario, 1970; or

(*b*) may cease to supply milk to a processor who,

(i) fails to pay the marketing board at the times and in the manner prescribed by subsection 1 of section 21 the amounts payable for milk supplied to him,

(ii) fails to forward to the marketing board the copy of the milk collection report referred to in clause *a* of section 18 or the copy of the milk collection summary referred to in clause *b* of section 18 at the time and in the manner prescribed by section 18, or

(iii) fails to make and sign the milk utilization report referred to in clause *a* of subsection 1 of section 19 or to mail the said milk utilization report to the marketing board at the times and in the manner prescribed by clause *b* of subsection 1 of section 19. O. Reg. 70/68, s. 28; O. Reg. 384/69, s. 1; O. Reg. 482/70, s. 2.

REGULATION 592

under The Milk Act

GRADE A MILK—PRODUCERS

INTERPRETATION

1. In this Regulation,

(*a*) "marketing board" means The Ontario Milk Marketing Board;

(*b*) "pool" means a pool conducted by the marketing board in respect of the producers in the area for which the pool is conducted;

(*c*) "producer" means a producer of milk to whom a quota for the marketing of grade A milk has been fixed and allotted by the marketing board, but does not include a producer whose quota has been cancelled by the marketing board;

(*d*) "quota" means a quota in pounds fixed and allotted to a producer by the marketing board for the sale of grade A milk to the marketing board. O. Reg. 52/68, s. 1.

APPLICATION OF REGULATION

2. This Regulation provides for the control and regulation in any or all respects of the marketing within Ontario of milk, including the prohibition of such marketing in whole or in part. O. Reg. 52/68, s. 2.

PRODUCERS

3.—(1) Every producer shall offer to sell and sell the milk produced by him to the marketing board.

(2) No producer shall offer to sell or sell the milk produced by him to any person other than the marketing board.

(3) No person other than the marketing board shall buy milk from a producer. O. Reg. 52/68, s. 3.

QUOTAS

4.—(1) All grade A milk bought by the marketing board from a producer shall be sold by the producer and bought by the marketing board on a quota basis. O. Reg. 52/68, s. 4 (1); O. Reg. 131/68, s. 1.

(2) The marketing board may fix and allot to persons quotas for the marketing of milk on such basis as the marketing board deems proper.

(3) The marketing board may refuse to fix and allot to any person a quota for the marketing of milk for any reason that it considers proper.

(4) The marketing board may cancel or reduce or refuse to increase the quota fixed and allotted to any person under subsection 2 for any reason that it considers proper. O. Reg. 52/68, s. 4 (2-4).

5. The marketing board shall not buy milk from any producer,

(*a*) to whom a quota has not been fixed and allotted by the marketing board; or

(*b*) whose quota has been cancelled by the marketing board. O. Reg. 52/68, s. 5.

POOLS

6.—(1) The marketing board shall conduct the following pools for the distribution of all moneys received from the sale of the milk of the producers in a pool:

1. Muskoka-Parry Sound Pool, comprising the territorial districts of Muskoka and Parry Sound.
2. Northern Ontario Pool, comprising the territorial districts of Algoma, Cochrane, Manitoulin, Nipissing, Sudbury and Timiskaming.
3. Northwestern Ontario Pool, comprising the territorial districts of Kenora and Rainy River.
4. Southern Ontario Pool, comprising the counties of Ontario, including the Provisional County of Haliburton.
5. Thunder Bay Pool, comprising the Territorial District of Thunder Bay.

(2) The marketing board, after deducting all necessary and proper disbursements and expenses, shall distribute the remainder of the moneys received from the sale of milk in a pool in such manner that

every producer in the pool receives a share of the remainder of the moneys received from the sale in relation to the amount and grade of the milk delivered by him.

(3) A producer shall be deemed to be in the pool conducted for the area in which his place of production is located unless he is assigned by the marketing board to another pool. O. Reg. 52/68, s. 6.

TRANSPORTATION

7.—(1) The milk of producers shall be transported by persons appointed by the marketing board as its agents for that purpose.

(2) No person shall transport milk produced by a producer other than a person appointed by the marketing board as its agent for that purpose. O. Reg. 52/68, s. 7.

REGULATION 593

under The Milk Act

INDUSTRIAL MILK—MARKETING

INTERPRETATION

1. In this Regulation,

(*a*) "industrial milk plant" means a cheese factory, concentrated milk plant, creamery or milk receiving station.

(*b*) "marketing board" means The Ontario Milk Marketing Board;

(*c*) "processor" means the operator of an industrial milk plant;

(*d*) "producer" means a producer of milk. O. Reg. 146/70, s. 1; O. Reg. 282/70, s. 1.

APPLICATION OF REGULATION

2. This Regulation provides for the control and regulation in any or all respects of the marketing within Ontario of milk, including the prohibition of such marketing in whole or in part. O. Reg. 146/70, s. 2.

PURCHASE AND SALE OF MILK

3. All milk supplied to a processor shall be sold to the processor by the marketing board and bought by the processor from the marketing board on the terms and conditions prescribed in this Regulation. O. Reg. 146/70, s. 3.

4.—(1) Subject to subsection 3, no processor shall,

(*a*) buy milk from any person other than the marketing board; or

(*b*) sell the milk produced by a producer.

(2) Subject to subsection 3, no person other than the marketing board shall sell milk to a processor.

(3) With the approval in writing of the marketing board, on application therefor, a processor may sell milk to or buy milk from another processor. O. Reg. 146/70, s. 4.

5. No processor shall process, pack or package any milk that has not been sold by the marketing board. O. Reg. 146/70, s. 5.

6.—(1) Every person shall pay to the marketing board the price or prices for all milk sold to him by the marketing board.

(2) The marketing board may recover from any person by suit in a court of competent jurisdiction any price or prices for milk payable to the marketing board. O. Reg. 146/70, s. 6.

SUPPLY OF MILK

7.—(1) The marketing board shall regulate the supply of milk to a processor by,

(*a*) assigning producers to or from the processor; or

(*b*) diverting milk to or from the processor.

(2) Except as otherwise provided in this Regulation, every processor shall receive all milk supplied to him by the producers assigned to him by the marketing board. O. Reg. 146/70, s. 7.

8. A processor shall endeavour to utilize all the milk supplied by the producers assigned to him by the marketing board. O. Reg. 146/70, s. 8.

9.—(1) Where from time to time the amount of milk supplied to a processor by the producers assigned to him cannot be utilized by the processor, he shall forthwith notify the marketing board respecting the amount of milk that cannot be utilized.

(2) The marketing board shall divert the amount of milk that cannot be utilized by a processor by,

(*a*) re-directing such milk to another processor; or

(*b*) causing such milk to be removed from the processor's plant,

within thirty-six hours of receipt of a notice under subsection 1.

(3) Subject to subsection 4, where milk that cannot be utilized by a processor is removed from the plant of the processor under clause *b* of subsection 2, the processor shall compensate the marketing board for,

(*a*) the cost of removing the milk; and

(*b*) the losses incurred by the marketing board in disposing of the milk.

(4) Where the marketing board fails to remove milk that cannot be utilized by a processor within thirty-six hours of receipt of a notice under subsection 1, the processor is not liable to compensate the marmarketing board under subsection 3. O. Reg. 146/70, s. 9.

10.—(1) Notwithstanding section 9, where from time to time the amount of milk supplied to a processor by the producers assigned to him cannot be utilized by the processor, the processor may, with the approval in writing of the marketing board obtained on application therefor, divert such milk to the plant or plants designated by the marketing board in its approval upon notifying,

(*a*) the transporters transporting such milk; and

(*b*) the operator of each plant to which such milk is diverted.

(2) An approval by the marketing board under subsection 1,

(*a*) shall designate,

(i) the producers whose milk may be diverted, and

(ii) the transporters and operators of plants with whom the processor may arrange for the diversion of such milk;

(*b*) may be cancelled at any time by the marketing board by notice in writing to the processor not less than forty-eight hours before the cancellation takes effect; and

(*c*) is issued on the condition that the processor furnishes the marketing board with such information respecting the diversion of milk as the marketing board requires.

(3) Where a processor diverts milk in accordance with this section, the marketing board shall compensate him for his actual expenses in connection therewith. O. Reg. 146/70, s. 10.

DIVERSION OF MILK

11.—(1) Subject to subsection 2, the marketing board may divert milk produced by producers assigned to a processor where the milk is required by the marketing board.

(2) Where milk is to be diverted under subsection 1 for a period in excess of twenty-four hours, the marketing board shall give notice to the processor not less than twenty-four hours before the diversion takes effect. O. Reg. 146/70, s. 11.

ASSIGNMENT OF PRODUCERS

12. The marketing board may assign producers to or from a processor by notice in writing to the processor not less than fifteen days before the assignment takes effect. O. Reg. 146/70, s. 12.

PRICES

13.—(1) All Class 3 milk supplied to a processor shall be sold by the marketing board and bought by the processor for not less than a minimum price of $3.85 per 100 pounds for milk testing 3.5 per cent milk-fat where the milk is delivered to the processor by tank truck. O. Reg. 146/70, s. 13 (1).

(2) All Class 4 milk supplied to a processor shall be sold by the marketing board and bought by the processor for not less than a minimum price of $3.85 per 100 pounds for milk testing 3.5 per cent milk-fat where the milk is delivered to the processor by tank truck. O. Reg. 146/70, s. 13 (2).

(3) All Class 4*a* milk supplied to a processor shall be sold by the marketing board and bought by the processor for not less than a minimum price of $4.10 per 100 pounds for milk testing 3.5 per cent milk-fat where the milk is delivered to the processor by tank truck. O. Reg. 553/70, s. 1 (1).

(4) All Class 5 milk supplied to a processor shall be sold by the marketing board and bought by the processor for not less than a minimum price of $3.70 per 100 pounds for milk testing 3.5 per cent milk-fat where the milk is delivered to the processor by tank truck.

(5) All Class 6 milk supplied to a processor shall be sold by the marketing board and bought by the processor for not less than a minimum price of $3.70 per 100 pounds for milk testing 3.5 per cent milk-fat where the milk is delivered to the processor by tank truck. O. Reg. 146/70, s. 13 (4).

(6) Where milk is delivered to a processor other than by tank truck, the minimum price that applies shall be 10 cents per 100 pounds less than the minimum price determined under subsection 1, 2, 3, 4 or 5 as the case may be. O. Reg. 146/70, s. 13 (5); O. Reg. 553/70, s. 1 (2).

(7) The minimum prices that apply under subsections 1, 2, 3, 4, 5 and 6 shall be increased or decreased at the rate of 7½ cents for each one-tenth of 1 per cent above or below the test of 3.5 per cent milk-fat in each 100 pounds of milk. O. Reg. 146/70, s. 13 (6); O. Reg. 553/70, s. 1 (3);

(8) Where,

(*a*) milk delivered by tank truck fails to meet the requirements of at least grade 2 on a plate loop test; or

(*b*) milk delivered other than by tank truck fails to meet the requirements of at least grade 2 on a Resazurin reduction test,

the minimum price that applies shall be 10 cents per 100 pounds less than the minimum price for such milk

determined under this section. O. Reg. 146/70, s. 13 (7).

REJECTED MILK

14. Where a tank truck of milk supplied to a processor is rejected by a milk grader at an industrial milk plant under Regulation 600 of Revised Regulations of Ontario, 1970,

(*a*) the processor shall notify the marketing board forthwith;

(*b*) the marketing board and the processor may agree that the processor shall salvage the milk-fat in the load and, failing such agreement, the marketing board shall cause the rejected milk to be removed from the premises of the processor at no cost to him;

(*c*) where an agreement is made under clause *b*, the processor shall pay the marketing board for the rejected milk at the price determined under section 13 for Class 5 milk;

(*d*) the processor shall notify the marketing board of the salvage value, if any, of the milk-fat in the load; and

(*e*) the marketing board shall credit the processor with the difference between the price paid by the processor to the marketing board under clause *c* and the salvage value of the milk-fat referred to in clause *d*. O. Reg. 146/70, s. 14.

DELIVERY OF MILK

15.—(1) Milk shall be delivered to a processor on the days and at the times agreed upon by the marketing board and the processor.

(2) Every processor shall,

(*a*) provide space and facilities for the unloading of milk;

(*b*) unload the milk,

(i) within two hours of the time of arrival at the plant where the arrival is at a time agreed upon under subsection 1, or

(ii) within such additional time as may be required where an emergency exists at the plant by reasons of a processing breakdown;

(*c*) in the case of milk delivered by tank truck,

(i) receive from the operator of the tank truck the original and first copy of the milk collection report made and signed by the operator, and

(ii) acknowledge receipt of the milk by signing the original and the second copy of such milk collection report;

(*d*) in the case of milk delivered other than by tank truck,

(i) make and sign in triplicate a milk collection report in the form provided by the marketing board,

(ii) make available one copy of the milk collection report to the person who delivered the milk, and

(iii) on the request of a transporter, furnish him forthwith with a statement in writing showing the weight and date of delivery of the milk of any producer who requested such statement; and

(*e*) make and sign a milk collection summary in the form provided by the marketing board. O. Reg. 146/70, s. 15.

REPORTS

16. Where a processor receives milk on any day, he shall, on the next following day that is not a Saturday or a holiday, forward to the marketing board by prepaid first class mail,

(*a*) the original of the milk collection report referred to in clause *c*;

(*b*) the original of the milk collection report referred to in clause *d*; and

(*c*) one copy of the milk collection summary referred to in clause *e*,

of subsection 2 of section 15. O. Reg. 146/70, s. 16.

17.—(1) Every processor shall, in respect of each month,

(*a*) make and sign a milk utilization report in the form provided by the marketing board; and

(*b*) mail such milk utilization report to the marketing board by prepaid first class mail before the sixth day of the next following month or, where a holiday falls within that six-day period, before the seventh day of that month.

(2) Subject to subsection 3, where a processor fails to comply with subsection 1 in respect of any month,

(*a*) all milk supplied to the processor in the month shall be deemed to have been utilized by the processor as Class 3 milk; and

(*b*) the processor shall pay the marketing board for the milk at the price determined under section 13 for Class 3 milk.

(3) Upon receipt of the milk utilization report mentioned in subsection 1, the marketing board shall adjust the amount determined under clause *b* of subsection 2 in accordance with the utilization of the milk as shown on such report. O. Reg. 146/70, s. 17.

PERSONNEL

18. For the purposes of sections 9, 10 and 14, the marketing board shall have personnel available on every day except Sunday as follows:

1. Monday to Friday, both inclusive, from 9 a.m. until 5 p.m.

2. Saturday and a statutory holiday, from 9 a.m. until 4 p.m. O. Reg. 146/70, s. 18.

PAYMENT FOR MILK

19.—(1) The marketing board shall, in respect of each month,

(*a*) prepare a statement of the milk supplied to the processor in the month that determines the amount that the processor shall pay to the marketing board for milk supplied to him in the month; and

(*b*) mail such statement to the processor by prepaid first class mail not later than the fifteenth day of the next following month.

(2) The statement mentioned in subsection 1 shall be accompanied by a further statement containing,

(*a*) a list of all truck loads of milk received by the processor in the month;

(*b*) the weight of milk in each truck load; and

(*c*) the milk-fat content of the milk in each truck load. O. Reg. 146/70, s. 19.

20.—(1) Every processor shall pay to the marketing board the amount payable for milk supplied to the processor in any month as follows:

1. A payment on account, at the rate of $2.40 per 100 pounds, not later than the fourteenth day of the next following month or, where a holiday falls within the first twelve days of that month, not later than the fifteenth day of that month.

2. The balance of the amount payable not later than the twenty-first day of the next following month.

(2) Every payment made to the marketing board under subsection 1 shall be identified with the plant of the processor in respect of which it is made. O. Reg. 146/70, s. 20.

21.—(1) For the purposes of this Regulation, milk shall be tested for milk-fat content by,

(*a*) an Infra Red Milk Analyzer at a laboratory approved by The Milk Commission of Ontario; or

(*b*) the Babcock test by a milk-tester at the plant of the processor,

in accordance with Regulation 600 of Revised Regulations of Ontario, 1970.

(2) Where milk is tested for milk-fat content by the Babcock test, the processor,

(*a*) shall make in the form provided by the marketing board a statement of the milk-fat content of the milk of each producer assigned to the processor; and

(*b*) shall forward the statement to the marketing board by prepaid first class mail not later than the sixth day of the month next following the month in which the milk was tested.

(3) Where a load of milk is received by a processor,

(*a*) from producers assigned to him; or

(*b*) from producers whose milk was diverted to him,

the weighted average of the milk-fat content of the milk of the producers thereof for the test period established for such producers under Regulation 600 of Revised Regulations of Ontario, 1970 in which the load was received shall be the milk-fat content of the milk in the load.

(4) Where a processor receives milk that is diverted by another processor who cannot identify the producers of such milk, the milk-fat content of the milk shall be agreed upon by such processors and shall be recorded on the milk collection report that accompanies the tank truck of diverted milk and, failing such agreement, the weighted average of the milk-fat content of the milk of the producers assigned to the diverting processor as determined by the marketing board shall be the milk-fat content of the diverted milk. O. Reg. 146/70, s. 21.

VERIFICATION OF MILK WEIGHTS

22.—(1) For the purposes of determining the amount payable by a processor for milk supplied to him in any month, the processor shall accept as the weight of each tank truck of milk received by him the weight recorded in the milk collection report of the operator of the tank truck.

(2) Notwithstanding subsection 1, a processor may verify the weight of milk received by him,

(*a*) during any month by weighing every tank truck of milk received by him in that month in respect of a transport route of a transporter in accordance with clause *a* or *b* of subsection 1 of section 23;

(*b*) by weighing from time to time any tank truck of milk received by him in accordance with clause *a* or *b* of section 1 of section 23;

(*c*) during any month by measuring the volume in gallons of the milk in every tank truck of milk received by him in that month in respect of a transport route of a transporter in accordance with clause *c* of subsection 1 of section 23; or

(*d*) by measuring from time to time the volume in gallons of milk in any tank truck in accordance with clause *c* of subsection 1 of section 23.

(3) Where,

(*a*) a processor verifies the weight of milk in accordance with clause *a* of subsection 2;

(*b*) the total weight for the month is less than recorded on the milk collection reports therefor; and

(*c*) the shortage exceeds .35 per cent of the weight recorded,

the processor may submit a claim for payment to the marketing board for that portion of the shortage that exceeds .35 per cent of the weight recorded.

(4) Where,

(*a*) a processor verifies the weight of a tank truck of milk in accordance with clause *b* of subsection 2;

(*b*) the weight is less than recorded on the milk collection report therefor; and

(*c*) the shortage exceeds .70 per cent of the weight recorded,

the processor may submit a claim for payment to the marketing board for that portion of the shortage that exceeds .70 per cent of the weight recorded.

(5) Where,

(*a*) a processor verifies the weight of milk in accordance with clause *c* of subsection 2;

(*b*) the total weight for the month is less than recorded on the milk collection reports therefor; and

(*c*) the shortage exceeds .25 per cent of the weight recorded,

the processor may submit a claim for payment to the marketing board for that portion of the shortage that exceeds .25 per cent of the weight recorded.

(6) Where,

(*a*) a processor verifies the weight of a tank truck of milk in accordance with clause *d* of subsection 2;

(*b*) the weight is less than recorded on the milk collection report therefor; and

(*c*) the shortage exceeds .50 per cent of the weight recorded,

the processor may submit a claim for payment to the marketing board for that portion of the shortage that exceeds .50 per cent of the weight recorded.

(7) Where,

(*a*) a processor is informed by a transporter that milk has been spilled by the transporter; and

(*b*) the processor is furnished by the transporter with particulars in writing of the milk made available or delivered by the producers to the transporter,

the processor shall ensure that the amount of milk made available or delivered by the producers to the transporter is entered on the milk collection report and may submit a claim for payment to the marketing board for the amount of milk that was spilled by the transporter.

(8) No claim shall be made,

(*a*) under subsection 4 in respect of a tank truck of milk included in a claim under subsection 3;

(*b*) under subsection 6 in respect of a tank truck of milk included in a claim under subsection 5;

(*c*) under subsection 3, 4, 5, or 6 where the total weight of all tank trucks of milk received by a processor in any month exceeds the weight

recorded on the milk collection reports therefor; or

(*d*) under subsection 3, 4, 5 or 6, in respect of milk for which a claim was made under subsection 7.

(9) Where,

(*a*) a processor verifies the weight of milk in accordance with clause *c* of subsection 2;

(*b*) the total weight for the month is less than recorded on the milk collection reports therefor; and

(*c*) the shortage exceeds .25 per cent of the weight recorded,

the processor shall furnish the marketing board with particulars in writing of the shortage and the name of the transporter. O. Reg. 146/70, s. 22.

23.—(1) For the purposes of a claim under subsection 3, 4, 5 or 6 of section 22, the weight of milk received by a processor shall be verified,

(*a*) by weighing the tank truck of milk on a platform-type weighing machine,

(i) inspected, verified and stamped under the *Weights and Measures Act* (Canada),

(ii) capable of weighting the gross weight, including all axles of the tank truck, and

(iii) so located that the tare weight may be measured without moving the tank truck;

(*b*) by weighing the tank truck of milk by means of a weighing machine,

(i) inspected, verified and stamped under the *Weights and Measures Act* (Canada), and

(ii) equipped with a tank having a capacity of not less than one-third of the capacity of the tank truck; or

(*c*) by measuring the volume in gallons of the milk in the tank truck by means of a measuring machine, equipped with a meter and meter installation and inspected, verified and stamped under the *Weights and Measures Act* (Canada), and converting the gallons to pounds on the basis that one gallon weighs 10.32 pounds.

(2) Where the weight of milk is verified under subsection 1 at a place other than at the plant of the processor, the processor shall pay,

(*a*) any weighing or measuring charges; and

(*b*) where extra mileage is required in transporting the milk for that purpose, any charges therefor in respect of each tank truck if the extra mileage for the tank truck exceeds twenty miles in any month, calculated in accordance with the rates contained in Schedule 2 of the order of the marketing board appointing the transporter of the milk as its agent.

(3) Where the weight of a tank truck of milk is being verified under subsection 1, the operator of the tank truck,

(*a*) shall be present during the verification; and

(*b*) shall sign the weigh-slip or meter-slip, as the case may be. O. Reg. 146/70, s. 23.

24.—(1) A claim under subsection 3, 4, 5, 6 or 7 of section 22,

(*a*) shall be made in writing to the marketing board; and

(*b*) shall be forwarded to the marketing board not later than the 15th day of the month next following the month in respect of which the claim is made.

(2) Where a claim under subsection 3, 4, 5, 6 or 7 of section 22 is approved by the marketing board, the amount payable in respect thereof shall be determined at the price determined for the class of milk to which the lowest price applies under section 13. O. Reg. 146/70, s. 24.

25.—(1) A processor, for any purpose other than to establish a claim,

(*a*) may from time to time verify the weight of milk received by him by weighing any tank truck of milk on a weighing machine inspected, verified and stamped under the *Weights and Measures Act* (Canada); and

(*b*) shall pay,

(i) any weighing charges, and

(ii) where extra mileage is required in transporting the milk for the purpose of weighing, any charges therefor in respect of each tank truck if the extra mileage for the tank truck exceeds twenty miles in any month, calculated in accordance with the rates contained in Schedule 2 of the order of the marketing board appointing the transporter of the milk as its agent.

(2) Where,

(*a*) on weighing under subsection 1 of two consecutive tank trucks of milk in respect of a route of a transporter, the total weight of the milk is less than recorded on the milk collection reports; and

(*b*) the shortage exceeds .35 per cent of the weight recorded,

the processor may furnish the marketing board with particulars in writing of the shortage and the name of the transporter.

(3) On receipt of particulars under subsection 2, a fieldman of the marketing board shall,

(*a*) on two consecutive collections accompany the operator of the tank truck on the route referred to in clause *a* of subsection 2;

(*b*) ensure that the operator records accurate readings of the volume of milk in the farm bulk tank of every producer on the route; and

(*c*) cause each tank truck of milk to be weighed at no cost to the processor on a weighing machine inspected, verified and stamped under the *Weights and Measures Act* (Canada).

(4) Where,

(*a*) the total weight of the milk determined under clause *c* of subsection 3 is less than recorded on the milk collection reports for the tank trucks; and

(*b*) the shortage exceeds .35 per cent of the weight recorded,

a fieldman of the marketing board shall ensure that the calibration of the farm bulk tank of every producer on the route complies with the provisions of Regulation 590 of Revised Regulations of Ontario, 1970. O. Reg. 146/70, s. 25.

GENERAL

26. Where the observance, performance or carrying out of any provision of this Regulation is prevented in whole or in part by an act of God, adverse weather, fire, strike, lock-out, invasion or order of a civil or military authority, a failure by the marketing board or a processor, as the case may be, to observe, perform or carry out the provision by reason of such prevention shall not be deemed to be a contravention of this Regulation. O. Reg. 146/70, s. 26.

27. The marketing board,

(*a*) shall cease to supply milk to a processor who is not the holder of a licence under Regulation 600 of Revised Regulations of Ontario, 1970; or

(*b*) may cease to supply milk to a processor who,

(i) fails to pay the marketing board at the times and in the manner prescribed by subsection 1 of section 20 the amounts payable for milk supplied to him,

(ii) fails to forward to the marketing board the copy of the milk collection report referred to in clauses *a* and *b* of section 16 or the copy of the milk collection summary referred to in clause *c* of section 16 at the time and in the manner prescribed by section 16, or

(iii) fails to make and sign the milk utilization report referred to in clause *a* of subsection 1 of section 17 or to mail the said milk utilization report to the marketing board at the times and in the manner prescribed by clause *b* of subsection 1 of section 17. O. Reg. 146/70, s. 27.

REGULATION 594

under The Milk Act

MARKETING BOARDS

1. Where a marketing board fixes a date other than the 31st day of March as the end of its fiscal year, the marketing board is directed to file with the Commission the date so fixed. R.R.O. 1960, Reg. 433, s. 1; O. Reg. 290/65, s. 3.

2. Within twenty days after the date of the election of members to a marketing board, it is directed to file with the Commission,

(*a*) the names and addresses of the members elected to the marketing board and the district from which each member was elected;

(*b*) the names of the chairman and the vice-chairman;

(*c*) the location and postal address of the head office of the marketing board; and

(*d*) the names and addresses of the secretary and treasurer. R.R.O. 1960, Reg. 433, s. 1; O. Reg. 290/65, s. 3.

3. Where a vacancy occurs on a marketing board by reason of resignation or death of a member, the marketing board is directed to report to the Commission the vacancy within ten days of the occurrence of the vacancy. R.R.O. 1960, Reg. 433, s. 3; O. Reg. 290/65, s. 3.

4. Each marketing board is directed to file with the Commission within seven days after the holding of a meeting of the marketing board a true copy of the minutes of the meeting. R.R.O. 1960, Reg. 433, s. 4; O. Reg. 290/65, s. 4.

5. Where a marketing board receives a copy of any agreement or award filed with the Commission under subsection 2 of section 8 of the Act, the marketing board is directed to file with its secretary the copy of the agreement or award. R.R.O. 1960, Reg. 433, s. 5; O. Reg. 290/65, s. 5.

6. Each marketing board shall file with the Commission true copies of all by-laws and regulations of the marketing board within seven days after the making of each by-law or regulation. O. Reg. 290/65, s. 1.

7. Within seven days after the issuance of an order, direction or determination by a marketing board, the marketing board is directed to forward a copy of the order, direction or determination to the Commission. R.R.O. 1960, Reg. 433, s. 6; O. Reg. 290/65, s. 6.

8. Each marketing board is directed to forward to the Commission a certified copy of its annual financial statement together with the report of the auditor or auditors within seven days after the statement and report are filed with the marketing board. R.R.O. 1960, Reg. 433, s. 7; O. Reg. 290/65, s. 7.

9. The annual financial statement of a marketing board shall include the amount of each grant or other like payment of money made by the marketing board to any person or association or body of persons during the fiscal year and the name of the person or association or body of persons to whom the grant or other like payment of money was made. O. Reg. 215/68, s. 1.

10. Where the marketing board makes a general report of its operations for a fiscal year, the marketing board is directed to forward a copy of the report to the Commission within thirty days from the date of the report. R.R.O. 1960, Reg. 433, s. 8; O. Reg. 290/65, s. 8.

REGULATION 595

under The Milk Act

MILK—MARKETING

INTERPRETATION

1. In this Regulation,

(*a*) "marketing board" means The Ontario Milk Marketing Board;

(*b*) "plan" means The Ontario Milk Marketing Plan;

(*c*) "producer" means a producer of milk. O. Reg. 294/65, s. 1.

APPLICATION OF REGULATION

2. This Regulation provides for the control and regulation in any or all respects of the marketing within Ontario of milk, including the prohibition of such marketing in whole or in part. O. Reg. 294/65, s. 2.

EXEMPTIONS

3. The Commission exempts from this Regulation,

(*a*) milk consumed on the farm on which the milk is produced and not sold; and

(*b*) cream separated from milk on the farm on which the milk is produced and the cream is sold for manufacture into butter. O. Reg. 294/65, s. 3.

DELEGATION OF POWERS TO MARKETING BOARD

4. The Commission delegates to the marketing board the power,

(*a*) to require persons engaged in producing or marketing milk to register their names, addresses and occupations with the marketing board;

(*b*) to require persons engaged in producing or marketing milk to furnish such information relating to the production or marketing of milk as the marketing board determines;

(*c*) to stimulate, increase and improve the marketing of milk by such means as the marketing board considers proper; and

(*d*) to co-operate with a marketing board or a marketing agency of Canada or of any province of Canada for the purpose of marketing milk. O. Reg. 294/65, s. 5.

5. The Commission delegates to the marketing board its powers to make regulations with respect to milk,

(*a*) providing for the licensing of any or all persons before commencing or continuing to engage in the producing of milk;

(*b*) prohibiting persons from engaging in the producing of milk except under the authority of a licence;

(*c*) providing for the refusal to issue a licence to commence to engage in the producing of milk where the applicant is not qualified by experience, financial responsibility or equipment to property engage in the business for which the application was made, or for any other reason that the marketing board considers proper;

(*d*) providing for the suspension or revocation of, or the refusal to issue or renew, a licence to continue to engage in the producing of milk for failure to observe, perform or carry out the provisions of the Act, the regulations, the plan or any order or direction of the marketing board;

(*e*) providing for the fixing of licence fees payable yearly, half-yearly, quarterly or monthly at different amounts or in instalments from any or all persons producing milk, and the collecting of the licence fees and the recovering of such licence fees by suit in any court of competent jurisdiction;

(*f*) requiring any person who receives milk from a producer to deduct from the moneys payable to the producer any licence fees payable by the producer to the marketing board and to pay such licence fees to the marketing board;

(*g*) requiring any person who produces and processes milk to furnish to the marketing board statements of the amounts of milk that he produced in any year and used for processing;

(*h*) prescribing the form of licences;

(*i*) providing for,

(i) the marketing of milk on a quota basis,

(ii) the fixing and allotting to persons of quotas for the marketing of milk on such basis as the marketing board considers proper,

(iii) the refusing to fix and allot to any person a quota for the marketing of milk for any reason that the marketing board considers proper,

(iv) the cancelling or reducing of, or the refusing to increase, a quota fixed and allotted to any person for the marketing of milk for any reason that the marketing board considers proper, and

(v) the terms and conditions upon which a person may market milk in excess of the quota fixed and allotted to him;

(*j*) prohibiting,

(i) any person to whom a quota has not been fixed and allotted for the marketing of milk or whose quota has been cancelled from marketing any milk, and

(ii) any person to whom a quota has been fixed and allotted for the marketing of milk from marketing any milk in excess of such quota;

(*k*) providing for the control and regulation of the marketing of milk, including the times and places at which milk may be marketed;

(*l*) determining the quantity of each class or grade of milk that shall be marketed by each producer;

(*m*) providing for the control and regulation of agreements entered into by producers of milk with persons engaged in marketing or processing milk, and the prohibition of any provision or clause in such agreements;

(*n*) providing for the fixing, imposing and collecting of service charges from time to time for the marketing of milk;

(*o*) requiring any person who produces milk to offer to sell and to sell the milk to or through the marketing board;

(*p*) prohibiting any person from processing, packing or packaging any milk that has not been sold to, by or through the marketing board;

(*q*) providing for the making of agreements relating to the marketing of milk by or through the marketing board and prescribing the forms and the terms and conditions of such agreements;

(*r*) providing for the making of such orders and the issuing of such directions as are necessary to enforce the due observance and carrying out of the provisions of the Act, the regulations, the plan or any order or direction of the marketing board; and

(*s*) providing that milk shall be marketed by, from or through the marketing board, and prohibiting any person from marketing any milk except by, from or through the marketing board. O. Reg. 294/65, s. 6; O. Reg. 58/68, s. 2.

AUTHORITY OF MARKETING BOARD

6. The Commission authorizes the marketing board,

(*a*) to determine from time to time the price or prices that shall be paid to producers or the marketing board for milk or any class or grade of milk, and to determine different prices for different parts of Ontario;

(*b*) to pay from service charges imposed under clause *n* of section 5 its expenses in carrying out the purposes of the plan;

(*c*) to use any class of licence fees and other moneys payable to it for the purposes of paying the expenses of the marketing board, carrying out and enforcing the Act and the regulations and carrying out the purposes of the plan;

(*d*) to establish a fund in connection with the plan for the payment of any moneys that may be required for the purposes mentioned in clause *c*;

(*e*) to prohibit the marketing of any class or grade of milk;

(*f*) to require the price or prices of milk to be paid to or through the marketing board, and to recover such price or prices by suit in a court of competent jurisdiction;

(*g*) to purchase or otherwise acquire such quantity or quantities of milk as the marketing board deems advisable and to sell or otherwise dispose of such quantity or quantities of the milk so purchased or otherwise acquired;

(*h*) to conduct a pool or pools for the distribution of all moneys received from the sale of milk, and requires the marketing board, after deducting all necessary and proper

disbursements and expenses, to distribute the remainder of the moneys received from the sale in such manner that every producer receives a share of the remainder of the moneys received from the sale in relation to the amount and grade of the milk delivered by him, and authorizes the marketing board to make an initial payment on delivery of the milk and subsequent payments until all the remainder of the moneys received from the sale is distributed to the producers. O. Reg. 294/65, s. 7; O. Reg. 58/68, s. 3.

ADVISORY COMMITTEE

7.—(1) There shall be an advisory committee to be known as the "Advisory Committee for Milk" that shall be appointed annually by the Commission in the month of December. O. Reg. 294/65, s. 8 (1); O. Reg. 390/66, s. 1 (1).

(2) The Advisory Committee for Milk shall be composed of,

(*a*) a chairman; and

(*b*) sixteen members, of whom eight members shall be appointed from persons nominated by the marketing board, and eight members shall be appointed from persons nominated by processors and distributors. O. Reg. 294/65, s. 8 (2); O. Reg. 201/66, s. 2 (1).

(3) Where the marketing board, or the processors and distributors, as the case may be, fail to nominate a sufficient number of persons in accordance with subsection 2 prior to the 10th day of December in any year, the Commission may appoint such persons as are necessary to complete the Advisory Committee for Milk. O. Reg. 294/65, s. 8 (3); O. Reg. 201/66, s. 2 (2); O. Reg. 390/66, s. 1 (2).

(4) Subject to subsection 5, the members of the Advisory Committee for Milk shall hold office from the 1st day of January to the 31st day of December of the year next following the year in which they are appointed. O. Reg. 390/66, s. 1 (3).

(5) Where a member of the Advisory Committee for Milk dies or resigns or is unavailable to act before the expiration of his term of membership, the Commission shall nominate a person for the unexpired term of such member. O. Reg. 294/65, s. 8 (5); O. Reg. 201/66, s. 2 (4).

(6) The secretary of the Commission shall be the secretary of the Advisory Committee for Milk. O. Reg. 294/65, s. 8 (6); O. Reg. 201/66, s. 2 (5).

8. The Advisory Committee for Milk is empowered to advise and make recommendations to the marketing board or to any person or organization represented on the committee in respect of,

(*a*) the promotion of harmonious relationships between persons engaged in the producing and marketing of milk;

(*b*) the promotion of greater efficiency in the producing and marketing of milk;

(*c*) the prevention and correction of irregularities and inequities in the marketing of milk;

(*d*) the improvement of the quality of milk;

(*e*) the improvement of the circulation of market information respecting milk; and

(*f*) without limiting the generality of any of the foregoing, any matter with respect to which the marketing board may be empowered to make regulations under the Act. O. Reg. 294/65, s. 9; O. Reg. 201/66, s. 3.

9.—(1) There shall be an advisory committee to be known as the "Advisory Committee on Transportation of Milk" that shall be appointed annually by the Commission in the month of June.

(2) The Advisory Committee on Transportation of Milk shall be composed of,

(*a*) a chairman;

(*b*) eight members appointed from persons nominated by the marketing board; and

(*c*) eight members appointed from persons nominated by transporters, of whom at least one shall be a distributor-transporter, one a processor-transporter, one an officer of a co-operative corporation engaged in the transportation of milk, and one a transporter engaged in the transportation of milk in that part of Ontario comprising the territorial districts other than the districts of Muskoka and Parry Sound.

(3) Where the marketing board or the transporters, as the case may be, fail to nominate a sufficient number of persons in accordance with subsection 2 prior to the 15th day of May in any year, the Commission may appoint such persons as are necessary to complete the Advisory Committee on Transportation of Milk.

(4) Subject to subsection 5, the members of the Advisory Committee on Transportation of Milk shall hold office until the 31st day of May of the year next following the year in which they are appointed.

(5) Where a member of the Advisory Committee on Transportation of Milk dies or resigns or is unavailable to act before the expiration of his term of membership, the Commission shall nominate a person for the unexpired term of such member.

(6) The secretary of the Advisory Committee on Transportation of Milk shall be appointed by the Commission. O. Reg. 201/66, s. 4.

10. The Advisory Committee on Transportation of Milk is empowered to advise and make recommendations to the marketing board or to any person or organization represented on the Committee in respect of,

(*a*) the promotion of harmonious relationships between persons engaged in the producing and transporting of milk;

(*b*) the promotion of greater efficiency in the producing and transporting of milk;

(*c*) the prevention and correction of irregularities and inequities in the transporting of milk;

(*d*) the improvement of the quality of milk;

(*e*) the improvement of the circulation of market information respecting milk; and

(*f*) without limiting the generality of any of the foregoing, any matter with respect to which the marketing board may be empowered to make regulations under the Act. O. Reg. 201/66, s. 4.

11. A meeting of the Advisory Committee for Milk or of the Advisory Committee on Transportation of Milk may be convened at any time by notice in writing given by the chairman or secretary of the committee at least ten days before the date of the meeting, stating the time and place of the meeting, and a meeting of a committee shall be convened by its secretary upon the request in writing of any three members thereof. O. Reg. 201/66, s. 4.

12.—(1) A negotiating agency to be known as a "Negotiating Committee for Transportation of Milk to a Plant" may be established in respect of any plant other than a dairy in respect of,

(*a*) all producers supplying milk to the plant for processing into milk products; or

(*b*) any number of such producers.

(2) A Negotiating Committee for Transportation of Milk to a Plant is empowered to adopt or settle by agreement charges for the transportation of milk to the plant for the producers in respect of whom it is established. O. Reg. 194/67, s. 1.

13.—(1) A negotiating agency mentioned in section 12 shall,

(*a*) be composed of,

(i) three persons appointed by the marketing board, of whom at least two shall be producers in respect of whom it is established, and

(ii) not more than three persons appointed by the transporters transporting or bargaining to transport milk to the plant; and

(*b*) be established by notice in writing,

(i) in the case of producers, by the marketing board requiring the transporters referred to in subclause ii of clause *a*, or

(ii) in the case of transporters transporting milk to the plant, requiring the marketing board. O. Reg. 160/66, s. 1; O. Reg. 194/67, s. 2 (1, 2).

(2) Within ten days after notice is given under clause *b* of subsection 1, the marketing board and the transporters shall appoint their respective members to the negotiating agency and shall notify the Commission in writing of the names and addresses of such members. O. Reg. 160/66, s. 1.

(3) Where a member of a negotiating agency appointed under subsection 2 dies or resigns or is unavailable to act, the marketing board or the transporters, as the case may be, shall appoint a person to act in his place. O. Reg. 160/66, s. 1.

(4) Where the marketing board or the transporters, as the case may be, fail,

(*a*) to appoint members to a negotiating agency in accordance with subsection 2; or

(*b*) to make an appointment under subsection 3 within seven days after a vacancy occurs,

the Commission may appoint such persons as are necessary to complete the negotiating agency. O. Reg. 160/66, s. 1; O. Reg. 194/67, s. 2 (4).

14.—(1) A meeting of a negotiating agency may be convened by a notice in writing, stating the time and place of the meeting, given at least three days but not more than seven days before the date of the meeting.

(2) A notice under subsection 1 shall be given by the members of the negotiating agency appointed by the marketing board or by the transporters, as the case may be, to the other members of the negotiating agency, and a copy of the notice shall be forwarded to the Commission. O. Reg. 160/66, s. 1.

15.—(1) Where,

(*a*) a meeting of a negotiating agency is not held in accordance with the notice given under section 14;

(*b*) a meeting is held and the negotiating agency does not reach an agreement respecting charges for the transportation of milk within ten days after the date of the meeting; or

(*c*) the negotiating agency decides at its meeting on the date stated in the notice given under section 14 that an agreement respecting charges for the transportation of milk cannot be reached,

the Commission shall be notified forthwith in writing. O. Reg. 160/66, s. 1.

(2) Where the Commission receives notice under subsection 1, the Commission shall refer to the Board of Arbitration established under section 16 all matters respecting charges for the transportation of milk. O. Reg. 261/66, s. 1.

16.—(1) There shall be a Board of Arbitration appointed by the Commission and composed of,

(*a*) one member appointed from persons nominated by the Marketing Board;

(*b*) one member appointed from persons nominated by the transporters; and

(*c*) one member appointed from persons nominated by the two members appointed under clauses *a* and *b*.

(2) Where,

(*a*) the Marketing Board or the transporters, as the case may be, fail to nominate persons under clauses *a* or *b* of subsection 1; or

(*b*) the two members appointed under clauses *a* and *b* of subsection 1 fail to nominate persons under clause *c* of subsection 1,

the Commission shall appoint such persons as are necessary to complete the Board of Arbitration.

(3) Where a member of the Board of Arbitration dies or resigns or is not available to act, the Commission shall appoint a person to act in his stead.

(4) The Board of Arbitration shall arbitrate and make an award in respect of all matters referred to it. O. Reg. 261/66, s. 2.

17. No charges, costs or expenses relating to the transportation of milk shall be made other than such charges, costs or expenses as are provided for in the agreement or award or re-negotiated agreement or award in force for the transportation of milk to any plant. O. Reg. 160/66, s. 1; O. Reg. 58/68, s. 6.

REGULATION 596

under The Milk Act

MILK MARKETING—CLASSES 3, 4, 5 AND 6

1. In this Regulation,

(*a*) "marketing board" means The Ontario Milk Marketing Board;

(*b*) "producer" means a producer of milk;

(*c*) "quota" means a quota in pounds of milk fixed and allotted to a producer by the marketing board in relation to the volume of sales by the marketing board of classes 3, 4, 5 and 6 milk. O. Reg. 483/70, s. 1.

APPLICATION OF REGULATION

2. This Regulation provides for the control and regulation in any or all respects of the marketing within Ontario of milk, including the prohibition of such marketing in whole or in part. O. Reg. 483/70, s. 1.

PRODUCERS

3.—(1) Every producer shall offer to sell and sell the milk produced by him to the marketing board.

(2) No producer shall offer to sell or sell the milk produced by him to any person other than the marketing board.

(3) No person other than the marketing board shall buy milk from a producer. O. Reg. 483/70, s. 1.

QUOTAS

4.—(1) The marketing board may fix and allot to persons quotas for the marketing of milk on such basis as the marketing board considers proper.

(2) The marketing board may refuse to fix and allot to any person a quota for the marketing of milk for any reason that it considers proper.

(3) The marketing board may cancel or reduce or refuse to increase the quota fixed and allotted to any person under subsection 1 for any reason that it considers proper. O. Reg. 483/70, s. 1.

REGULATION 597

under The Milk Act

MILK AND CHEESE—PLAN

1. The plan in the Schedule is established for the control and regulation of the marketing within Ontario of milk and cheese. O. Reg. 202/65, s. 1; O. Reg. 43/66, s. 1.

2. The marketing board named in the Schedule is given all of the powers that are vested in a co-operative corporation incorporated under Part V of *The Corporations Act*. O. Reg. 202/65, s. 2.

3. The members of the marketing board shall be deemed to be the shareholders and directors thereof in the exercise of any of the powers mentioned in section 2. O. Reg. 202/65, s. 3.

Schedule

PLAN

1. This plan may be cited as "The Ontario Milk Marketing Plan".

2. This plan applies to the control and regulation of the marketing within Ontario of milk and cheese.

3. In this plan,

(*a*) "cheese" means cheese of every variety produced in Ontario;

(*b*) "milk" means milk from cows;

(*c*) "producer" means a producer engaged in the production of milk.

4. There shall be a marketing board to be known as "The Ontario Milk Marketing Board".

5. Subject to section 22, the marketing board shall be composed of not more than twelve members.

6. The Lieutenant Governor in Council shall appoint to the marketing board every person elected in accordance with the provisions of this plan.

7. Producers are divided into twelve regions as follows:

1. Region 1, comprising the counties of Glengarry, Prescott, Russell and Stormont.

2. Region 2, comprising the counties of Dundas, Frontenac, Grenville and Leeds.

3. Region 3, comprising the counties of Lanark, Renfrew and The Regional Municipality of Ottawa-Carleton.

4. Region 4, comprising the counties of Hastings, Lennox and Addington and Prince Edward.

5. Region 5, comprising the counties of Durham, Northumberland, Ontario, Peterborough and Victoria, the Provisional County of Haliburton and the District of Muskoka.

6. Region 6, comprising the counties of Dufferin, Halton, Peel, Simcoe and York, as it existed on the 31st day of December, 1970.

7. Region 7, comprising the counties of Brant, Haldimand, Wentworth and The Regional Municipality of Niagara.

8. Region 8, comprising the counties of Elgin, Norfolk and Oxford.

9. Region 9, comprising the counties of Essex, Kent, Lambton and Middlesex.

10. Region 10, comprising the counties of Perth, Waterloo and Wellington.

11. Region 11, comprising the counties of Bruce, Grey and Huron.

12. Region 12, comprising the counties of Algoma, Cochrane, Kenora, Manitoulin, Nipissing, Parry Sound, Rainy River, Sudbury, Thunder Bay and Timiskaming.

8.—(1) There shall be committee of producers in each region to be known as the "Regional Election Committee".

(2) A Regional Election Committee shall be composed of one member for each one hundred producers or part thereof in each county, provisional county or district comprising the region.

9. No person is eligible to vote or be elected in the election of a Regional Election Committee or the marketing board unless he is a licensed producer resident in a county, provisional county, regional municipality or district in the region in which the election takes place.

10.—(1) Nominations for election to a Regional Election Committee shall be submitted to the Commission on or after the 15th day of September and not later than the 30th day of September in an election year.

(2) A nomination under subsection 1 shall be in Form 1.

(3) The Commission shall not accept any nomination unless,

(*a*) the nominee is qualified under section 9;

(*b*) it is in accordance with Form 1;

(*c*) it has written thereupon the signature of the nominee indicating his acceptance of the nomination;

(*d*) it has written thereupon the signatures of five persons as nominators who are qualified under section 9 and who reside in the same county, provisional county or district as the nominee; and

(*e*) it was received, or if mailed, was post marked not later than the 30th day of September of the election year.

11.—(1) In an election for a Regional Election Committee the Commission shall prepare in Form 2 a separate ballot for each county, provisional county, regional municipality or district in the region, with the names of the nominees for the county, provisional county or district listed thereon in alphabetical order.

(2) The Commission shall send one ballot to each licensed producer in the county, provisional county, regional municipality or district, as the case may be, not later than the 15th day of October in an election year.

(3) Each ballot sent out in accordance with subsection 2 shall be accompanied by,

(*a*) an envelope identified only by the words "Ballot Envelope"; and

(*b*) a postage-prepaid mailing envelope addressed to the secretary of the Commission.

(4) The persons eligible under section 9 in each county, provisional county or district in a region shall be entitled to elect one candidate for every one hundred producers or part thereof in the county, provisional county, regional municipality or district, as the case may be.

(5) Votes shall be cast by a voter,

(*a*) placing on the ballot a mark opposite the name of the person or persons for whom the voter is voting;

(*b*) sealing the marked ballot within the ballot envelope;

(*c*) sealing the ballot envelope within the mailing envelope;

(*d*) signing the mailing envelope in the space provided therefor; and

(*e*) mailing the mailing envelope to the secretary of the Commission so that it is post marked not later than the 30th day of October in the election year.

(6) The Commission shall not accept a ballot for counting unless the envelope containing the ballot,

(*a*) is post marked not later than the 30th day of October in the election year; and

(*b*) bears the signature of a voter who is qualified under section 9 in the county, provisional county, regional municipality or district for which the ballot is submitted.

(7) Where the Commission has accepted a ballot for counting,

(*a*) the ballot envelope shall be removed from the mailing envelope and deposited in the ballot box for the county, provisional county, regional municipality or district for which the ballot is submitted; and

(*b*) the mailing envelope bearing the identity of the voter shall be destroyed.

(8) On the counting of ballots the Commission shall reject every ballot on which the voter has voted for more than the number of nominees to be elected under subsection 4.

(9) The Commission shall declare elected to the Regional Election Committee those nominees who received the highest number of votes to a total of one nominee elected in each county, provisional county, regional municipality or district for every one hundred licensed producers or part thereof in the county, provisional county, regional municipality or district.

12.—(1) Notwithstanding section 11, where, in any county, provisional county, regional municipality or district, the number of nominees is equal to or less than the number to be elected under section 11, the Commission shall declare those nominees elected by acclamation.

(2) Those persons in a region who have been declared elected pursuant to section 11 or subsection 1, constitute the Regional Election Committee for that region.

13. The Commission shall mail to each person elected under section 11 or 12 a nomination form in Form 3.

14.—(1) The Commission shall call a meeting of each Regional Election Committee not later than the 30th day of November in an election year.

(2) The Commission shall appoint a chairman, a secretary and a director of scrutineers for each Regional Election Committee who shall not be members of the Regional Election Committee.

(3) The Regional Election Committee shall elect from among its members two scrutineers who shall not be candidates for election to the marketing board.

15.—(1) Nominations for election to the marketing board shall be submitted to the director of scrutineers at the meeting called under section 14.

(2) A nomination under subsection 1 shall be in Form 3.

(3) The director of scrutineers shall not accept any nomination unless,

(*a*) the nominee is qualified under section 9;

(*b*) it is in accordance with Form 3;

(*c*) it has written thereupon the signature of the nominee indicating his acceptance of the nomination; and

(*d*) it has written thereupon the signatures of five members of the Regional Election Committee as nominators.

(4) Nominations shall be submitted not later than one hour after the meeting of the Regional Election Committee has commenced.

16.—(1) The director of scrutineers shall prepare a ballot listing thereon in alphabetical order the names of the nominees nominated under section 15.

(2) The director of scrutineers shall provide each member of the Regional Election Committee with one ballot.

(3) The members of the Regional Election Committee shall be entitled to elect one nominee as a member of the marketing board.

(4) Votes shall be cast by placing on the ballot a mark in the form of an "X" opposite the name of the person for whom the member is voting.

(5) Where no nominee receives a majority of the votes cast, the chairman shall declare the vote void.

(6) Where a vote has been declared void under subsection 5, the director of scrutineers shall prepare a new ballot, omitting therefrom the name of the person who received the lowest number of votes on the preceding vote and a new vote shall be held.

(7) Where, in a vote, the nominee who receives the highest number of votes receives a majority of the votes cast, the chairman shall declare that nominee elected to the marketing board.

(8) Upon the election of a member to the marketing board by a Regional Election Committee, the Regional Election Committee is dissolved until a new Regional Election Committee is elected in the next ensuing election year.

17. A member of the marketing board shall be appointed to take office on the 10th day of January next following the date of his election and shall hold office until his successor takes office.

18. At its first meeting after the 10th day of January in each year the members of the marketing board shall elect from among themselves a chairman and a vice-chairman and shall appoint a secretary and a treasurer who shall not be members of the marketing board.

19. A majority of the members of the marketing board constitutes a quorum whether or not a vacancy exists in the membership.

20.—(1) The election years for the regions established under this plan shall be as follows:

1. Region 1, 1972 and every fourth year thereafter.
2. Region 2, 1973 and every fourth year thereafter.
3. Region 3, 1974 and every fourth year thereafter.
4. Region 4, 1971 and every fourth year thereafter.
5. Region 5, 1972 and every fourth year thereafter.
6. Region 6, 1973 and every fourth year thereafter.
7. Region 7, 1974 and every fourth year thereafter.
8. Region 8, 1971 and every fourth year thereafter.
9. Region 9, 1972 and every fourth year thereafter.
10. Region 10, 1973 and every fourth year thereafter.
11. Region 11, 1974 and every fourth year thereafter.
12. Region 12, 1971 and every fourth year thereafter.

(2) Notwithstanding subsection 1, where a member of the marketing board dies, resigns or ceases to be a producer of milk, the Commission may cause an election to be held to elect a member in the region that was represented by the member who died, resigned or ceased to be a producer of milk, and the member so elected shall forthwith take office and shall hold office until his successor is elected and takes office.

(3) An election held under subsection 2 shall be conducted in such manner and on such terms and conditions as the Commission directs.

(4) Where an election is not held under subsection 2, the year in which the 15th day of September next following the date on which the member died, resigned or ceased to be a producer of milk falls shall be an election year for the region that was represented by such member in addition to any election year established for that region under subsection 1.

21.—(1) The members of the marketing board who shall hold office until their successors take office are:

1. Region 1, Elphege Lefebvre, St. Eugene.
2. Region 2, Orvil Guy, R.R. 4, Winchester.
3. Region 3, Alex Bell, R.R. 6, Smiths Falls.
4. Region 4, A. Ketcheson, R.R. 2, Madoc.
5. Region 5, G. R. McLaughlin, R.R. 3, Beaverton.
6. Region 6, F. M. Redelmeier, Richmond Hill.
7. Region 7, Robert A. Guest, Mount Pleasant.
8. Region 8, J. Grant Smith, Burgessville.
9. Region 9, Ray MacDougall, R.R. 1, Glanworth.
10. Region 10, Harold H. Scott, R.R. 2, Stratford.
11. Region 11, Ken McKinnon, R.R. 1, Port Elgin.
12. Region 12, H. B. Gallagher, R.R. 1, Powassan.

(2) G. R. McLaughlin is designated as chairman of the marketing board and O. Guy as vice-chairman, to hold office until their successors in such offices are elected.

(3) E. C. Rouse, Weston, shall hold office as secretary of the marketing board and W. R. MacPherson, Scarborough, shall hold office as treasurer of the marketing board until their successors take office.

22. Notwithstanding section 6, the Minister may, from time to time appoint, upon the recommendation of The Ontario Cream Producers' Marketing Board, a member to the marketing board to hold office for a term not exceeding one year.

O. Reg. 202/65, Sched.; O. Reg. 250/65, ss. 1-4; O. Reg. 43/66, ss. 2, 3; O. Reg. 304/67, ss. 2, 3; O. Reg. 2/68, ss. 1, 2; O. Reg. 297/70, s. 1; O. Reg. 530/70, s. 1.

Form 1

The Milk Act

NOMINATION FOR THE ELECTION OF A MEMBER TO A REGIONAL ELECTION COMMITTEE

We hereby nominate .....
(name)

..... for election to the
(address)

Regional Election Committee for Region No.....,

representing the .....
(county, provisional county or

..... of .....
district) (name of county, provisional county

.....
or district)

Nominated by:

....
(name) (address)

....
(name) (address)

....
(name) (address)

....
(name) (address)

....
(name) (address)

I hereby accept the nomination.

.....
(signature of nominee)

.....
(address)

O. Reg. 304/67, s. 3.

Form 2

The Milk Act

BALLOT FOR ELECTION TO
A REGIONAL ELECTION COMMITTEE

DISTRICT NO..... OF .....

NUMBER TO BE ELECTED .....

Indicate the persons you are voting for by making a mark in the box opposite their names. Do not vote for more than the number of persons to be elected.

CANDIDATES

.... ( )
(name) (address)

.... ( )
(name) (address)

.... ( )
(name) (address)

.... ( )
(name) (address)

This ballot must be received by The Milk Commission of Ontario or, if mailed, must be post marked not later than the 30th day of October, 19....

O. Reg. 304/67, s. 3.

Form 3

The Milk Act

NOMINATION FOR THE ELECTION
OF A MEMBER TO THE ONTARIO
MILK MARKETING BOARD

We hereby nominate .....
(name)

.....
(address)

for the election to The Ontario Milk Marketing Board.

Nominated by:

....
(name) (address)

....
(name) (address)

....
(name) (address)

....
(name) (address)

....
(name) (address)

I hereby accept this nomination.

....
(signature of nominee) (address)

O. Reg. 304/67, s. 3.

REGULATION 598

under The Milk Act

MILK—TRANSPORTATION

INTERPRETATION

1. In this Regulation,

(*a*) "marketing board" means The Ontario Milk Marketing Board;

(*b*) "producer" means a producer of milk;

(*c*) "transporter" means a person appointed by the marketing board as its agent for the transportation of milk, but does not include a person whose appointment as a transporter is terminated. O. Reg. 145/70, s. 1.

APPLICATION OF REGULATION

2. This Regulation provides for the control and regulation in any or all respects of the marketing within Ontario of milk, including the prohibition of such marketing in whole or in part. O. Reg. 145/70, s. 2.

TRANSPORTATION

3.—(1) Every transporter shall transport milk on the terms and conditions prescribed in this Regulation and in the order of the marketing board appointing him.

(2) Subject to section 29, no person other than a transporter shall transport milk. O. Reg. 145/70, s. 3.

4.—(1) Subject to subsection 2, a transporter shall transport the milk of the producers assigned to him by the marketing board in its order appointing him.

(2) The marketing board may assign any producer to or from a transporter by notice in writing to the transporter not less than fifteen days before the assignment takes effect. O. Reg. 145/70, s. 4.

5. A transporter shall,

(*a*) take delivery of the milk of the producers from time to time assigned to him by the marketing board,

(i) on the days prescribed by the marketing board, and

(ii) between 8 a.m. and 5 p.m. or at such other time in the day as a producer may permit; and

(*b*) transport such milk to the plant or plants designated by the marketing board. O. Reg. 145/70, s. 5.

6. The marketing board may from time to time direct a transporter to transport milk to a plant or plants other than the plant or plants designated in the order appointing him. O. Reg. 145/70, s. 6.

7.—(1) A transporter shall deliver milk to a plant on the days and at the times agreed upon by the transporter and the operator of the plant.

(2) Where a transporter and the operator of a plant fail to make an agreement under subsection 1, the transporter shall forthwith notify the marketing board. O. Reg. 145/70, s. 7.

8. Where,

(*a*) a plant designated to receive milk from a transporter does not receive milk daily; and

(*b*) the truck of the transporter arrives at the plant before the normal closing hour of the plant on the day preceding a day on which the plant does not receive milk,

the marketing board shall ensure that the milk is unloaded at the plant on such preceding day. O. Reg. 145/70, s. 8.

9. Where access to the premises of,

(*a*) a producer assigned to a transporter; or

(*b*) a plant designated to receive milk from a transporter,

is such that transportation of the milk is impracticable, the transporter shall forthwith notify the marketing board. O. Reg. 145/70, s. 9.

10. Where milk is delayed in transit for a period in excess of four hours, the transporter shall compensate the marketing board for any loss incurred thereby unless such delay resulted from a direction of the marketing board. O. Reg. 145/70, s. 10.

11.—(1) Subject to subsection 3, a transporter shall not take delivery from a farm bulk tank of milk that does not comply with the provisions of Regulation 590 of Revised Regulations of Ontario, 1970.

(2) Subject to subsection 3, where a transporter takes delivery of milk mentioned in subsection 1, he shall compensate the marketing board for any loss incurred thereby.

(3) Where,

(*a*) a transporter refuses to take delivery of milk under subsection 1;

(*b*) the producer thereof notifies the marketing board; and

(*c*) the marketing board directs the transporter to take delivery of the milk,

the transporter is not liable to compensate the marketing board under subsection 2. O. Reg. 145/70, s. 11.

12. Where the marketing board directs a transporter,

(*a*) to take delivery of milk referred to in subsection 1 of section 11; or

(*b*) to take delivery of milk of a producer who has not been assigned to him,

the marketing board shall pay the transporter for any extra mileage travelled for that purpose at the rates prescribed in Schedule 2 of the order appointing the transporter. O. Reg. 145/70, s. 12.

13. Except as otherwise provided in this Regulation, where a transporter fails to take delivery of and transport the milk of a producer assigned to him,

(*a*) the transporter shall compensate the marketing board for any extra costs incurred by it in transporting the milk of the producer; and

(*b*) the marketing board may deduct such extra costs from the moneys payable by the marketing board to the transporter. O. Reg. 145/70, s. 13.

14.—(1) The marketing board shall pay any moneys payable to a transporter for milk transported in any month not later than the twentieth day of the next following month.

(2) Every payment made by the marketing board under subsection 1 shall be accompanied by an itemized statement showing the amounts payable to and deducted from the transporter. O. Reg. 145/70, s. 14.

15.—(1) At the time of taking delivery of milk from a producer on a route of a transporter, every operator of a tank truck shall,

(*a*) make and sign in quadruplicate a milk collection report in the form provided by the marketing board;

(*b*) deliver the third copy of the milk collection report to the producer;

(*c*) deliver the original and first copy of the milk collection report to the operator of the plant to which the milk is delivered; and

(*d*) deliver the second copy of the milk collection report to the transporter.

(2) No operator of a tank truck, in recording the weight of milk delivered to him by a producer, shall record on the milk collection report the weight of any milk that was not actually delivered to him by that producer. O. Reg. 145/70, s. 15.

16.—(1) Where a transporter is requested by the operator of a plant to which he delivers milk, or by the marketing board, as the case may be, to verify the weight of milk transported by him in a tank truck,

(*a*) in any month by weighing every tank truck of milk in respect of a route; or

(*b*) by weighing from time to time any tank truck of milk,

the transporter shall verify the weight of the milk.

(2) A transporter shall verify the weight of milk under subsection 1,

(*a*) by weighing the tank truck of milk on a platform-type weighing machine,

(i) inspected, verified and stamped under the *Weights and Measures Act* (Canada),

(ii) capable of weighing the gross weight, including all axles of the tank truck, and

(iii) so located that the tare weight may be measured without moving the tank truck;

(*b*) by weighing the tank truck of milk by means of a weighing machine,

(i) inspected, verified and stamped under the *Weights and Measures Act* (Canada), and

(ii) equipped with a tank having a capacity of not less than one-third of the capacity of the tank truck; or

(*c*) by measuring the volume in gallons of the milk in the tank truck by means of a measuring machine equipped with a meter and a meter installation and inspected, verified and stamped under the *Weights and Measures Act* (Canada), and converting the gallons to pounds on the basis that one gallon weighs 10.32 pounds.

(3) Where the weight of a tank truck of milk is being verified under subsection 2, the operator of the tank truck shall sign the weigh-slip or meter slip, as the case may be. O. Reg. 145/70, s. 16.

17.—(1) Where,

(*a*) a transporter verifies the weight of milk under clause *a* of subsection 1 of section 16;

(*b*) the total weight for the month is less than the total weight recorded on the milk collection reports therefor; and

(*c*) the shortage in weight exceeds .35 per cent of the weight recorded,

the transporter shall pay the marketing board for that portion of the shortage that exceeds .35 per cent of the weight recorded at the price determined by the marketing board for Class 3 milk.

(2) Where,

(*a*) a transporter verifies the weight of a tank truck of milk under clause *b* of subsection 1 of section 16;

(*b*) the weight is less than the weight recorded on the milk collection report therefor; and

(*c*) the shortage in weight exceeds .70 per cent of the weight recorded,

the transporter shall pay the marketing board for that portion of the shortage that exceeds .70 per cent of the weight recorded at the price determined by the marketing board for Class 3 milk.

(3) No payment shall be made under subsection 2 in respect of a tank truck of milk included in a payment under subsection 1. O. Reg. 145/70, s. 17.

18. Where a transporter is requested by the operator of a plant to which he delivers milk, or by the marketing board, as the case may be, to verify the weight of a tank truck of milk for any purpose other than to establish a payment under section 17, the transporter shall verify the weight by weighing the tank truck of milk on a weighing machine inspected, verified and stamped under the *Weights and Measures Act* (Canada). O. Reg. 145/70, s. 18.

19. Where a transporter verifies the weight of milk under section 16 or section 18, the operator of the plant or the marketing board, as the case may be, shall pay,

(*a*) any weighing charges; and

(*b*) where extra mileage is required in transporting the milk for the purpose of weighing, any charges therefor in respect of each tank truck if the extra mileage for the tank truck exceeds twenty miles in any month, calculated in accordance with the rates contained in Schedule 2 of the order of the marketing board appointing the transporter as its agent. O. Reg. 145/70, s. 19.

20.—(1) Where milk is transported by tank truck and it occurs regularly that,

(*a*) the total weight of milk of producers on a route of a transporter is less than the total weight recorded on the milk collection reports for such producers; and

(*b*) the shortage in weight exceeds .35 per cent of the weight recorded,

the marketing board on a request in writing by the transporter shall ensure that the calibration of the farm bulk tank of every producer on the route complies with the provisions of Regulation 590 of Revised Regulations of Ontario, 1970.

(2) Where a request is made by a transporter under subsection 1, he shall not be required to make any payment to the marketing board under subsection 1 of section 17 if the calibration of the farm bulk tanks fails to comply with the provisions of Regulation 590 of Revised Regulations of Ontario, 1970. O. Reg. 145/70, s. 20.

21. Where on the weighing under subsection 2 of section 16 of two consecutive tank trucks of milk transported by a transporter, the weights,

(*a*) exceed the weights recorded on the milk collection reports in respect thereof; or

(*b*) are less than the weights recorded on the milk collection reports in respect thereof and the shortages in weight exceed .35 per cent of the weights recorded,

the transporter shall forthwith furnish the marketing board with particulars in writing of the shortages.

22.—(1) Where the farm bulk tank of a producer assigned to a transporter is moved, the transporter shall forthwith notify the marketing board.

(2) On receipt of a notice under subsection 1, the marketing board shall forthwith ensure that the calibration of the farm bulk tank complies with the provisions of Regulation 590 of Revised Regulations of Ontario, 1970.

23.—(1) Where milk is transported by tank truck, the transporter shall take delivery of the milk at the premises of the producer.

(2) Where milk is transported other than by tank truck, the transporter shall,

(*a*) take delivery of the milk at the premises of the producer or at such other location as may from time to time be designated by the marketing board;

(*b*) return the empty containers to the premises of the producer or to such other location as may from time to time be designated by the marketing board; and

(*c*) on the request of a producer, furnish the producer with a statement in writing showing the weight of the milk of the producer delivered by the transporter to a plant and the date of the delivery. O. Reg. 145/70, s. 23.

24.—(1) Where milk of a producer is spilled during the course of delivery or transportation, the transporter shall,

(*a*) where all the milk of the producer is spilled, furnish in writing to the operator of the plant to which the producer is assigned by the marketing board particulars of the amount of milk made available or delivered, as the case may be, to the transporter by the producer;

(*b*) where part of the milk of the producer is spilled, furnish in writing to the operator of the plant to which the remainder of the milk of the producer is delivered, particulars of the amount of milk made available or delivered, as the case may be, to the transporter by the producer; and

(*c*) notify the operator of the plant referred to in clause *a* or *b*, as the case may be, that all or part of the milk of the producer was spilled.

(2) The transporter shall pay the marketing board for the amount of milk spilled at the price determined by the marketing board for Class 3 milk. O. Reg. 145/70, s. 24.

25. Where a transporter has knowledge of an impending strike by his employees, he shall forthwith notify the marketing board. O. Reg. 145/70, s. 25.

26. Where the observance, performance or carrying out of any provision of this Regulation is prevented in whole or in part by an act of God, adverse weather, fire, strike, lock-out, invasion or order of a civil or military authority, a failure by the marketing board or a transporter, as the case may be, to observe, perform or carry out the provision by reason of such prevention shall not be deemed to be a contravention of this Regulation. O. Reg. 145/70, s. 26.

27. A transporter shall notify the marketing board in writing by prepaid registered mail of any change in his address and such notice shall be deemed to have been received by the marketing board on the second day that is not a holiday after the date of mailing. O. Reg. 145/70, s. 27.

28. Every transporter shall,

(*a*) effect, maintain and pay for insurance on milk transported by him in accordance with *The Public Commercial Vehicles Act* and the regulations thereunder, with loss thereunder payable to the marketing board as its interest may appear; and

(*b*) if requested by the marketing board, furnish the marketing board with a certified copy of the insurance policy. O. Reg. 145/70, s. 28.

29.—(1) Subject to the approval in writing of the marketing board, a producer may transport other than by tank truck,

(*a*) the milk produced by him; or

(*b*) without compensation and on other than a regular basis, the milk of other producers.

(2) A producer referred to in subsection 1 shall,

(*a*) transport the milk to the plant or plants designated from time to time by the marketing board;

(*b*) deliver the milk to the plant on the days and at the times agreed upon with the operator of the plant; and

(*c*) failing such agreement, forthwith notify the marketing board. O. Reg. 145/70, s. 29.

REGULATION 599

under The Milk Act

MILK PRODUCERS—LICENCES

INTERPRETATION

1. In this Regulation,

(*a*) "industrial milk plant" means a cheese factory, concentrated milk plant, creamery or milk receiving station;

(*b*) "marketing board" means The Ontario Milk Marketing Board;

(*c*) "producer" means a producer of milk. O. Reg. 68/68, s. 1.

APPLICATION OF REGULATION

2. This Regulation provides for the control and regulation in any or all respects of the marketing within Ontario of milk, including the prohibition of such marketing in whole or in part. O. Reg. 68/68, s. 2.

LICENCES

3.—(1) No person shall commence or continue to engage in the producing of milk except under the authority of a licence as a producer of milk in Form 1.

(2) A licence in Form 1 is not transferable.

(3) Where a producer ceases to engage in the producing of milk, he shall forthwith surrender his licence to the marketing board.

(4) The marketing board may refuse to issue a licence to commence to engage in the producing of milk where the applicant is not qualified by experience, financial responsibility or equipment to properly engage in the business for which the application was made, or for any other reason that the marketing board deems proper.

(5) The marketing board may suspend or revoke, or refuse to issue or renew, a licence to continue to engage in the producing of milk for failure to observe, perform or carry out the provisions of the Act, the regulations, the plan or any order or direction of the marketing board. O. Reg. 68/68, s. 3.

4.—(1) Every producer shall pay licence fees at the rate of,

(*a*) 10½ cents for each 100 pounds or fraction thereof of milk sold to the marketing board; and

(*b*) 6½ cents for each 100 pounds or fraction thereof of milk supplied to an industrial milk plant. O. Reg. 68/68, s. 4 (1); O. Reg. 39/70, s. 1.

(2) The marketing board shall deduct from the moneys payable to a producer any licence fees payable by the producer in respect of milk sold to the marketing board.

(3) Every person who receives milk from a producer shall deduct from the moneys payable to the producer any licence fees payable by the producer to the marketing board and shall pay such licence fees to the marketing board.

(4) Every person who deducts licence fees under subsection 3 shall pay to the marketing board the fees deducted in each month not later than the twentieth day of the following month.

(5) The marketing board may recover from any person by suit in a court of competent jurisdiction any licence fees payable to the marketing board. O. Reg. 68/68, s. 4 (2-5).

Form 1

The Milk Act

LICENCE TO ENGAGE IN THE PRODUCING OF MILK

Under *The Milk Act* and the regulations, and subject to the limitations thereof, this licence is issued

to .....
(name)

of .....
(address)

to engage in the producing of milk.

Issued at Toronto, this .....day of ....., 19..

THE ONTARIO MILK MARKETING BOARD:

.....
Chairman

.....
Secretary

O. Reg. 68/68, Form 1.

REGULATION 600

under The Milk Act

MILK PRODUCTS

1. In this Regulation,

(*a*) "concentrated liquid milk" means concentrated milk that is not sterilized in the container in which it is offered for sale;

(*b*) "plant" means a cheese factory, concentrated milk plant, cream receiving station, creamery, or milk receiving station. R.R.O. 1960, Reg. 434, s. 1; O. Reg. 291/65, s. 1.

PLANTS

2.—(1) An application for a permit for the construction or alteration of a building intended for use as a plant or for the alteration of a plant the operation of which is licensed under the Act shall be in Form 1.

(2) An application in Form 1 shall be accompanied by two copies of drawings and specifications for the construction or alteration of the building, or alteration of the plant. R.R.O. 1960, Reg. 434, s. 2.

3. A permit for the construction or alteration of a building intended for use as a plant or for the alteration of a plant the operation of which is licensed under the Act shall be in Form 2. R.R.O. 1960, Reg. 434, s. 3.

4. A permit in Form 2 is issued on the terms and conditions that,

(*a*) the location of the plant is on land that is well drained and readily accessible;

(*b*) the building being constructed or altered or the plant being altered has a supply of clean, fresh water, and has facilities for disposal of sewage, sufficient for the purposes of the operation of the plant as constructed or altered;

(*c*) the construction or alteration of the building or alteration of the plant is carried out in accordance with the drawings and specifications submitted with the application in Form 1; and

(*d*) the applicant has complied with the provisions of municipal by-laws and Acts or regulations applicable to the construction or alteration being made. R.R.O. 1960, Reg. 434, s. 4.

5.—(1) An application for a licence to operate a plant, or renewal thereof, shall be in Form 3.

(2) A licence to operate a plant shall be in Form 4. R.R.O. 1960, Reg. 434, s. 5 (1, 2).

(3) A licence in Form 4,

(*a*) becomes effective on the 1st day of June or the date on which it is issued, whichever is the later; and

(*b*) expires with the 31st day of May next following the date on which it becomes effective. O. Reg. 48/65, s. 1 (1).

(4) A licence may be limited to one or more classes of plants. R.R.O. 1960, Reg. 434, s. 5 (4).

(5) The fee for a licence in Form 4, or for a renewal thereof, is $10. O. Reg. 48/65, s. 1 (2).

(6) A licence is not transferable. R.R.O. 1960, Reg. 434, s. 5 (6).

6. The Commission may refuse to issue or renew a licence for the operation of a plant,

(*a*) where the applicant is not qualified by experience, financial responsibility, personnel or equipment to properly engage in the business for which the application was made;

(*b*) where the applicant fails to deposit the security required under section 9;

(*c*) where the applicant fails to observe, perform or carry out the requirements of the Act, the regulations, any plan, agreement or award, or any order of the Commission or a marketing board;

(*d*) where, in the opinion of the Commission, any material representation or information made or provided by or on behalf of the applicant is false or misleading;

(*e*) where the applicant does not file with the Commission the cash or credit basis for the payment of producers for milk or cream; or

(*f*) where the applicant is required to hold and does not hold a certificate of approval for the pasteurizing of milk under *The Public Health Act* and the regulations thereunder. O. Reg. 197/67, s. 1.

7. Every person who operates more than one plant is required to be the holder of a licence in respect of each plant and shall be deemed to be a separate operator in respect of each such plant. O. Reg. 197/67, s. 1.

8. A licence is issued on the terms and conditions that,

(*a*) in the case of a creamery, the person in charge of buttermaking holds a buttermaker's certificate;

(*b*) in the case of a cheese factory, the person in charge of cheesemaking holds a cheesemaker's certificate;

(*c*) the holder of the licence does not permit any employee to work in the plant,

(i) while the employee has a communicable disease, or

(ii) who is not wearing outer clothing that is clean and light in colour;

(*d*) the holder of the licence pays the producers on or before the following dates according to the cash or credit basis filed with the Commission:

1. Where milk or cream is purchased on a daily cash basis,

(*a*) the day on which the milk or cream is received; or

(*b*) where the price of the milk or cream is deposited each day in a bank account established for the payment of producers only, the 25th day of any month for milk or cream received during the first half of the month, and the 10th day following the end of the month for milk or cream received during the remainder of the month.

2. Where milk or cream is purchased on a weekly credit basis, the Monday following the end of any week for the milk or cream received during the week.

3. Where milk or cream is purchased on a bi-weekly credit basis, the 10th day following the end of any two-week period for the milk or cream received during the period.

4. Where milk or cream is purchased on a twice-a-month credit basis, the 25th day of any month for milk or cream received during the first half of the month, and the 10th day following the end of the month for milk or cream received during the remainder of the month.

5. Where milk or cream is purchased on a monthly credit basis, the 15th day following the end of any month for milk or cream received during the month.

6. Where milk or cream is purchased on a basis other than a basis set out in paragraph 1, 2, 3, 4 or 5, on such day or days as are approved by the Commission;

(*e*) the holder of the licence observes, performs and carries out the provisions of the Act, the regulations, any plan, agreement or award or any order of the Commission or a marketing board;

(*f*) the holder of the licence complies with the provisions of *The Public Health Act* and the regulations made thereunder;

(*g*) every person grading or testing milk or cream received at a plant or milk at a farm bulk tank is the holder of a certificate under this Regulation;

(*h*) where the licence was issued subject to the deposit or security under section 11, the holder of the licence deposits and maintains the security in accordance with sections 9 and 12; or

(*i*) where any payment is made to producers under *The Farm Products Payments Act*, and the regulations thereunder for milk or cream purchased by the holder of the licence, the holder of the licence complies with the provisions of such regulations respecting repayment. R.R.O. 1960, Reg. 434, s. 6; O. Reg. 197/67, s. 2 (1).

(2) The Commission may suspend or revoke a licence in Form 4 for any failure to comply with the terms and conditions upon which it is issued. O. Reg. 197/67, s. 2 (2).

9.—(1) Milk or cream shall be purchased from producers,

(*a*) on a daily cash basis;

(*b*) on a weekly credit basis;

(*c*) on a bi-weekly credit basis;

(*d*) on a twice-a-month credit basis;

(*e*) on a monthly credit basis; or

(*f*) on any other basis approved by the Commission.

(2) Payment becomes due for milk or cream purchased from producers,

(*a*) on a daily cash basis,

(i) on the day received, or

(ii) where the price of the milk or cream is deposited each day in a bank account established for the payment of producers only, on the 15th day of any month for milk or cream received during the first half of the month, and on the last day of the month for milk or cream received during the remainder of the month;

(*b*) on a weekly credit basis, on the last day of any week for milk or cream received during the week;

(*c*) on a bi-weekly credit basis, on the last day of any two-week period for milk or cream received during the period;

(*d*) on a twice-a-month credit basis, on the 15th day of any month for milk or cream received during the first half of the month, and on the last day of the month for milk or cream received during the remainder of the month;

(*e*) on a monthly credit basis, on the last day of any month for milk or cream received during the month; or

(*f*) on any other basis approved by the Commission, on the day or days so approved. O. Reg. 197/67, s. 3.

10. Where an operator of a plant purchases milk or cream from a producer and the producer has not received payment on the date prescribed therefor in clause *d* of section 8, the producer shall forthwith notify the Commission of the default in payment by the operator. O. Reg. 197/67, s. 3.

11.—(1) Where the Commission is not satisfied in respect of the financial responsibility of the operator of a plant, the operation of which includes the purchase of milk or cream from producers, the operator shall deposit with the Commission security in a form satisfactory to the Commission and in an amount prescribed by the Commission.

(2) Security deposited with the Commission under subsection 1 shall be applicable solely to the claims of producers for milk or cream sold to the operator of the plant and in respect of which payments have been made under *The Farm Products Payments Act*, and the regulations thereunder. O. Reg. 197/67, s. 3.

12.—(1) Where the Commission receives notice pursuant to *The Farm Products Payments Act*, and the regulations thereunder that a payment has been made to a producer from The Fund for Milk and Cream Producers in respect of the operator of a plant who deposited security under subsection 1 of section 9, the Commission may realize upon the security or such part thereof as it considers necessary.

(2) Where security has been realized upon under subsection 1, the Commission shall pay into The Fund for Milk and Cream Producers the moneys obtained therefrom or so much thereof as is necessary to reimburse the Fund for the amount paid to the producer.

(3) Where security has been realized upon under subsection 1, the operator of the plant shall deposit with the Commission such additional security as is necessary to comply with the amount prescribed by the Commission under subsection 1 of section 9 and, on the deposit of such additional security by the operator, the Commission shall pay to the operator the moneys remaining, if any, after payment is made to The Fund for Milk and Cream Producers pursuant to subsection 2. O. Reg. 197/67, s. 3.

13. The construction or alteration of a building intended for use as a plant shall be made so that,

(*a*) the floors of all rooms in which milk or milk products are handled, processed or stored are of concrete or other material impervious to liquids, and drained;

(*b*) each wall in a room in which milk or milk products are handled, processed or stored has a base at least six inches above the floor level made of concrete or other waterproof material, and the joint between the floor and the base is water-tight;

(*c*) the ceiling of a room in which processing is done is at least 10 feet above the floor;

(*d*) the surfaces of the walls and ceilings of all rooms in which milk or milk products are handled, processed or stored are of washable and moisture-proof material;

(*e*) there is provision for equipping all openings with screens proof against flies or other insects and all doors with self-closing devices or equivalent methods of ensuring that flies or other insects do not enter;

(*f*) rooms where milk and cream are handled or processed contain provision for lighting, ventilating and heating;

(*g*) the ceilings in the plant are insulated and sealed against infiltration of dampness or vapour, with free circulation of air between the insulation and the roof;

(*h*) a water-closet does not open directly into a room where milk or milk products are handled or processed;

(*i*) sewage is carried from the building by pipes, each of which contains a trap in an accessible location and connecting with a municipal sewer or septic tank;

(*j*) any heating unit is located in a room having a concrete floor and not used for the handling, processing or storing of milk or milk products;

(*k*) in the case of,

(i) a cheese factory, there is a curing-room large enough for the operation intended,

(ii) a creamery, there is a cold storage room of a size large enough to hold at least seven days' production of butter, and

(iii) a building intended for use as a plant for the manufacture of milk products other than butter or cheese, there are storage rooms large enough for the operation intended,

capable of being equipped with an automatic temperature-control system;

(*l*) receiving rooms for milk and cream are enclosed and of sufficient size to permit freedom of movement in receiving, grading, sampling and handling of milk and cream and the washing of containers; and

(*m*) rodents and other vermin do not enter or remain on the premises. R.R.O. 1960, Reg. 434, s. 11.

14.—(1) Plants shall be equipped with,

(*a*) screens or other equivalent equipment covering every opening into the plant and capable of preventing the entry of flies or other insects, and a self-closing device on each outside door of the plant and on each door of a water-closet;

(*b*) a wash basin in each room where milk or milk products are handled or processed;

(*c*) a temperature-control system capable of automatically controlling the temperature in each curing-room, cold-storage room or storage room for efficient processing or preserving of milk or milk products therein;

(*d*) a boiler or other equipment capable of maintaining a supply of hot water or steam sufficient for processing milk and cream and hot water for cleaning and sterilizing the equipment and rooms used in receiving, handling, processing or storing milk or milk products; and

(*e*) thermometers,

(i) of shatter-proof material, and

(ii) on equipment used in processing, cleaning or sterilizing milk or milk products, capable of registering the temperature of the milk or milk product.

(2) A creamery shall be equipped with a pasteurizer having a capacity of at least 300 gallons and a churn capable of manufacturing at least 1,000 pounds of butter at one time.

(3) Where a plant is equipped with conveyors for moving containers of milk or cream in the receiving room, the conveyors shall be of sufficient length and in such locations that the milk or cream can be readily graded, sampled and weighed and, where milk or cream is rejected, the containers can be moved on a conveyor other than the conveyor used for incoming containers. R.R.O. 1960, Reg. 434, s. 12.

15.—(1) Any part of a plant, including piping, pumps, containers, tanks and other equipment that is in contact with or likely to be in contact with milk or milk products, shall be scoured of particles of milk or milk products by scrubbing or by a solvent and rinse,

(*a*) at least once every twenty-four hours; and

(*b*) before there is a change in the kind of milk or milk product in contact with or likely to be in contact with the part of the plant.

(2) The floor of each room in a plant in which milk or milk products are handled or processed shall be scrubbed and rinsed with fresh water at least once every twenty-four hours.

(3) The walls and ceiling of each room in a plant in which milk or milk products are handled, processed or stored and the floor of each room in a plant in which milk or milk products are stored shall be scrubbed and rinsed with fresh water at least once every six months and at such other times as may be necessary to remove any noticeable accumulation. R.R.O. 1960, Reg. 434, s. 13.

16.—(1) Where equipment or containers for handling, processing or storing milk or milk products are of metal, the surfaces likely to come in contact with milk or milk products shall be,

(*a*) smooth and anti-corrosive;

(*b*) without open seams;

(*c*) accessible at all points for scrubbing; and

(*d*) without joints that are not flush with adjoining surfaces.

(2) Wooden equipment used in a plant shall be of sound material with smooth surfaces, and joints or seams shall be sealed. R.R.O. 1960, Reg. 434, s. 14.

17. Tanks used for storing skim-milk, buttermilk or whey that is not intended for human consumption or for processing into milk products for human consumption in a plant,

(*a*) shall be of metal construction;

(*b*) shall not be located in contact with earth; and

(*c*) shall not be used for any purpose in respect of food for human consumption. R.R.O. 1960, Reg. 434, s. 15.

18.—(1) The handling, processing or storing of milk or milk products shall be carried on in such a location and in such a manner that no matter foreign to the milk or milk product being handled, processed or stored can enter the milk or milk product.

(2) A room in which milk or milk products are stored shall not be used for storing other products or other milk or milk products that may contaminate or deteriorate the milk or milk products being stored.

(3) A plant shall not contain odours other than those resulting from the handling, processing or storing of fresh milk or fresh milk products. R.R.O. 1960, Reg. 434, s. 16.

MILK AND CREAM TESTERS AND GRADERS

19. The holder of,

(*a*) a milk tester's certificate is classified as a milk tester;

(*b*) a cream tester's certificate is classified as a cream tester;

(*c*) a milk grader's certificate is classified as a milk grader;

(*d*) a bulk-tank milk grader's certificate is classified as a bulk-tank milk grader;

(*e*) a cream grader's certificate is classified as a cream grader;

(*f*) an apprentice milk tester's certificate is classified as an apprentice milk tester;

(*g*) an apprentice cream tester's certificate is classified as an apprentice cream tester;

(*h*) an apprentice milk grader's certificate is classified as an apprentice milk grader; and

(*i*) an apprentice cream grader's certificate is classified as an apprentice cream grader. R.R.O. 1960, Reg. 434, s. 17.

20.—(1) Subject to subsection 2, no person shall test for milk-fat content or supervise the testing of milk or cream received at a plant who is not a milk tester or cream tester, respectively.

(2) An apprentice milk tester or apprentice cream tester may test milk or cream, respectively, for milk-fat content while personally supervised by a milk tester or cream tester, respectively. R.R.O. 1960, Reg. 434, s. 18.

21.—(1) Subject to subsections 2 and 3, no person shall select, grade reject, weigh or sample or supervise the selecting, grading, rejecting, weighing, or sampling of milk or cream received in a plant or at a farm bulk tank who is not a milk grader or cream grader, respectively.

(2) A bulk tank milk grader may select, grade, reject, weigh or sample milk in a farm bulk tank.

(3) An apprentice milk grader or apprentice cream grader may select, grade, reject, weigh or sample milk or cream, respectively, while personally supervised by a milk grader or cream grader, respectively. R.R.O. 1960, Reg. 434, s. 19.

22.—(1) An application for a milk tester's certificate, cream tester's certificate, milk grader's certificate, bulk tank milk grader's certificate or cream grader's certificate shall be in Form 6.

(2) An application for an apprentice milk tester's certificate, apprentice cream tester's certificate, apprentice milk grader's certificate or apprentice cream grader's certificate shall be in Form 7. R.R.O. 1960, Reg. 434, s. 20.

(3) A certificate in Form 8, 9, 10, 11 or 12 expires with the 31st day of March in the fifth year next following the year in which it is issued.

(4) A certificate in Form 13 expires with the 30th day of April next following the date on which it is issued.

(5) The fee for a certificate in Form 8, 9, 10, 11 or 12 is $2.50. O. Reg. 48/65, s. 2.

(6) The fee for a certificate in Form 13 is $1. O. Reg. 48/65, s. 2.

(7) Where an applicant for a certificate mentioned in subsections 1 and 2 fails to qualify for the issuance of the certificate, the Commission shall refund to him the fee. R.R.O. 1960, Reg. 434, s. 20 (4); O. Reg. 291/65, s. 6.

23.—(1) A milk tester's certificate shall be in Form 8.

(2) A cream tester's certificate shall be in Form 9.

(3) A milk grader's certificate shall be in Form 10.

(4) A bulk-tank milk grader's certificate shall be in Form 11.

(5) A cream grader's certificate shall be in Form 12.

(6) An apprentice milk tester's certificate, apprentice cream tester's certificate, apprentice milk grader's certificate and apprentice cream grader's certificate shall be in Form 13. R.R.O. 1960, Reg. 434, s. 21.

24.—(1) An applicant for a milk tester's certificate or a cream tester's certificate shall be examined by examiners appointed by the Commission,

(*a*) on his ability to sample and test milk and cream; and

(*b*) on his knowledge of,

(i) handling, sampling and testing for milk-fat content of milk and cream,

(ii) the principles of grading milk and cream, and

(iii) the sanitary requirements for plants and the provisions of the Act and the regulations pertaining thereto.

(2) An applicant for a milk grader's certificate, a bulk-tank milk grader's certificate or a cream grader's certificate shall be examined by examiners appointed by the Commission,

(*a*) on his knowledge of,

(i) handling, sampling, grading, rejecting and weighing milk and cream,

(ii) the principles of testing milk and cream for milk-fat content,

(iii) tests for accurately determining the amount of sediment, bacteria and acid in milk or cream, and

(iv) the sanitary requirements for plants and the provisions of the Act and the regulations pertaining thereto. R.R.O. 1960, Reg. 434, s. 22; O. Reg. 291/65, s. 6.

25. Where an applicant is found by the examiners to be competent to perform the duties that the certificate he applies for qualifies him to perform, the Commission shall issue him a certificate in the form applied for. R.R.O. 1960, Reg. 434, s. 23; O. Reg. 291/65, s. 6.

26. An apprentice milk tester's certificate, an apprentice cream tester's certificate, an apprentice milk grader's certificate or an apprentice cream grader's certificate shall be issued to the applicant therefor. R.R.O. 1960, Reg. 434, s. 24.

27. The Commission may require a milk or cream tester, a milk or cream grader, or a bulk-tank milk grader to be re-examined at any time the Commission deems necessary. R.R.O. 1960, Reg. 434, s. 25.

28. A certificate issued under section 25 is issued on the terms and conditions that the holder of the certificate,

(*a*) submits to re-examination from time to time as the Commission considers necessary;

(*b*) conforms to the requirements of the Act and regulations pertaining to his duties;

(*c*) where he is employed in one plant, conspicuously displays the certificate in the room in the plant in which he is usually employed;

(*d*) where he is employed in more than one plant or operates a tank truck, has the certificate available for production on request; and

(*e*) does not cease for a period of five years to perform the duties that the certificate qualifies him to perform. R.R.O. 1960, Reg. 434, s. 26; O. Reg. 291/65, s. 6.

29. The Commission may, after a hearing, suspend or revoke a certificate issued under section 25,

(*a*) for any breach of the terms and conditions upon which the certificate was issued; or

(*b*) when the holder of the certificate is found on re-examination to be not competent to perform the duties that the certificate qualifies him to perform. R.R.O. 1960, Reg. 434, s. 27.

BUTTERMAKERS

30.—(1) The holder of a first class buttermaker's certificate is classified as a first class buttermaker.

(2) The holder of a second class buttermaker's certificate is classified as a second class buttermaker.

(3) The holder of a temporary buttermaker's certificate is classified as a temporary buttermaker.

(4) The holder of a beginner buttermaker's certificate is classified as a beginner buttermaker. R.R.O. 1960, Reg. 434, s. 28.

31.—(1) An application for a buttermaker's certificate shall be in Form 14. R.R.O. 1960, Reg. 434, s. 29 (1).

(2) The fee for a buttermaker's certificate or renewal thereof is $2.50 and shall accompany the application therefor. R.R.O. 1960, Reg. 434, s. 29 (2); O. Reg. 48/65, s. 3.

(3) A first class buttermaker's certificate shall be in Form 15.

(4) A second class buttermaker's certificate shall be in Form 16.

(5) A temporary buttermaker's certificate shall be in Form 17.

(6) A beginner buttermaker's certificate shall be in Form 18. R.R.O. 1960, Reg. 434, s. 29 (3-6).

32. A buttermaker's certificate shall not be issued unless the person to whom it is issued,

(*a*) (i) is the holder of a diploma from Kemptville Dairy School, Ontario Agricultural College Dairy School or other agricultural educational institution that in the opinion of the Commission has equivalent courses of study and practical training in respect of the making of butter, or

(ii) was the holder of a buttermaker's certificate under this Regulation, within five years before the date of his application for the certificate; and

(*b*) is a cream tester and cream grader. R.R.O. 1960, Reg. 434, s. 30.

33. Upon application therefor, a first class buttermaker's certificate shall be issued to a person who qualifies under section 32 and who,

(*a*) was a buttermaker in charge of the buttermaking in a creamery for at least three months in the year ending with the 31st day of March preceding the period for which the certificate is issued; and

(*b*) made First Grade butter from at least 95 per cent of the cream graded Special and First Grade made into butter in the creamery during the time that he was in charge of the buttermaking. R.R.O. 1960, Reg. 434, s. 31.

34. Upon application therefor, a second class buttermaker's certificate shall be issued to a person who qualifies under section 32 and who,

(*a*) was a buttermaker in charge of the buttermaking in a creamery for at least three months in the year ending with the 31st day of March preceding the period for which the certificate is issued; and

(*b*) made First Grade butter from at least 90 per cent of the cream graded Special and First Grade made into butter in the creamery during the time that he was in charge of the buttermaking. R.R.O. 1960, Reg. 434, s. 32.

35. Upon application therefor, a temporary buttermaker's certificate shall be issued to a person who qualifies under section 32 and who does not qualify for a first class or second class buttermaker's certificate and who was the holder of a buttermaker's certificate under this Regulation, within five years before the date of the application. R.R.O. 1960, Reg. 434, s. 33.

36. Notwithstanding sections 32 to 35, a buttermaker who did not hold a buttermaker's certificate in the year immediately preceding the date of his application but did hold a buttermaker's certificate under this Regulation, within five years before the date of his application may be issued a buttermaker's certificate of the same class he last held. R.R.O. 1960, Reg. 434, s. 34.

37.—(1) A first class buttermaker's certificate, a second class buttermaker's certificate and a beginner buttermaker's certificate are valid from the date of issue to the 31st day of March next following.

(2) A temporary buttermaker's certificate is valid for the period of time stated thereon. R.R.O. 1960, Reg. 434, s. 35.

38. Notwithstanding section 32, upon application therefor, a beginner buttermaker's certificate shall be issued to a person who,

(*a*) (i) is the holder of a diploma described in subclause i of clause *a* of section 32, or

(ii) is the holder of a buttermaker's certificate under this Regulation;

(*b*) was employed in a creamery for at least three months in the two-year period preceding the date of his application;

(*c*) is a cream tester and cream grader; and

(*d*) is recommended in writing for the certificate by a first class buttermaker. R.R.O. 1960, Reg. 434, s. 36.

39.—(1) A buttermaker's certificate is issued on the terms and conditions that the holder of the certificate,

(*a*) conforms to the requirements of the Act and regulations pertaining to his duties; and

(*b*) conspicuously displays the certificate in the room in the plant in which he is usually employed.

(2) The Commission may, after a hearing, suspend or revoke a buttermaker's certificate for any breach of the terms and conditions upon which it is issued. R.R.O. 1960, Reg. 434, s. 37; O. Reg. 291/65, s. 6.

CHEESEMAKERS

40.—(1) The holder of a variety cheesemaker's certificate is classified as a variety cheesemaker.

(2) The holder of a first class cheesemaker's certificate is classified as a first class cheesemaker.

(3) The holder of a second class cheesemaker's certificate is classified as a second class cheesemaker.

(4) The holder of a temporary cheesemaker's certificate is classified as a temporary cheesemaker.

(5) The holder of a beginner cheesemaker's certificate is classified as a beginner cheesemaker. R.R.O. 1960, Reg. 434, s. 38.

41.—(1) An application for a cheesemaker's certificate shall be in Form 19. R.R.O. 1960, Reg. 434, s. 39 (1).

(2) The fee for a cheesemaker's certificate or renewal thereof is $2.50 and shall accompany the application therefor. R.R.O. 1960, Reg. 434, s. 39 (2); O. Reg. 48/65, s. 4.

(3) A variety cheesemaker's certificate shall be in Form 20.

(4) A first class cheesemaker's certificate shall be in Form 21.

(5) A second class cheesemaker's certificate shall be in Form 22.

(6) A temporary cheesemaker's certificate shall be in Form 23.

(7) A beginner cheesemaker's certificate shall be in Form 24. R.R.O. 1960, Reg. 434, s. 39 (3-7).

42. A cheesemaker's certificate shall not be issued unless the person to whom it is issued,

(*a*) (i) is the holder of a diploma from Kemptville Dairy School, Ontario Agricultural College Dairy School or other agricultural educational institution that in the opinion of the Board has equivalent courses of study and practical training in respect of the making of cheese, or

(ii) was the holder of a cheesemaker's certificate under this Regulation, within five years before the date of his application for the certificate; and

(*b*) is a milk tester and milk grader. R.R.O. 1960, Reg. 434, s. 40.

43. Upon application therefor, a variety cheesemaker's certificate shall be issued to a person who qualifies under section 42, and who,

(*a*) was a cheesemaker for the period of at least three months in the year ending with the 31st day of March preceding the period for which the certificate is issued; and

(*b*) was in charge of the making of cheese other than cheddar cheese in a cheese factory for that year. R.R.O. 1960, Reg. 434, s. 41.

44. Upon application therefor, a first class cheesemaker's certificate shall be issued to a person who qualifies under section 42, and who,

(*a*) was a cheesemaker in charge of the cheesemaking in a cheese factory for at least three months in the year ending with the 31st day of March preceding the period for which the certificate is issued; and

(*b*) made First Grade cheese from at least 95 per cent of the milk made into cheese in the cheese factory during the time he was in charge of the cheesemaking. R.R.O. 1960, Reg. 434, s. 42.

45. Upon application therefor, a second class cheesemaker's certificate shall be issued to a person who qualifies under section 42, and who,

(*a*) was a cheesemaker in charge of the cheesemaking in a cheese factory for at least three months in the year ending with the 31st day of March preceding the period for which the certificate is issued; and

(*b*) made First Grade cheese from at least 90 per cent of the milk made into cheese in the cheese factory during the time he was in charge of the cheesemaking. R.R.O. 1960, Reg. 434, s. 43.

46. Upon application therefor, a temporary cheesemaker's certificate shall be issued to a person who qualifies under section 42 and who does not qualify for a first class or second class cheesemaker's certificate and who was the holder of a cheesemaker's certificate under this Regulation within five years before the date of the application. R.R.O. 1960, Reg. 434, s. 44.

47. Notwithstanding sections 42 to 46, a cheesemaker who did not hold a cheesemaker's certificate in the year immediately preceding the date of his application but did hold a cheesemaker's certificate under this Regulation within five years before the date of his application may be issued a cheesemaker's certificate of the same class he last held. R.R.O. 1960, Reg. 434, s. 45.

48.—(1) A variety cheesemaker's certificate, a first class cheesemaker's certificate, a second class cheesemaker's certificate and a beginner cheesemaker's certificate are valid from the date of issue to the 31st day of March next following.

(2) A temporary cheesemaker's certificate is valid for the period of time stated thereon. R.R.O. 1960, Reg. 434, s. 46.

49. Notwithstanding section 42, upon application therefor a beginner cheesemaker's certificate shall be issued to a person who,

(*a*) (i) is the holder of a diploma described in subclause i of clause *a* of section 42, or

(ii) is the holder of a cheesemaker's certificate under this Regulation;

(*b*) was employed in a cheese factory for at least three months in the two-year period immediately before the date of his application;

(*c*) is a milk tester and milk grader; and

(*d*) is recommended in writing for the certificate by a first class cheesemaker. R.R.O. 1960, Reg. 434, s. 47.

50.—(1) A cheesemaker's certificate is issued on the terms and conditions that the holder of the certificate,

(*a*) conforms to the requirements of the Act and regulations pertaining to his duties; and

(*b*) conspicuously displays the certificate in the room in the plant in which he is usually employed.

(2) The Commission may, after a hearing, suspend or revoke a cheesemaker's certificate for any breach of the terms and conditions upon which the certificate is issued. R.R.O. 1960, Reg. 434, s. 48; O. Reg. 291/65, s. 6.

TESTING AND GRADING MILK

51. Milk rejected at a plant shall be known as "rejected milk". R.R.O. 1960, Reg. 434, s. 49.

52. The milk grader at a plant shall select or reject milk delivered by each producer immediately after the lid of the container is loosened and before any of the milk of the producer is removed from the container other than for testing purposes. R.R.O. 1960, Reg. 434, s. 50.

53. The milk grader at a plant shall reject milk of a producer that,

(*a*) is not sweet and clean;

(*b*) has an objectionable flavour or odour; or

(*c*) shows evidence of being watery, flaky, stringy, bloody, thick or adulterated or insanitary. R.R.O. 1960, Reg. 434, s. 51; O. Reg. 209/61, s. 1.

54. The milk grader at a plant shall reject milk delivered in a container that is not,

(*a*) metal;

(*b*) in good condition;

(*c*) free from rust, open seams and other defects; or

(*d*) covered by a secure lid. R.R.O. 1960, Reg. 434, s. 52.

55. No concentrated liquid milk shall be manufactured at a plant unless the operator of the plant receives and stores milk delivered by the producers for the purpose of manufacturing concentrated liquid milk in tanks separate from milk stored or received for purposes other than the manufacturing of concentrated liquid milk. R.R.O. 1960, Reg. 434, s. 53.

56. Where concentrated liquid milk is manufactured at a plant, the milk grader shall,

(*a*) select from the milk received at the plant the milk for use in the plant for the purpose of manufacturing concentrated liquid milk; and

(*b*) require that milk received from producers for the purpose of manufacturing concentrated liquid milk be received or stored in the tank or compartment thereof that is provided for the receiving or storing of milk for such purpose. R.R.O. 1960, Reg. 434, s. 54.

57.—(1) No milk grader shall select milk for the purpose of manufacturing concentrated liquid milk that does not comply with Regulation 590 of Revised Regulations of Ontario, 1970, respecting grade A milk supplied to distributors. R.R.O. 1960, Reg. 434, s. 55 (1); O. Reg. 291/65, s. 2 (1).

(2) No operator of a plant shall use milk for the purpose of manufacturing concentrated liquid milk except milk that complies with Regulation 590 of Revised Regulations of Ontario, 1970, respecting grade A milk supplied to distributors. R.R.O. 1960, Reg. 434, s. 55 (2); O. Reg. 291/65, s. 2 (2).

58.—(1) The grades for milk when tested for sediment content of the milk are,

(*a*) grade A, consisting of milk that contains not more than 0.25 milligram of sediment to 16 ounces of milk;

(*b*) grade B, consisting of milk that contains not more than 1.25 milligrams of sediment to 16 ounces of milk;

(*c*) grade C, consisting of milk that contains not more than 2.0 milligrams of sediment to 16 ounces of milk; and

(*d*) grade D, consisting of milk that contains more than 2.0 milligrams of sediment to 16 ounces of milk.

(2) Tests made for sediment content of milk shall be known as "sediment tests". R.R.O. 1960, Reg. 434, s. 56.

59.—(1) For making sediment tests, an operator of a plant shall provide,

(*a*) at least one sediment tester having a capacity of 16 ounces of milk;

(*b*) an additional head for each sediment tester;

(*c*) two holders of a clamp type;

(*d*) a quantity of lintine cotton discs having a diameter of 1¼ inches; and

(*e*) charts of sediment standards.

(2) The milk grader at a plant shall maintain in good repair equipment for making sediment tests and shall from time to time examine the equipment to ensure that when a sediment tester is used the sample of milk drawn for each test is at least 16 ounces.

(3) The milk grader shall, for purposes of testing, draw each sample of milk by a sediment tester from the bottom of the container of milk so that the head of the sediment tester passes diametrically across the bottom of the container as the sample of milk is drawn into the sediment tester. R.R.O. 1960, Reg. 434, s. 57.

60.—(1) A milk grader shall make at least one sediment test of the milk of each producer delivered to a plant in each half-month period. O. Reg. 209/61, s. 2 (1).

(2) When a sediment test is made, the test shall be made of the milk in at least one container received from the producer and selected at random before any of the milk received from the producer on that day is removed from its containers.

(3) The milk grader shall make the sediment test of the milk immediately after the lid of the container is first removed and before any of the milk is removed from the container.

(4) Where a sediment test is made of the milk in one container delivered by a producer and the sediment test shows that the milk is grade C or grade D, the grader shall,

(*a*) make a sediment test of the milk in every container of milk received from the producer on the day of the test;

(*b*) make a sediment test of every container of milk subsequently delivered by that producer until all the milk received from that producer on a subsequent day complies with the standards of at least grade B or all the milk delivered by that producer is rejected under section 61.

(*c*) where he finds by a sediment test that any milk is grade D, reject the milk; and

(*d*) where he finds by a sediment test that any milk is grade C,

(i) where the container is owned by the producer, attach to the container a warning tag on which is recorded the particulars of the delivery and the grade and return the container promptly to the producer, or

(ii) send by prepaid mail or deliver to the producer a notice of the particulars of the delivery of the milk and the grade. R.R.O. 1960, Reg. 434, s. 58 (2-4).

(5) Where a field-man finds that the milk grader has not complied with subsection 1, the field-man may cause the test to be made at the expense of the operator of the plant. O. Reg. 209/61, s. 2 (2).

61.—(1) Where a milk grader finds by sediment tests that milk delivered to a plant by a producer fails to comply with at least grade B on more than six days in any fifteen-day period, he shall reject all milk from that producer for the next ensuing fifteen days unless the producer shows that the milk he delivers complies with the requirements of at least grade B.

(2) Where a milk grader rejects milk under subsection 1, the milk grader shall send by prepaid mail or deliver to the producer a notice of the particulars of the delivery of milk and the cause of the rejection and return to the producer at his expense any milk delivered thereafter during the next ensuing fifteen days unless the producer shows that the milk he delivers complies with the requirements of at least grade B. R.R.O. 1960, Reg. 434, s. 59.

62. Where a milk grader rejects milk he shall,

(*a*) attach to the container in which the milk was delivered a rejection tag bearing the words "rejected milk";

(*b*) state on the rejection tag the cause for the rejection;

(*c*) add to the milk a harmless food colouring; and

(*d*) return as soon as is practicable to the producer the milk in the container in which it was delivered. R.R.O. 1960, Reg. 434, s. 60.

63. No person shall sell, offer for sale, transport or deliver the rejected milk for use as food, or in the preparation of food, for human consumption. R.R.O. 1960, Reg. 434, s. 61.

64.—(1) Where the milk of a producer is delivered to a plant by tank truck, his milk shall be tested for bacterial content by a plate loop test.

(2) Where the milk of a producer is delivered to a plant other than by tank truck, his milk shall be tested for bacterial activity by a Resazurin reduction test.

(3) For the purposes of this section, the milk of a producer shall be tested at least once in each month. O. Reg. 105/70, s. 1.

65.—(1) Where milk is tested for bacterial content by a plate loop test, the grades for milk are,

(*a*) grade 1, for milk that contains less than 100,000 bacteria in a millilitre of the milk;

(*b*) grade 2, for milk that contains not less than 100,000 and not more than 199,999 bacteria in a millilitre of the milk; and

(*c*) grade 3, for milk that contains 200,000 or more bacteria in a millilitre of the milk.

(2) Where the milk of a producer is tested by a plate loop test and grades 3, the Commission shall forthwith notify the producer in writing of the results of the test.

(3) Where the milk of a producer is tested by a plate loop test and grades 3 on three consecutive tests,

(*a*) the Commission shall forthwith notify in writing the marketing board, the producer and the operator of the plant to which the milk of the producer is delivered; and

(*b*) the milk of the producer shall be rejected by the marketing board or the operator of the plant, as the case may be, until the producer establishes that the milk produced by him complies with the requirements of grade 2 as prescribed by clause *b* of subsection 1.

(4) The notice referred to in clause *a* of subsection 3 shall state the cause for the rejection under clause *b* of subsection 3. O. Reg. 105/70, s. 2.

66. Where milk is tested for bacterial activity by a Resazurin reduction test and the sample of milk for purposes of test is added to the resazurin dye solution, the grades for milk are,

(*a*) grade 1, for milk of which the sample does not change in colour from blue grey to more than purplish blue in a period of three hours;

(*b*) grade 2, for milk of which the sample changes in colour from blue grey to not more than purplish blue in a period of two hours, but to more than purplish blue in a period of three hours;

(*c*) grade 3, for milk of which the sample changes in colour from blue grey to not more than purplish blue in a period of one hour, but to more than purplish blue in a period of two hours; and

(*d*) grade 4, for milk of which the sample changes in colour from blue grey to more than purplish blue in a period of one hour. R.R.O. 1960, Reg. 434, s. 65.

67. Where a milk grader finds by a Resazurin reduction test that the milk delivered by a producer is grade 4, he shall make a Resazurin reduction test of the milk of that producer at least once each month until he finds that the milk is at least grade 2 or the milk is rejected under section 68. O. Reg. 274/63, s. 4.

68.—(1) Where a milk grader finds by a Resazurin reduction test that the milk of a producer failed to comply with at least grade 3 on more than two consecutive tests, he shall reject all milk of that producer for the next ensuing fifteen days unless the producer shows that the milk he delivers complies with the requirements of at least grade 2. O. Reg. 209/61, s. 5; O. Reg. 274/63, s. 5 (1).

(2) Where a milk grader finds by a bacterial activity test that the milk is grade 4, he shall notify the producer of the results of the test within twenty-four hours. R.R.O. 1960, Reg. 434, s. 67 (2).

(3) Where a milk grader rejects milk under subsection 1, the milk grader shall send by prepaid mail or deliver to the producer a notice of the particulars of the delivery of milk and the cause for the rejection and return to the producer at his expense any milk delivered thereafter during the next ensuing fifteen days unless the producer shows that the milk he delivers complies with the requirements of at least grade 2. R.R.O. 1960, Reg. 434, s. 67 (3); O. Reg. 274/63, s. 5 (2).

69.—(1) A producer whose milk or cream is rejected at a plant shall not deliver milk or cream to another plant within fifteen days after the rejection. O. Reg. 209/61, s. 6.

(2) Where the milk of a producer who delivers milk to a plant is graded 4 on a Resazurin reduction test, the producer shall not deliver milk to another plant until thirty days after his milk has been so graded. O. Reg. 274/63, s. 6.

(3) An operator of a plant shall not accept the milk of a producer who has previously delivered milk to another plant unless the producer submits to the operator a certificate of a field-man certifying that the milk of the producer has not been graded 4 on a Resazurin reduction test for a period of thirty days. O. Reg. 274/63, s. 6.

70. A milk grader shall test milk for sediment content and bacterial activity, delivered by a producer,

(*a*) who has not delivered milk to the plant during the fifteen-day period preceding the date of delivery; and

(*b*) whose milk or cream has been rejected by a plant during the fifteen-day period preceding the date of delivery. R.R.O. 1960, Reg. 434, s. 69.

71. An operator of a plant shall provide,

(*a*) containers of at least eight-ounce capacity with close-fitting tops or stoppers to hold composite samples of milk of producers delivering milk to the plant;

(*b*) equipment for obtaining a sample of milk from the milk received from a producer;

(*c*) a cabinet capable of holding all composite samples and maintaining them at a temperature not lower than 40° F. and not higher than 60° F;

(*d*) a tank of sufficient size to be a tempering bath for samples of milk in the making of a test for milk-fat content of the milk; and

(*e*) a supply of mercuric chloride or other preservative equivalent for the purpose for use in preserving the composite samples of milk. R.R.O. 1960, Reg. 434, s. 70; O. Reg. 274/63, s. 7.

72. For making Babcock tests of milk, the operator of a plant shall provide,

(*a*) Babcock-test bottles and pipettes;

(*b*) one acid measure for measuring sulphuric acid and pouring it into Babcock-test bottles;

(*c*) a quantity of sulphuric acid having a specific gravity of not less than 1.82 or more than 1.83 at a temperature of 68° F.;

(*d*) a centrifuge that is,

(i) in sound mechanical operating condition,

(ii) capable of being operated at speeds required for tests without appreciable vibration,

(iii) equipped with a speed indicator or other means of readily determining the speed, and

(iv) properly mounted;

(*e*) a means of heating the centrifuge to a temperature of at least 130° F. and maintaining the temperature at not less than 130° F. during the period of the test;

(*f*) a set of calipers in sound mechanical operating condition, with a screw-locking device; and

(*g*) a water bath with a means of heating the water to a temperature of at least 130° F. and maintaining the temperature at not less than 130° F. or more than 140° F. during the period of the test and a thermometer capable of measuring readily the temperature of the water. R.R.O. 1960, Reg. 434, s. 71.

73.—(1) After milk delivered by a producer to a plant is graded, the milk grader shall,

(*a*) weigh the milk and record the weight to the nearest pound; and

(*b*) take a sample of milk from,

(i) each container after the milk is thoroughly mixed in the container, or

(ii) each quantity of milk weighed in one weighing thereof after it is thoroughly mixed in the weighing-tank.

(2) A sample of milk taken under clause *b* of subsection 1 shall be,

(*a*) at least 10 millilitres where milk is delivered daily; and

(*b*) at least 20 millilitres where milk is not delivered daily.

(3) The milk grader shall make a composite sample of milk received from one producer by putting into one container each sample of milk received from the producer in a period of not more than sixteen days.

(4) Where a sample of milk is added to a composite sample, the milk grader shall mix the sample with the composite sample.

(5) The milk grader shall add to each composite sample of milk such amounts of mercuric chloride, or other preservative equivalent for the purpose, as may be necessary to preserve the composite sample.

(6) A milk grader shall maintain each composite sample of the milk he is grading at a temperature of not lower than 40° F. or higher than 60° F. until the composite sample is tested for milk-fat content.

(7) No person shall put into a sample of milk,

(*a*) subject to subsection 5, any foreign substance; or

(*b*) any milk other than other samples of milk from the same producer in accordance with this section. R.R.O. 1960, Reg. 434, s. 72.

74.—(1) Every composite sample of milk referred to in section 73 shall be tested for milk-fat content by,

(*a*) the Babcock test; or

(*b*) an Infra Red Milk Analyzer,

and the test of each composite sample shall be made within five days after the last sample was added to the composite sample. O. Reg. 289/67, s. 1.

(2) Where a composite sample of milk is tested for milk-fat content by an Infra Red Milk Analyzer,

(*a*) the test shall be made at a laboratory approved by the Commission for that purpose; and

(*b*) a fee of 20 cents shall be paid to the Treasurer of Ontario, as follows:

1. 10 cents by The Ontario Milk Marketing Board.

2. 10 cents by the operator of the plant to which the milk was delivered. O. Reg. 23/68, s. 1.

(3) Where a composite sample of milk is tested for milk-fat content by the Babcock test, the milk tester shall maintain the composite sample at a temperature not lower than 40° F. or higher than 60° F. for a period of at least twelve days after the last sample was added to the composite sample. O. Reg. 289/67, s. 1.

75. The milk-fat content of a composite sample shall be deemed to be the milk-fat content of the milk from which the samples were taken. R.R.O. 1960, Reg. 434, s. 74.

TESTING AND GRADING CREAM

76. The grades for cream are,

(*a*) Special Grade, consisting of cream that,

(i) is clean,

(ii) is without taint in flavour,

(iii) contains no foreign substance,

(iv) is not curdy or lumpy,

(v) is capable of being stirred to a uniform consistency,

(vi) at the time of grading has a content of lactic acid not exceeding 0.25 per cent of the cream, and

(vii) has a milk-fat content of at least 30 per cent of the cream;

(*b*) First Grade, consisting of cream that is not Special Grade, and that,

(i) is not curdy or lumpy,

(ii) is capable of being stirred to a uniform consistency,

(iii) contains no foreign substance,

(iv) at the time of grading has a content of lactic acid not exceeding 0.60 per cent of the cream, and

(v) has no flavour rendering it unfit for the making of First Grade butter; and

(*c*) Second Grade, consisting of cream that is not Special Grade or First Grade, and that,

(i) has no odour or flavour of gasoline, oil, leeks or any other odour or flavouring that renders the cream unfit for making at least Second Grade butter,

(ii) contains no insanitary or foreign substance, and

(iii) at the time of grading has a content of lactic acid not exceeding 0.80 per cent of the cream. R.R.O. 1960, Reg. 434, s. 75.

77. Cream rejected at a plant shall be known as "rejected cream". R.R.O. 1960, Reg. 434, s. 76.

78. The cream grader at a plant shall reject cream delivered to the plant,

(*a*) that is not Special Grade, First Grade or Second Grade;

(*b*) by a producer whose milk or cream has been rejected at a plant within a period of fifteen days preceding the delivery, unless the cream is at least First Grade cream; or

(*c*) in a container that is not,

(i) metal,

(ii) in good condition,

(iii) free from leaks, rust, open seams and other defects, or

(iv) covered by a secure lid. R.R.O. 1960, Reg. 434, s. 77.

79. A cream grader who rejects cream at a plant shall,

(*a*) attach to the container in which the cream was delivered a rejection tag bearing the words "rejected cream";

(*b*) state on the rejection tag the cause for the rejection;

(*c*) add to the cream a harmless food colouring; and

(*d*) return the cream in the container in which it was delivered to the producer as soon as is practicable. R.R.O. 1960, Reg. 434, s. 78.

80.—(1) A producer whose milk or cream is rejected at a plant shall not deliver cream to another plant within a period of fifteen days after such rejection or until he has shown to the operator of the plant at which the milk or cream was rejected that the milk or cream that he delivers is acceptable under this Regulation.

(2) A producer whose milk or cream is rejected at a plant and who within fifteen days of the rejection delivers cream to any plant shall notify the operator of the rejection and the cause for the rejection given on the rejection tag.

(3) The operator of a plant shall reject cream delivered by a producer whose milk or cream was rejected at a plant within the preceding period of fifteen days unless the producer has complied with subsections 1 and 2. R.R.O. 1960, Reg. 434, s. 79.

81. No person shall buy, sell, offer for sale or ship or transport rejected cream as food, or for the preparation of food, for human consumption. R.R.O. 1960, Reg. 434, s. 80.

82. No person other than a cream grader for the purpose of grading shall remove from the container cream delivered to a plant until the cream has been graded. R.R.O. 1960, Reg. 434, s. 81.

83. A cream grader shall thoroughly mix, grade and weigh to the nearest pound cream delivered by each producer to a plant and,

(*a*) where the cream in each container is tested separately for milk-fat content, take a sample of at least three times the amount of cream that the cream tester requires to perform the test; or

(*b*) where the cream of each delivery of two or more containers is tested, take aliquot samples of the cream in each container in such quantities that the samples when together make a total sample of at least two ounces. R.R.O. 1960, Reg. 434, s. 82.

84. Where a field-man finds that the cream grader at a plant has not complied with section 76, 78, 79 or 83, the field-man may cause the cream to be graded at the expense of the operator of the plant. O. Reg. 204/66, s. 1.

85.—(1) At the plant where the cream is accepted a cream tester shall,

(*a*) test each sample of cream for milk-fat content within forty-two hours after the delivery of the cream to the plant; and

(*b*) maintain each sample of cream at a temperature not lower than 40° F. and not higher than 60° F. until 2 p.m. on the day next following the date on which the test is made, but, where the date on which the test is made is a Saturday, he shall maintain the sample until 2 p.m. on the Monday next following.

(2) A field-man may require a cream tester to maintain samples of cream for such period of time longer than the time prescribed in subsection 1 as he considers necessary for the purpose of a further test.

(3) The cream tester shall make each test for milk-fat content of cream by the Babcock test. R.R.O. 1960, Reg. 434, s. 83.

86. The operator of a plant shall provide,

(*a*) in addition to the equipment named in clauses *a* to *g* of section 72,

(i) cream-weighing scales and 9-gram and 18-gram weights, and

(ii) a quantity of glymol or mineral oil having a specific gravity of 0.85 at a temperature of 68° F.,

for making Babcock tests of cream;

(*b*) containers of at least two-ounce capacity with close-fitting tops or stoppers to hold samples of cream of all producers delivering cream to the plant;

(*c*) equipment for obtaining a sample of cream from each container of the cream received from a producer; and

(*d*) a tank of sufficient size to be a tempering bath for samples of cream in preparation for a test for milk-fat content of the cream. R.R.O. 1960, Reg. 434, s. 84.

87. No person shall mix Second Grade cream received at a plant for manufacture into butter with Special Grade or First Grade cream. R.R.O. 1960, Reg. 434, s. 85.

88. No person shall put any foreign substance into a sample of cream, and no person other than the cream grader or cream tester shall add cream to a sample of cream. R.R.O. 1960, Reg. 434, s. 86.

PAYMENT FOR CREAM

89. The differential in payment for cream for manufacture into a milk product shall be,

(*a*) at least 1 cent more for Special Grade than for First Grade cream; and

(*b*) at least 5 cents more for First Grade than for Second Grade cream,

for each pound of milk-fat content. R.R.O. 1960, Reg. 434, s. 87.

90. Where a producer delivers cream to a plant and the operator of the plant declines to accept delivery, the operator shall record the date of the refusal and, where graded, the grade given to the cream. R.R.O. 1960, Reg. 434, s. 88.

LABELLING SAMPLES

91.—(1) A container in which a sample of milk or cream is placed shall be plainly labelled or marked with the name of, or a number to identify, the producer who delivered the milk or cream to the plant.

(2) No person shall put a sample of milk or cream,

(*a*) in a container that is not labelled; or

(*b*) in a container other than one bearing the label for the producer who delivered the milk or cream to the plant. R.R.O. 1960, Reg. 434, s. 89.

RE-TESTING

92.—(1) A field-man may test or require a milk tester or cream tester at a plant to test in his presence any sample of milk or cream that has been tested for milk-fat content.

(2) Where a field-man finds that a test for milk-fat content made by a milk tester or cream tester is in error, he shall report the particulars of the error in writing to the operator of the plant.

(3) Payment for milk or cream shall be made on the basis of the results of the re-test reported by the field-man. R.R.O. 1960, Reg. 434, s. 90.

93. Where composite samples of milk or cream are tested for milk-fat content by the Babcock test, the operator of a plant shall, upon the request of a producer or his representative,

(*a*) furnish to the producer a statement of the milk-fat content of the producer's milk or cream delivered to the plant; and

(*b*) re-test the composite samples in the presence of the producer or his representative,

before the composite samples are destroyed. O. Reg. 289/67, s. 2.

CONTAINERS

94.—(1) No person shall transport milk or cream for manufacture into a milk product except in a container,

(*a*) that is marked, branded or labelled to identify,

(i) the owner of the container, and

(ii) the owner of the contents;

(*b*) in the case of cream, that shows the net weight to the nearest half-pound of the container without its lid;

(*c*) that is free from rust, open seams and other mechanical defects; and

(*d*) that is used for no other purpose.

(2) No person other than the owner of the container shall remove or conceal any mark, brand or label on a container.

(3) No person shall use a container for transporting milk or cream for manufacture into a milk product except,

(*a*) the owner of the container; and

(*b*) a producer to whom the container was supplied for transporting milk or cream to the plant of the owner of the container.

(4) Where the operator of a plant supplies a container to a producer for the purpose of transporting milk or cream to the plant, the producer shall,

(*a*) not transport milk or cream in the container to any place except the plant; and

(*b*) when the container is no longer required to transport milk or cream, promptly return the container in good condition to the plant.

(5) Where milk or cream is transported to the plant in containers owned by the producer, the operator of the plant shall promply return the containers in good condition to the producer.

(6) An operator of a plant shall not supply or return to a producer a container for the purpose of using it in transporting milk or cream to the plant unless the container has been thoroughly washed and sterilized. R.R.O. 1960, Reg. 434, s. 92.

TRANSPORTATION OF MILK AND MILK PRODUCTS FOR MANUFACTURE INTO MILK PRODUCTS

95.—(1) No person shall transport milk or cream to a plant in a vehicle,

(*a*) that is in an insanitary condition; or

(*b*) that has been used for a purpose that may cause contamination of milk or cream, or containers of milk or cream subsequently transported in the vehicle.

(2) No person shall transport milk in a vehicle, other than a tank truck, except,

(*a*) a vehicle with a covered van body having rigid walls, an insulated roof and a solid floor, so that wind, dust and moisture cannot seriously affect the milk or containers thereof or permit extreme heat or freezing conditions within the shipping space of the vehicle; or

(*b*) a vehicle used to transport milk when the milk and containers thereof are protected from extreme heat and freezing conditions, dust and contamination and the milk is received at a plant before 10 a.m. on the day it is transported from the premises of the producers.

(3) No person shall deck containers of milk or cream in a vehicle used to transport milk or cream to a plant without decking boards that are supported from the body of the vehicle and so located that clearance is provided for the containers in each deck.

(4) Where a vehicle is used to transport milk to a cheese factory between the 1st day of May and the 31st day of October, the driver of the vehicle shall deliver the milk to the plant not later than 10 a.m. on the day of delivery.

(5) The driver of a vehicle used to transport milk or cream to a plant shall deliver the milk or cream as promptly as possible.

(6) The operator of a plant shall accept or refuse to accept milk or cream delivered to the plant within two hours of its arrival at the plant.

(7) The person in charge of a vehicle referred to in clause *a* of subsection 2 shall keep all doors and other openings of the van body of the vehicle closed while it is in transit. R.R.O. 1960, Reg. 434, s. 93.

96.—(1) No person shall transport milk or cream for manufacture into a milk product in a tank truck other than a tank truck having a tank with an inside lining of stainless steel that is free from rust, open seams and other mechanical defects.

(2) No operator of a plant shall receive milk or cream delivered to the plant in a tank truck other than a tank truck having a tank with an inside lining of stainless steel that is free from rust, open seams and other mechanical defects. R.R.O. 1960, Reg. 434, s. 94.

RECORDS AND STATEMENTS

97.—(1) The operator of every plant shall keep a record of,

(*a*) all milk and cream received at the plant, showing the date received and the name of the producer and his number, if any, used for identification of the producer;

(*b*) the rejection of any milk or cream and the cause for rejection;

(*c*) the weights and grades of all milk and cream accepted at the plant for processing into milk products; and

(*d*) the results of all tests made at the plant under this Regulation.

(2) The operator of a plant shall compile a summary of the results of all,

(*a*) sediment tests; and

(*b*) Resazurin reduction tests,

of all milk received from producers and showing the number of producers supplying milk in each class of test.

(3) When a milk grader, milk tester, cream grader or cream tester, as the case may be, weighs, grades or tests milk or cream, he shall immediately make an accurate record of the weight, grade or test, as the case may be, in ink or indelible lead.

(4) The operator of a plant shall keep a record of the full name and address of each producer who ships milk or cream to the plant.

(5) The operator of a plant shall keep for at least one year all records of weights, grades and tests of milk and cream made at his plant. R.R.O. 1960, Reg. 434, s. 95; O. Reg. 274/63, s. 8.

98.—(1) Where milk of a producer is delivered to a plant and accepted by the plant, the operator thereof shall furnish to the producer a statement for each payment period showing,

(*a*) the name and address of the plant;

(*b*) the name of the producer and his plant number, if any, to identify the producer;

(*c*) the weight of the milk of each delivery;

(*d*) the total weight of milk delivered in each period covered by a Babcock test;

(*e*) the milk-fat content of the milk in each period covered by a Babcock test;

(*f*) the price paid for each 100 pounds of milk having a milk-fat content of 3.5 per cent, and the amount of the differential in price for each variation of one-tenth of 1 per cent in the milk-fat content of the milk from the milk-fat content mentioned in clause *e*, or the total number of pounds of milk-fat in the milk delivered by the producer and the price paid in the payment period for each pound of milk-fat;

(*g*) the total price of the milk;

(*h*) amounts deducted from the price of the milk for haulage charges, licence fees or other purpose, and the purpose for which each amount is deducted;

(*i*) the net price payable to the producer; and

(*j*) the grades of the milk. R.R.O. 1960, Reg. 434, s. 96 (1).

(2) In the statement under subsection 1, the grades of the milk shall be shown,

(*a*) where the sediment test classification was grade A, B or C, by the capital letter A, B or C, as the case may be; and

(*b*) where the bacterial activity as determined by the Resazurin reduction test was grade 1, 2, 3 or 4, by the figures 1, 2, 3 or 4, as the case may be. R.R.O. 1960, Reg. 434, s. 96 (2); O. Reg. 274/63, s. 9.

99.—(1) Where cream of a producer is delivered to a plant and accepted by the plant, the operator shall furnish to the producer a statement for each payment period showing,

(*a*) the name and address of the plant;

(*b*) the name of the producer;

(*c*) the weight, grade and milk-fat content of the cream in the container or containers of each delivery;

(*d*) the date of each delivery;

(*e*) the total number of pounds of milk-fat in each grade of the cream delivered by the producer;

(*f*) the price paid for the cream of each grade;

(*g*) the total price for the cream;

(*h*) amounts deducted from the price of the cream for haulage charges, licence fees or other purpose, and the purpose for which each amount is deducted;

(*i*) the net amount payable to the producer; and

(*j*) in the case of Second Grade cream, the reason or reasons for the grade.

(2) In the statement under subsection 1, the grades of the cream shall be shown,

(*a*) where the cream is Special Grade, by the letters SP;

(*b*) where the cream is First Grade, by the figure 1; and

(*c*) where the cream is Second Grade, by the figure 2. R.R.O. 1960, Reg. 434, s. 97.

100.—(1) No person shall falsify any records or statements, or make any incorrect determination that may affect the price paid for milk or cream at a plant.

(2) Where any record or statement in respect of the price paid for milk or cream at a plant is changed, the person responsible for the change shall write his initials in ink or indelible lead at the place in the record or statement where the change was made. R.R.O. 1960, Reg. 434, s. 98.

PASTEURIZATION

101.—(1) No person shall use cream in the manufacture of butter at a plant except cream pasteurized by heating the cream,

(*a*) to a temperature of at least 170° F. and maintaining that temperature for at least ten minutes; or

(*b*) in a continuous pasteurizer to a temperature of at least 185° F.,

and cooling the cream immediately thereafter to a temperature not higher than the temperature suitable for churning the cream.

(2) When a field-man tests butter to determine whether the cream used in its manufacture was pasteurized, he shall make a storch test.

(3) Where a storch test is made of a sample of butter and the butter serum retains its colour for at least thirty seconds, the cream used in the manufacture of the butter shall be deemed to have been pasteurized. R.R.O. 1960, Reg. 434, s. 99.

102. Where milk delivered to a cheese factory for the purpose of making cheese is pasteurized, it shall be pasteurized by heating the milk,

(*a*) to a temperature of 143° F. and maintaining that temperature for thirty minutes; or

(*b*) to a temperature of 161° F. and maintaining that temperature for sixteen seconds,

and cooling the milk immediately thereafter to a temperature not higher than the temperature suitable for setting the milk. R.R.O. 1960, Reg. 434, s. 100.

103.—(1) No operator shall deliver skim-milk or whey to a producer of milk or cream except pasteurized skim-milk or whey.

(2) Skim-milk and whey shall be pasteurized by heating the skim-milk or whey to a temperature of 155° F. and maintaining that temperature for a period of thirty minutes. R.R.O. 1960, Reg. 434, s. 101.

104.—(1) No person shall sell or offer for sale ice cream mix, or use ice cream mix in the processing of ice cream, except pasteurized ice cream mix.

(2) Ice cream mix shall be pasteurized by heating the ice cream mix,

(*a*) to a temperature of 155° F. and maintaining that temperature for thirty minutes; or

(*b*) to a temperature of 175° F. and maintaining that temperature for sixteen seconds,

and cooling the ice cream mix immediately thereafter to a temperature not higher than 50° F. R.R.O. 1960, Reg. 434, s. 102.

STORAGE

105.—(1) Where milk is accepted at a plant and is not used immediately in the processing of a milk product, the milk shall be cooled to a temperature not higher than 50° F. and maintained in storage at that temperature until it is used in the manufacture of a milk product.

(2) Milk in storage under subsection 1 shall not be used in the processing of a milk product where the milk on removal from storage does not comply with the standards required for milk to be accepted at the plant when delivered to it. R.R.O. 1960, Reg. 434, s. 103.

106.—(1) Where cream of Special Grade or First Grade is accepted at a plant for the making of butter and is not used immediately, the cream shall be cooled to a temperature not higher than 50° F. and maintained in proper storage at that temperature until it is so used.

(2) Where cream has been in storage under subsection 1 and is removed from storage, and fails to comply with the standards of at least First Grade cream, it shall not be churned for the making of butter with Special Grade or First Grade cream. R.R.O. 1960, Reg. 434, s. 104.

107. No stale or rancid cream, stale or rancid butter, or melted ice cream shall be used in the preparation of ice cream mix or the processing of ice cream. R.R.O. 1960, Reg. 434, s. 105.

108. No person shall deliver to a producer skim-milk, buttermilk or whey in a container used for delivering milk or cream to a plant. R.R.O. 1960, Reg. 434, s. 106.

109. Every operator of a plant shall make a report to the Commission of the operation of the plant during each month of the year before the 15th day of the following month in a form provided by the Commission. O. Reg. 291/65, s. 5.

110.—(1) Every operator of a plant shall furnish to the Commission within three months after the end of his fiscal year three copies of the financial statement of his operations during the fiscal year, including the balance sheet and profit and loss statement, in respect of each plant operated by him in Ontario.

(2) Every financial statement furnished by the operator of a plant under subsection 1 shall be certified by his auditor.

(3) Every operator of a plant shall, in addition to the information or returns required under subsection 1, furnish to the Commission such information or returns as the Commission from time to time determines.

(4) Producers and transporters of milk and cream shall furnish to the Commission such information or returns as the Commission from time to time determines. O. Reg. 197/67, s. 4.

Form 1

The Milk Act

APPLICATION FOR A PERMIT TO CONSTRUCT OR ALTER A BUILDING INTENDED FOR USE AS A PLANT

To: The Milk Commission of Ontario,
Parliament Buildings,
Toronto 2, Ontario.

.....
(name of applicant)

.....
(address)

applies for a permit to .....
(construct or alter)

a building intended for use as a plant under *The Milk Act* and the regulations, and in support of this application the following facts are stated:

1. Purpose for which building is intended to be used

.....
(state whether cheese factory, creamery, cream receiving station, milk receiving station, concentrated milk plant)

2. Products to be made .....

3. Location .....
(street and number)

.....
(city, town or village) (county)

4. If building to be altered, give its former uses ....

.....

5. Type of construction .....
(state whether brick,

.....
concrete block, wood)

6. Number of producers expected to patronize the plant:

Milk ..... Cream: .....

7. Estimated number of cows kept by prospective patrons .....

8. Names and addresses of nearest plants that process products of class intended to be made in plant for which this permit is applied for:

.....

.....

.....

9. Remarks: .....

.....

.....

10. The facts given in this application are true to the best of my knowledge and belief.

Date....., 19....

.....
(signature of applicant)

By .....
(title of official signing if a partnership or corporation)

R.R.O. 1960, Reg. 434, Form 1; O. Reg. 291/65, s. 7.

Form 2

The Milk Act

PERMIT TO CONSTRUCT OR ALTER A BUILDING INTENDED FOR USE AS A PLANT

Under *The Milk Act* and the regulations, and subject to the limitations thereof, this permit is issued to

.....
(name of applicant)

.....
(address)

to construct or alter a building intended for use as a plant in accordance with the drawings and specifications submitted with the application therefor.

Issued at Toronto, this....day of....., 19....

THE MILK COMMISSION OF ONTARIO:

.....
Chairman

.....
Secretary

R.R.O. 1960, Reg. 434, Form 2; O. Reg. 291/65, s. 8.

Form 3

The Milk Act

APPLICATION FOR LICENCE
FOR THE OPERATION OF A PLANT

To: The Milk Commission of Ontario,
Parliament Buildings,
Toronto 2, Ontario.

.....
(name of corporation, partnership or person, and if

.....
partnership, give the names of all partners)

....
(street and number) (city, town or village)

makes application for a licence for the operation of a plant under *The Milk Act* and the regulations and in support of this application the following facts are stated:

1. The applicant is:

   i. A co-operative corporation.....

   ii. A corporation, other than a co-operative...

   iii. A partnership.....

   iv. A sole proprietor.....

2. Name of plant operated.....

3. Address of plant.....
   (street and number)

   ....
   (city, town or village) (county, etc.)

4. Registered or establishment number is.....

5. Name of:

   i. Manager.....

   ii. Buttermaker.....

   iii. Cheesemaker.....

6. Type of plant operated:

   i. Cheese factory.....

   ii. Concentrated milk plant.....

   iii. Creamery.....

   iv. Cream receiving station.....

   v. Milk receiving station.....

7. Are fluid milk products processed at the plant?

   .....
   ("Yes" or "No")

8. Products manufactured: (indicate "Yes" or "No")

   Albumen.....

   Butter: creamery..... whey.....

   Buttermilk powder.....

   Casein.....

   Cheese: (state kinds).....

   Concentrated liquid milk.....

   Concentrated liquid partly-skimmed milk.....

   Concentrated liquid skim-milk.....

   Condensed milk.....

   Cottage cheese.....

   Evaporated milk.....

   Evaporated partly-skimmed milk.....

   Evaporated skim-milk.....

   Ice cream.....

   Ice cream mix.....

   Ice milk.....

   Ice milk mix.....

   Low fat dairy spread.....

   Milk powder: roller..... spray.....

   Milk shake mix.....

   Milk sugar.....

   Modified milks.....

   Sherbet.....

   Skim-milk powder: roller..... spray.....

   Sodium caseinate.....

   Sour cream.....

   Sweet cream.....

   Whey cream.....

   Whey powder.....

   Other milk products:.....

   .....

9. Number of producers shipping: milk.....

cream.....

10. Do you buy the milk or cream? ("Yes" or "No")....

i. If yes, from whom?.....

ii. If no, explain.....

11. Date or dates of payments to producers and exact period covered by the payments are as follows:

i. For milk:..... .....
(date or dates of payment) (period)

ii. For cream:..... .....
(date or dates of payment) (period)

12. The quantity and value of cream or milk bought from producers or handled on behalf of producers and delivered to the plant of applicant during each month of the previous calendar year are shown on the following Table:

TABLE

Month	Quantity of Milk or Cream	Value
January		
February		
March		
April		
May		
June		
July		
August		
September		
October		
November		
December		
Total for Year		

13. If applicant has not been previously licensed,

(*a*) has an existing business been acquired?

.....("Yes" or "No")

(*b*) if "yes", give name and address of business acquired:

.....
(name)

.....
(address)

(*c*) give information respecting experience, financial responsibility and equipment:

.....

.....

(*d*) give date of intention to commence business:

.....

14. Where applicant is licensed, a copy of the latest financial statement, including the balance sheet and profit and loss statement, certified correct by applicant's auditor, accompanies this application.

15. The licence fee of $10 accompanies this application.

Dated at....., this.....day of

....., 19....

.....
(signature of applicant)

By.....
(title of official signing if partnership or corporation)

O. Reg. 33/68, s. 1.

Form 4

The Milk Act

LICENCE FOR THE OPERATION OF A PLANT

Licence No.....

Under *The Milk Act* and the regulations, and subject to the limitations thereof, this licence

is issued to.....
(name)

.....
(address)

for the operation of.....
(type or types of plant)

.....

under the name of.....

at.....
(city, town or village) (county, etc.)

This licence becomes effective on the.....day of

....., 19....and expires with the 31st day of

May, 19....

Issued at Toronto, this.....day of....., 19....

THE MILK COMMISSION OF ONTARIO:

.....
Chairman

.....
Secretary

R.R.O. 1960, Reg. 434, Form 4; O. Reg. 48/65, s. 6; O. Reg. 291/65, s. 10.

Form 5

The Milk Act

BOND OF OPERATOR OF PLANT

Bond No..... Amount.....

KNOW ALL MEN BY THESE PPESENTS, that we

.....

of the.....of.....

in the county of.....

hereinafter called the "Principal" and.....

.....

hereinafter called the "Surety" are jointly and severally bound unto THE MILK COMMISSION OF ONTARIO, hereinafter called the "Commission" in the sum of ..... of lawful money of Canada to be paid unto the Commission, its successors or assigns, for which payment well and truly to be made we jointly and severally bind ourselves and our respective heirs, executors, administrators and assigns firmly by these presents.

WHEREAS the Principal has applied for a licence for the operation of a plant under *The Milk Act* and the regulations made thereunder for the period

ending the.....day of....., 19....

NOW THEREFORE THE CONDITION OF THIS OBLIGATION is such that if the Principal shall faithfully comply with all the requirements of the Act and the regulations made thereunder respecting payment of obligations to producers of milk or cream to the extent provided for in the regulations and shall promptly pay all amounts due to producers as so required for milk or cream purchased by the Principal

during the licence year ending on the.....day of

....., 19.., then this obligation shall be void but otherwise shall be and remain in full force;

SUBJECT HOWEVER to the conditions,

(*a*) that all liability of the Surety shall cease upon the cancellation or suspension of the licence of the Principal by the Commission, but the Principal and Surety shall remain liable hereunder from the effective date of this Bond up to the cancellation or suspension;

(*b*) that the Surety may cancel this Bond at any time upon giving sixty days' notice in writing to the Commission but the Surety shall be liable hereunder from the effective date of this Bond up to the expiration of the notice of cancellation; and

(*c*) that in the event of this Bond being continued by renewal certificate the Surety's liability thereunder shall not be cumulative and shall in no event exceed the penal sum written above or the amount substituted for such penal sum by any subsequent endorsement or renewal certificate.

SEALED with our seals and dated the.....day of

....., 19....

Signed, Sealed and
Delivered in the
presence of:

.....
Principal

Name.....

Corporate Seal

Address.....

.....
Guarantee Company

R.R.O. 1960, Reg. 434, Form 5; O. Reg. 291/65, s. 11.

Form 6

The Milk Act

*APPLICATION FOR CERTIFICATE AS

MILK TESTER	
CREAM TESTER	
MILK GRADER	
BULK-TANK MILK GRADER	
CREAM GRADER	

*Mark class of certificate applied for and, where more than one class of certificate is applied for, make separate application for each class.

To: The Milk Commission of Ontario,
Parliament Buildings,
Toronto 2, Ontario.

.....
(name of applicant in full—please print)

.....
(address)

applies for a certificate as .....
(state name of class of certificate)

under *The Milk Act* and the regulations, and in support of this application the following facts are stated:

1. Name and address of plant where applicant is employed:

   .....

2. Present duties in plant: .....

3. Dairy experience (give names of plants, nature of work, how long employed, and when) .....

   .....

   .....

4. Name of dairy school attended .....

5. Year dairy school diploma issued .....

6. Name and address of field-man visiting plant where applicant is employed .....

7. The fee of $2.50 accompanies this application.

Date ....., 19....

.....
(signature of applicant)

R.R.O. 1960, Reg. 434, Form 6; O. Reg. 48/65, s. 7; O. Reg. 291/65, s. 12.

Form 7

The Milk Act

*APPLICATION FOR CERTIFICATE AS

APPRENTICE MILK TESTER	
APPRENTICE CREAM TESTER	
APPRENTICE MILK GRADER	
APPRENTICE CREAM GRADER	

*Mark class of certificate applied for and, where more than one class of certificate is applied for, make separate application for each class.

To: The Milk Commission of Ontario,
Parliament Buldings,
Toronto 2, Ontario.

.....
(name of applicant in full—please print)

.....
(address)

applies for a certificate as .....
(state name of class of certificate)

under *The Milk Act* and the regulations, and in support of this application the following facts are stated:

1. Name and address of plant where applicant is employed .....

2. Present duties in plant .....

3. Dairy experience (give names of plants, nature of work, how long employed, and when) .....

   .....

   .....

4. Name of dairy school attended.....

5. Year dairy school diploma issued.....

6. Name and address of field-man visiting plant where applicant is employed.....

7. The fee of $1 accompanies this application.

Date....., 19....

.....
(signature of applicant)

R.R.O. 1960, Reg. 434, Form 7; O. Reg. 48/65, s. 8; O. Reg. 291/65, s. 12.

Form 8

The Milk Act

MILK TESTER'S CERTIFICATE

Under *The Milk Act* and the regulations, and subject to the limitations thereof, this certificate is issued

to.....

of.....

as a milk tester.

This certificate expires with the 31st day of March, 19....

Dated at Toronto, this.....day of....., 19..

THE MILK COMMISSION OF ONTARIO:

.....
Chairman

.....
Secretary

R.R.O. 1960, Reg. 432, Form 8; O. Reg. 48/65, s. 9; O. Reg. 291/65, s. 12.

Form 9

The Milk Act

CREAM TESTER'S CERTIFICATE

Under *The Milk Act* and the regulations, and subject to the limitations thereof, this certificate is issued

to.....

of.....

as a cream tester.

This certificate expires with the 31st day of March, 19....

Dated at Toronto, this....day of....., 19....

THE MILK COMMISSION OF ONTARIO:

.....
Chairman

.....
Secretary

R.R.O. 1960, Reg. 432, Form 9; O. Reg. 48/65, s. 10; O. Reg. 291/65, s. 12.

Form 10

The Milk Act

MILK GRADER'S CERTIFICATE

Under *The Milk Act* and the regulations, and subject to the limitations thereof, this certificate is issued

to.....

of.....

as a milk grader.

This certificate expires with the 31st day of March, 19....

Dated at Toronto, this....day of....., 19....

THE MILK COMMISSION OF ONTARIO:

.....
Chairman

.....
Secretary

R.R.O. 1960, Reg. 432, Form 10; O. Reg. 48/65, s. 11; O. Reg. 291/65, s. 12.

Form 11

The Milk Act

BULK-TANK MILK GRADER'S CERTIFICATE

Under *The Milk Act* and the regulations, and subject to the limitations thereof, this certificate is issued

to.....

of.....

as a bulk-tank milk grader.

This certificate expires with the 31st day of March, 19....

Dated at Toronto, this....day of....., 19....

THE MILK COMMISSION OF ONTARIO:

.....
Chairman

.....
Secretary

R.R.O. 1960, Reg. 434, Form 11; O. Reg. 48/65, s. 12; O. Reg. 291/65, s. 12.

Form 12

The Milk Act

CREAM GRADER'S CERTIFICATE

Under *The Milk Act* and the regulations, and subject to the limitations thereof, this certificate is issued

to.....

of.....

as a cream grader.

This certificate expires with the 31st day of March, 19....

Dated at Toronto, this....day of....., 19....

THE MILK COMMISSION OF ONTARIO:

.....
Chairman

.....
Secretary

R.R.O. 1960, Reg. 434, Form 12; O. Reg. 48/65, s. 13; O. Reg. 291/65, s. 12.

Form 13

The Milk Act

*APPRENTICE.....CERTIFICATE

Under *The Milk Act* and the regulations, and subject to the limitations thereof, this certificate is issued

to.....

of.....

as an apprentice.....

This certificate expires with the 30th day of April, 19....

Dated at Toronto, this....day of....., 19....

THE MILK COMMISSION OF ONTARIO:

.....
Chairman

.....
Secretary

*State whether milk tester, cream tester, milk grader or cream grader.

R.R.O. 1960, Reg. 434, Form 13; O. Reg. 48/65, s. 14; O. Reg. 291/65, s. 12.

Form 14

The Milk Act

APPLICATION FOR BUTTERMAKER'S CERTIFICATE

To: The Milk Commission of Ontario,
Parliament Buildings,
Toronto 2, Ontario.

.....
(name of applicant in full—please print)

.....
(address)

applies for a buttermaker's certificate under *The Milk Act* and the regulations, and in support of this application the following facts are stated:

1. If presently employed in a plant,

   (*a*) name and address of plant where employed

   .....

   (*b*) present duties in plant.....

   .....

2. Name and address of plant in which applicant intends to be holder of Certificate.....

   .....

3. Experience in plants.....
   (names and addresses of plants,

   .....
   nature of duties, length of employment, and

.....
dates)

.....

.....

.....

.....

4. Name of Dairy School attended and year of issue of diploma.....

5. Other academic qualifications and training....

.....

.....

.....

6. The following Certificates and numbers thereof are held by applicant:

Milk Grader's	Milk Tester's
No. MG.....	No. MT.....

Cream Grader's	Cream Tester's
No. CG.....	No. CT.....

7. In the case of an application for a Beginner Buttermaker's Certificate, the name and address of the holder of a First Class Buttermaker's Certificate to whom inquiry may be made as a reference....

.....

8. Name and address of field-man appointed under the Act for plant at which applicant is employed

.....

9. The fee of $2.50 accompanies this application.

Dated at.....this....day of....., 19....

.....
(signature of applicant)

R.R.O. 1960, Reg. 434, Form 14; O. Reg. 48/65, s. 15; O. Reg. 291/65, s. 12.

Form 15

The Milk Act

FIRST CLASS BUTTERMAKER'S CERTIFICATE

Under *The Milk Act* and the regulations, and subject to the limitations thereof, this certificate is issued

to.....

of.....

as a First Class Buttermaker.

This Certificate expires with the 31st day of March, 19....

Issued at Toronto, this....day of....., 19....

THE MILK COMMISSION OF ONTARIO:

.....
Chairman

.....
Secretary

R.R.O. 1960, Reg. 434, Form 15; O. Reg. 291/65, s. 13.

Form 16

The Milk Act

SECOND CLASS BUTTERMAKER'S CERTIFICATE

Under *The Milk Act* and the regulations, and subject to the limitations thereof, this certificate is issued

to.....

of.....

as a Second Class Buttermaker.

This Certificate expires with the 31st day of March, 19....

Issued at Toronto, this....day of....., 19....

THE MILK COMMISSION OF ONTARIO:

.....
Chairman

.....
Secretary

R.R.O. 1960, Reg. 434, Form 16; O. Reg. 291/65, s. 13.

Form 17

The Milk Act

TEMPORARY BUTTERMAKER'S CERTIFICATE

Under *The Milk Act* and the regulations, and subject to the limitations thereof, this certificate is issued

to .....

of .....

as a Temporary Buttermaker.

This Certificate expires with the .....

day of ....., 19....

Issued at Toronto, this ....day of ....., 19....

THE MILK COMMISSION OF ONTARIO:

.....
Chairman

.....
Secretary

R.R.O. 1960, Reg. 434, Form 17; O. Reg. 291/65, s. 13.

Form 18

The Milk Act

BEGINNER BUTTERMAKER'S CERTIFICATE

Under *The Milk Act* and the regulations, and subject to the limitations thereof, this certificate is issued

to .....

of .....

as a Beginner Buttermaker.

This Certificate expires with the 31st day of March, 19....

Issued at Toronto, this ....day of ....., 19....

THE MILK COMMISSION OF ONTARIO:

.....
Chairman

.....
Secretary

R.R.O. 1960, Reg. 434, Form 18; O. Reg. 291/65, s. 13.

Form 19

The Milk Act

APPLICATION FOR CHEESEMAKER'S CERTIFICATE

To: The Milk Commission of Ontario,
Parliment Buildings,
Toronto 2, Ontario.

.....
(name of applicant in full —please print)

.....
(address)

applies for a cheesemaker's certificate under *The Milk Act* and the regulations, and in support of this application the following facts are stated:

1. If presently employed in a plant,

   (*a*) name and address of plant where employed

   .....

   (*b*) present duties in plant .....

   .....

2. Name and address of plant in which applicant intends to be holder of Certificate .....

   .....

3. Experience in plants .....
   (names and addresses of plants,

   .....
   nature of duties, length of employment, and

   .....
   dates)

   .....

   .....

   .....

   .....

4. Name of Dairy School attended and year of issue of diploma .....

5. Other academic qualifications and training....

   .....

   .....

   .....

The following Certificates and numbers thereof are held by applicant:

Milk Grader's No. MG..... Milk Tester's No. MT.....

Cream Grader's No. CG..... Cream Tester's No. CT.....

7. In the case of an application for a Beginner Cheesemaker's Certificate, the name and address of the holder of a First Class Cheesemaker's Certificate to whom inquiry may be made as a reference....

.....

8. Name and address of field-man appointed under the Act for plant at which applicant is employed

.....

9. The fee of $2.50 accompanies this application.

Dated at.....this....day of....., 19....

.....
(signature of applicant)

R.R.O. 1960, Reg. 434, Form 19; O. Reg. 48/65, s. 16; O. Reg. 291/65, s. 14.

Form 20

The Milk Act

VARIETY CHEESEMAKER'S CERTIFICATE

Under *The Milk Act* and the regulations, and subject to the limitations thereof, this certificate is issued

to.....

of.....

as a Variety Cheesemaker.

This Certificate expires with the 31st day of March, 19....

Issued at Toronto, this....day of....., 19....

THE MILK COMMISSION OF ONTARIO:

.....
Chairman

.....
Secretary

R.R.O. 1960, Reg. 434, Form 20; O. Reg. 291/65, s. 15.

Form 21

The Milk Act

FIRST CLASS CHEESEMAKER'S CERTIFICATE

Under *The Milk Act* and the regulations, and subject to the limitations thereof, this certificate is issued

to.....

of.....

as a First Class Cheesemaker.

This Certificate expires with the 31st day of March, 19....

Issued at Toronto, this....day of....., 19....

THE MILK COMMISSION OF ONTARIO:

.....
Chairman

.....
Secretary

R.R.O. 1960, Reg. 434, Form 21; O. Reg. 291/65, s. 15.

Form 22

The Milk Act

SECOND CLASS CHEESEMAKER'S CERTIFICATE

Under *The Milk Act* and the regulations, and subject to the limitations thereof, this certificate is issued

to.....

of.....

as a Second Class Cheesemaker.

This Certificate expires with the 31st day of March, 19....

Issued at Toronto, this....day of....., 19....

THE MILK COMMISSION OF ONTARIO:

.....
Chairman

.....
Secretary

R.R.O. 1960, Reg. 434, Form 22; O. Reg. 291/65, s. 15.

Form 23

The Milk Act

TEMPORARY CHEESEMAKER'S CERTIFICATE

Under *The Milk Act* and the regulations, and subject to the limitations thereof, this certificate is issued

to.....

of.....

as a Temporary Cheesemaker.

This Certificate expires with the.....

day of....., 19....

Issued at Toronto, this....day of....., 19....

THE MILK COMMISSION OF ONTARIO:

.....
Chairman

.....
Secretary

R.R.O. 1960, Reg. 434, Form 23; O. Reg. 291/65, s. 15.

Form 24

The Milk Act

BEGINNER CHEESEMAKER'S CERTIFICATE

Under *The Milk Act* and the regulations, and subject to the limitations thereof, this certificate is issued

to.....

of.....

as a Beginner Cheesemaker.

This Certificate expires with the 31st day of March, 19....

Issued at Toronto, this....day of....., 19....

THE MILK COMMISSION OF ONTARIO:

.....
Chairman

.....
Secretary

R.R.O. 1960, Reg. 434, Form 24; O. Reg. 291/65, s. 15.

REGULATION 601

under The Milk Act

PURCHASE AND SALE OF MILK FOR NORTHERN ONTARIO POOL

1. In this Regulation,

(*a*) "marketing board" means The Ontario Milk Marketing Board;

(*b*) "Northern Ontario pool area" means that part of Ontario comprising the following territorial districts:

1. Algoma, except the Township of Wicksteed.
2. Manitoulin.
3. Nipissing.
4. Sudbury.

(*c*) "producer" means a producer of milk who supplies milk to a distributor or plant in the Northern Ontario pool area. O. Reg. 305/66, s. 1.

2.—(1) Every producer shall offer to sell and sell the milk produced by him to the marketing board.

(2) No producer shall offer to sell or sell milk produced by him to any person other than the marketing board.

(3) No person other than the marketing board shall buy milk from a producer. O. Reg. 305/66, s. 2.

3.—(1) No distributor or operator of a plant in the Northern Ontario pool area shall buy milk from any person other than the marketing board.

(2) No distributor or operator of a plant in the Northern Ontario pool area shall process, pack or package any milk that has not been sold by the marketing board. O. Reg. 305/66, s. 3.

4.—(1) Every producer shall ship the milk produced by him to the distributor or plant designated by the marketing board.

(2) No producer shall ship milk to any place other than the premises of the distributor or plant designated by the marketing board. O. Reg. 305/66, s. 4.

5. No person shall transport milk from the premises of a producer except,

(*a*) a transporter appointed by the marketing board as its agent for that purpose; or

(*b*) a producer transporting only the milk produced by him to the premises of a distributor or plant designated by the marketing board. O. Reg. 305/66, s. 5.

6. Every transporter appointed as an agent of the marketing board for the transportation of milk in the Northern Ontario pool area shall transport milk in accordance with the terms and conditions of the agreement under which he is appointed. O. Reg. 305/66, s. 6.

REGULATION 602

under The Milk Act

RECONSTITUTED MILK—GENERAL

1. In this Regulation,

(*a*) "reconstituted concentrated liquid milk" means reconstituted milk that contains not less than 7.5 per cent of milk-fat and not less than 17 per cent of milk solids other than milk-fat and that is not sterilized in the container in which it is offered for sale;

(*b*) "reconstituted concentrated liquid partly-skimmed milk" means reconstituted milk that contains not less than 0.3 per cent and not more than 7.5 per cent of milk-fat and not less than 17 per cent of milk solids other than milk-fat and that is not sterilized in the container in which it is offered for sale;

(*c*) "reconstituted concentrated liquid skim-milk" means reconstituted milk that contains not more than 0.3 per cent of milk-fat and not less than 17 per cent of milk solids other than milk-fat and that it is not sterilized in the container in which it is offered for sale;

(*d*) "reconstituted flavoured milk" means reconstituted milk that contains not less than 3 per cent of milk-fat and to which chocolate, fruit or other flavouring has been added;

(*e*) "reconstituted flavoured milk drink" means reconstituted milk that contains not less than 2 per cent of milk-fat and to which chocolate, fruit or other flavouring has been added;

(*f*) "reconstituted homogenized standard milk" means reconstituted standard milk that has been subjected to a mechanical treatment that prevents separation of the milk-fat;

(*g*) "reconstituted partly-skimmed milk" means reconstituted milk that contains not less than 0.1 per cent and not more than 3.24 per cent of milk-fat and not less than 8.25 per cent of milk solids other than milk-fat;

(*h*) "reconstituted skim-milk" means reconstituted milk that contains not more than 0.1 per cent of milk-fat and not less than 8.5 per cent of milk solids other than milk-fat;

(*i*) "reconstituted special milk" means reconstituted milk that contains not less than 4 per cent and not more than 9.9 per cent of milk-fat and not less than 8.5 per cent of milk solids other than milk-fat;

(*j*) "reconstituted standard milk" means reconstituted milk that contains not less than 3.25 per cent and not more than 3.9 per cent of milk-fat and not less than 8 per cent of milk solids other than milk-fat;

(*k*) "reconstituted sterilized milk" means reconstituted milk that,

(i) contains not less than 3.25 per cent of milk-fat and not less than 8 per cent of milk solids other than milk-fat,

(ii) has been heated without concentration or appreciable loss of volume to a temperature of at least 212°F. for a length of time sufficient to kill all organisms in the reconstituted milk, and

(iii) is packaged in a container that is hermetically sealed. O. Reg. 106/66, s. 1.

2. Milk that,

(*a*) is derived, remade, compounded or blended in whole or in part, with or without the addition of milk-fat, from evaporated milk, evaporated partly-skimmed milk, evaporated skim-milk, milk powder, skim-milk powder, concentrated liquid milk, concentrated liquid partly-skimmed milk, concentrated liquid skim-milk or concentrated liquid chocolate milk; and

(*b*) resembles or may be used as a substitute for a fluid milk product, concentrated liquid milk, concentrated liquid partly-skimmed milk, concentrated liquid skim-milk or concentrated liquid chocolate milk,

is designated as reconstituted milk. O. Reg. 106/66, s. 2.

3. The following classes of reconstituted milk are established:

1. Reconstituted concentrated liquid milk.

2. Reconstituted concentrated liquid partly-skimmed milk.

3. Reconstituted concentrated liquid skim-milk.

4. Reconstituted flavoured milk.

5. Reconstituted flavoured milk drink.

6. Reconstituted homogenized standard milk.

7. Reconstituted partly-skimmed milk.

8. Reconstituted skim-milk.

9. Reconstituted special milk.

10. Reconstituted standard milk.

11. Reconstituted sterilized milk. O. Reg. 106/66, s. 3.

4. This Regulation and subsection 2 of section 15 of the Act do not apply to a person who processes reconstituted milk at his home for consumption therein. O. Reg. 106/66, s. 4.

5.—(1) A permit to manufacture and sell any class of reconstituted milk shall be in Form 2.

(2) No permit in Form 2 shall be issued except upon application therefor in Form 1.

(3) A permit in Form 2 expires with the date specified therein.

(4) A permit in Form 2 may be limited to the manufacture and sale of one or more classes of reconstituted milk.

(5) A permit in Form 2 is not transferable. O. Reg. 106/66, s. 5.

6. No permit in Form 2 shall be issued unless,

(*a*) the applicant therefor holds a licence as a distributor or operator of a dairy; and

(*b*) having regard to,

(i) the present or foreseeable supply of grade A milk, and

(ii) the present or foreseeable demand for fluid milk products,

the Commission is satisfied that the applicant cannot provide a sufficient volume of fluid milk products to meet his requirements. O. Reg. 106/66, s. 6.

7.—(1) A permit in Form 2 is issued on the terms and conditions that the holder of the permit,

(*a*) manufactures and sells reconstituted milk only at such times as his supply of grade A milk is not sufficient to satisfy his requirements for fluid milk products;

(*b*) on each day that reconstituted milk is manufactured, advises the Commission in writing with respect to,

(i) the quantity of each class of reconstituted milk that was manufactured, and

(ii) the quantity of each milk product that was used in the manufacture of each class of reconstituted milk;

(*c*) manufactures and sells reconstituted milk only in the area or areas designated on the permit;

(*d*) continues to hold a licence as a distributor or operator of a dairy; and

(*e*) complies with the requirements of the Act and the regulations relating to the manufacture and sale of reconstituted milk.

(2) The Commission may suspend or revoke a permit in Form 2 for any violation of the terms and conditions upon which it is issued. O. Reg. 106/66, s. 7.

8.—(1) Every holder of a permit in Form 2 shall keep a monthly record of,

(*a*) the quantity of each class of reconstituted milk manufactured and sold; and

(*b*) the quantity of each milk product used in the manufacture of each class of reconstituted milk.

(2) Every holder of a permit in Form 2 shall make a report to the Commission in respect of each month showing,

(*a*) the quantity of each class of reconstituted milk manufactured and sold; and

(*b*) the quantity of each milk product used in the manufacture of each class of reconstituted milk,

not later than the 15th day of the month next following. O. Reg. 116/66, s. 1.

9. No person shall sell any class of reconstituted milk except in a container that has a label imprinted on the container, affixed to the container or imprinted on the cap of the container showing,

(*a*) the class of reconstituted milk packaged therein; and

(*b*) the name of the permit-holder manufacturing and selling the class of reconstituted milk. O. Reg. 116/66, s. 1.

10.—(1) Where in the opinion of a field-man reconstituted milk has been manufactured and sold in contravention of the Act or the regulations, the field-man may detain the reconstituted milk at the risk and expense of the person who was in possession of such reconstituted milk. O. Reg. 106/66, s. 8 (1), *amended*.

(2) Where a field-man detains reconstituted milk, he shall,

(*a*) attach to the container or package of containers a detention tag in Form 3 bearing a serial number and the words "RECONSTITUTED MILK UNDER DETENTION";

(*b*) make a report in Form 4 to the Commission; and

(*c*) deliver or send by registered mail on the day of detention a copy of the report in Form 4 to,

(i) the person who was in possession of the reconstituted milk at the time that it was detained, and

(ii) the manufacturer, if any, whose name appears on the container or package of containers.

(3) Where reconstituted milk has been detained, any person mentioned in clause *c* of subsection 2 may apply to the Commission for removal of the detention.

(4) An application under subsection 3 for removal of a detention shall,

(*a*) be in writing;

(*b*) be made at such time and in such manner that the application is received by the Commission not later than the tenth day after the day on which the detention was made; and

(*c*) contain a statement of the facts and reasons on which the applicant relies. O. Reg. 106/66, s. 8 (2-4).

11. Where a field-man or the Commission, as the case may be, is satisfied that the reconstituted milk under detention was not manufactured and sold in contravention of the Act or the regulations, the field-man shall, or the Commission shall direct the field-man to, remove the detention tag in Form 3 from the container or package of containers and release the reconstituted milk from detention. O. Reg. 106/66, s. 9, *amended*.

12.—(1) Where reconstituted milk is detained and,

(*a*) on any hearing of an application made in accordance with subsection 4 of section 10 for removal of the detention;

(*b*) on failure of an applicant to attend a hearing on an application under subsection 4 of section 10 for removal of the detention; or

(*c*) after determining that,

(i) the field-man complied with the requirements of clause *c* of subsection 2 of section 10, and

(ii) no application for removal of the detention was received in accordance with subsection 4 of section 10,

the Commission determines that the reconstituted milk was manufactured and sold in violation of the regulations, the reconstituted milk is forfeited to and becomes the property of the Crown in right of Ontario.

(2) Where reconstituted milk is forfeited under subsection 1, it shall be destroyed or otherwise disposed of in such manner as the Commission directs. O. Reg. 106/66, s. 10.

13. Where a field-man has placed a detention tag in Form 3 on a container or package of containers of reconstituted milk, no person shall,

(*a*) sell, offer for sale, move or allow or cause to be moved the reconstituted milk; or

(*b*) remove or cause to be removed the detention tag from the container or package of containers. O. Reg. 106/66, s. 11.

Form 1

The Milk Act

APPLICATION FOR A PERMIT
TO MANUFACTURE AND SELL
RECONSTITUTED MILK

To: The Milk Commission of Ontario,
Parliament Buildings,
Toronto 2, Ontario.

Under *The Milk Act* and the regulations, and subject to the limitations thereof,

.....
(name of corporation, partnership or person and,

.....
if partnership, give the names of all partners)

.....
(street and number) (city, town or village) (county, etc.)

hereby applies for a permit to manufacture and sell the following class or classes of reconstituted milk:

.....

.....

Dated at ....., this .... day of .....,

19....

.....
(signature of applicant)

By .....
(title of official signing for a partnership or corporation)

O. Reg. 106/66, Form 1.

Form 2

The Milk Act

PERMIT TO MANUFACTURE AND SELL RECONSTITUTED MILK

Year..... No.....

Under *The Milk Act* and the regulations, and subject to the limitations thereof, this permit is issued to

.....
(name)

....
(address) (county)

Schedule to manufacture and sell the following class or classes of reconstituted milk:

.....

.....

in the area or areas specified in the Schedule in the margin hereof.

This permit expires with the ..... day

of....., 19....

Issued at Toronto, this .... day of .....,

19....

THE MILK COMMISSION OF ONTARIO:

.....
Chairman

.....
Secretary

O. Reg. 106/66, Form 2.

Form 3

The Milk Act

RECONSTITUTED MILK UNDER DETENTION

Tag No.....

Under *The Milk Act* and the regulations, I have detained the reconstituted milk in the container or package of containers to which this tag is attached.

Date .....

.....
(signature of field-man)

O. Reg. 106/66, Form 3.

Form 4

The Milk Act

REPORT OF FIELD-MAN

1. Date of inspection .....
2. Premises or conveyance .....
3. Location .....
(address)
4. Person in possession of the reconstituted milk ...

.....
(name and address)
5. Description of reconstituted milk .....

.....
6. Trade name .....
7. Name of manufacturer .....
8. Quantity detained .....
9. Detention tag number .....
10. Reason for detention .....
11. Date of detention .....

.....
(signature of field-man)

O. Reg. 106/66, Form 4.

REGULATION 603

under The Mining Act

EXPLORATORY LICENCES AND LEASES FOR OIL AND NATURAL GAS IN LOWER GREAT LAKES

1.—(1) The Minister may issue a licence of occupation authorizing the holder to explore for natural gas and petroleum on Crown lands under the waters of the Detroit River, Lake St. Clair, the St. Clair River, Lake Huron and Lake Erie, in Form 1.

(2) The licence shall be issued only upon application in writing to the Minister.

(3) The application shall be accompanied by,

(*a*) a sketch and description of the area for which application is made; and

(*b*) a statement showing the financial ability of the applicant to undertake the exploratory work required by this Regulation. R.R.O. 1960, Reg. 440, s. 1 (1-3).

(4) The Minister may,

(*a*) consider applications from more than one applicant with respect to a specific parcel or specific parcels and may request each applicant to submit a detailed plan of proposed development; and

(*b*) issue a licence or licences to the applicant, who in his opinion, will develop the parcel or parcels most advantageously. O. Reg. 35/68, s. 1.

(5) The Minister may offer for sale by tender the right to obtain a licence or licences for a specific parcel or specific parcels and shall give public notice of the sale, specifying the lands and the manner of tendering. O. Reg. 35/68, s. 1.

2. The licence shall be for an area not in excess of eight square miles with rectangular boundaries wherever possible but in no case shall the length of the area be more than twice the width, except where the boundaries of adjoining areas granted under licence or lease are irregular. R.R.O. 1960, Reg. 440, s. 2.

3. No person shall apply for more than three licences in any twelve-month period, other than a licence granted under section 8. R.R.O. 1960, Reg. 440, s. 3.

4. The licence is for a term of three years. R.R.O. 1960, Reg. 440, s. 4.

5. The annual fee for a licence of occupation is 15 cents an acre or $200, whichever is the greater. R.R.O. 1960, Reg. 440, s. 5.

6. The licensee shall expend,

(*a*) during the first year of the term of the licence, a sum averaging at least $500 a square mile or fraction thereof; and

(*b*) during each of the second and third years of the term of the licence, a sum averaging at least $1000 a square mile or fraction thereof,

in geophysical exploration or drilling in the area specified in the licence. R.R.O. 1960, Reg. 440, s. 6.

7.—(1) Where, during the third year of the term of the licence, the licensee is prevented by weather or water conditions from carrying out the geophysical exploration or drilling required by this Regulation, or any additional geophysical exploration or drilling that may be necessary to prove the presence of natural gas or petroleum in commercial quantities, the Minister may, upon application in writing within thirty days following the end of the third year of the term of the licence, extend the licence for a period not exceeding five months.

(2) The months from November to March, both inclusive, shall not be computed in the extended period.

(3) Where a sworn statement as required by section 16 is submitted, expenditures made or work performed during the extended period shall be deemed to have been made or performed during the third year of the term of the licence. R.R.O. 1960, Reg. 440, s.7.

8. Where,

(*a*) during the term of a licence the licensee has complied with the terms and conditions of the licence and of the Act and this Regulation respecting the licence;

(*b*) there has been no discovery of natural gas or petroleum in commercial quantities in the area specified in the licence nor in a licence for a contiguous area held by the same person; and

(*c*) the licensee makes application before the expiry date of the licence,

the Minister may grant a new licence for the area specified in the expired licence to the same licensee and the new licence shall date from the date of expiry of the expired licence. R.R.O. 1960, Reg. 440, s. 8.

9.—(1) Where a licensee is the holder of more than one licence for areas under the same body of water, and the amount expended in the area in one of the licences is in excess of the minimum required by section 6, the licensee may credit the excess so expended in any twelve-month period to one or more of the other licences for the same period.

(2) The licensee shall state in the sworn statement required by section 16,

(*a*) the licence for the area in which the excess expenditure was made; and

(*b*) the licence or licences to which the excess expenditure is being credited. R.R.O. 1960, Reg. 440, s. 9.

10.—(1) Where separate holders of separate licences for areas under the same body of water carry out geophysical exploration under the licences jointly, each licensee may credit the amount actually expended by him to any or all of the licences held by him.

(2) Each licensee shall state in the sworn statement required by section 16,

(*a*) the total amount expended in the joint operation;

(*b*) the amount actually expended by him; and

(*c*) the licence or licences to which the amount expended by him is to be credited. R.R.O. 1960, Reg. 440, s. 10.

11.—(1) Where separate holders of two separate licences for areas that are contiguous jointly engage in drilling a well within half a mile of the common boundary, each licensee may credit to his licence the amount actually expended by him in the joint drilling.

(2) Each licensee shall state in the sworn statement required by section 16,

(*a*) the total cost of the joint drilling; and

(*b*) the amount referable to each licensee engaged in the joint drilling. R.R.O. 1960, Reg. 440, s. 11.

12. Where during any year of the term of the licence the licensee expends an amount greater than that required under this Regulation for that year, he is entitled to credit the excess amount against the amount required to be expended in any other year or years of the term of the licence. R.R.O. 1960, Reg. 440, s. 12.

13.—(1) Where in the first year of the term of a licence the licensee expends in respect of the licence an amount less than the minimum required by section 6 for the purposes therein, the licensee shall deposit with the Minister, within the first thirty days of the second year of the term, an amount equal to the difference between the amount expended and the minimum required to be expended. R.R.O. 1960, Reg. 440, s. 13 (1).

(2) Where the amount expended by a licensee in respect of a licence in the first and second years of the term of the licence is less than the minimum required by section 6 for the purposes therein, the licensee shall deposit with the Minister, within the first thirty days of the third year of the term, an amount equal to the difference between the amount expended and the minimum required to be expended. O. Reg. 78/70, s. 1.

(3) Amounts deposited with the Minister shall be in cash or in,

(*a*) bearer bonds of,

(i) the Province of Ontario,

(ii) the Hydro-Electric Power Commission of Ontario, or

(iii) the Government of Canada; or

(*b*) the form of a promissory note guaranteed by a chartered bank of Canada. O. Reg. 78/70, s. 1.

14.—(1) Subject to subsection 2, where a licensee expends the minimum required for the year in respect of which an amount has been deposited with the Minister under section 13, the amount deposited shall be refunded upon proof of the expenditure by means of the statement required by section 16.

(2) Any sum expended in respect of a licence during the term or extended term remaining after an amount has been deposited with the Minister shall be applied to the credit of the first year, second year and third year of the term of the licence, in that order. R.R.O. 1960, Reg. 440, s. 14.

15.—(1) Where an amount has been deposited with the Minister in respect of a licence, and the licensee,

(*a*) fails to deposit any further amounts in the amount and within the times required by this Regulation; or

(*b*) fails to expend the minimum amounts required by section 6 within the term or extended term of the licence,

that part of the amount deposited that equals the difference between the minimum required to be expended in the year for which the deposit was made, and the amount expended for that year, is forfeit to the Crown in right of Ontario.

(2) Where part of an amount deposited with the Minister is forfeited, the balance shall be refunded to the licensee within thirty days after the date of the forfeiture.

(3) Upon forfeiture of an amount deposited with the Minister, the licence in respect of which the deposit was made shall be cancelled. R.R.O. 1960, Reg. 440, s. 15.

16.—(1) Within thirty days after each anniversary date of the issue of a licence, and within thirty days after the expiration of any extended period, the licensee shall submit a sworn statement to the Minister,

(*a*) detailing the amount and manner of all expenditures made by him in geophysical exploration and drilling; and

(*b*) giving the full particulars of the work and operations carried on by him,

during the previous twelve-month period or extended period in the area specified in the licence.

(2) Where the Minister is not satisfied by the sworn statement of the licensee that he has expended the sums prescribed by this Regulation for which the statement has been submitted, the Minister may send a notice by registered mail to the licensee at his last-known address recorded in the Department, requiring him to submit such further details as are in the opinion of the Minister necessary to prove that the expenditure complies with this Regulation and, if the licensee is still unable to satisfy the Minister that the expenditures have been properly made within the requirements of this Regulation, the Minister may disallow the expenditures or any part of them.

(3) No expenditures other than those detailed in the sworn statement referred to in section 16 and allowed by the Minister shall be credited to the minimum required to be expended under section 6. R.R.O. 1960, Reg. 440, s. 16.

17. While a licence is in force the licensee has the sole and exclusive right to drill for natural gas and petroleum on the area specified in the licence. R.R.O. 1960, Reg. 440, s. 17.

18. A licence does not grant the right to prospect for mines and minerals other than natural gas and petroleum and does not limit the staking or acquiring of other mines and minerals under the Act. R.R.O. 1960, Reg. 440, s. 18.

19. The Minister may at any time enter upon the lands specified in the licence and remove sand and gravel therefrom or may authorize any other person so to do under *The Beach Protection Act*. R.R.O. 1960, Reg. 440, s. 19.

20.—(1) Where drilling in any of the waters referred to in subsection 1 of section 1 has been suspended by a competent authority and,

(*a*) the suspension is not for the purposes of annually recurring conditions; and

(*b*) it appears that the suspension will be for a period longer than three months excluding the months of November to March, both inclusive,

the Minister may declare the period of the suspension to be a closed period for the area to which the suspension applies.

(2) The Minister may suspend any licence, issued by him under the Act, to explore for natural gas or petroleum under any of the waters referred to in subsection 1 of section 1 during a closed period for those waters and for not more than six months thereafter, and the period of suspension shall not be reckoned in the term or extended term of the licence.

(3) The holder of a licence that is suspended under subsection 2 shall not drill for natural gas or petroleum on the area specified in the licence during any period for which the licence is suspended. R.R.O. 1960, Reg. 440, s. 20.

NATURAL GAS AND PETROLEUM LEASES

21.—(1) Where the Minister,

(*a*) is satisfied that a well drilled in the area specified in the licence, or in a licence for a contiguous area held by the same person, has ascertained the presence of natural gas or petroleum in commercial quantities; and

(*b*) sends a notice thereof by registered mail to the licensee at his last-known address recorded in the Department,

the licensee shall within sixty days after the date of the notice make an application for a lease of the lands included in the licence, or any portion thereof, but as far as practicable the longitudinal boundaries of the area shall be not more than twice its width.

(2) Within thirty days after making application for lease or within such further period of time as the Minister may authorize, the applicant shall have the lands to be included in the lease surveyed by an Ontario land surveyor in accordance with instructions from the Surveyor General. R.R.O. 1960, Reg. 440, s. 21.

22.—(1) Where a licence is held in respect of lands included in a spacing unit designated under *The Energy Act*, the Minister may issue to the licensee a lease for such part of the spacing unit as is included in the area specified in the licence. O. Reg. 125/62, s. 1.

(2) Where lands referred to in section 1 are included in a spacing unit designated under *The Energy Act* and no licence or lease is held in respect of the lands, the Minister may issue to the lessee of the privately-owned land on the adjoining shore a lease for such part of the lands as is included between limits extending from the points at which the limits of the lands of the lessee intersect the shore into the water parallel to those boundaries of the spacing unit that are most nearly at an angle of 90° to the general line of the shore. O. Reg. 125/62, s. 1.

(3) Where,

(*a*) lands not referred to in subsection 1 are included in a spacing unit designated under *The Energy Act* or any predecessor thereof;

(*b*) the natural gas and petroleum on the lands is the property of the Crown; and

(*c*) no lease is held in respect of the lands,

the Minister may issue to the lessee of the natural gas and petroleum rights on any abutting privately-owned land within the spacing unit a lease for such part of the lands that abut on the privately-owned land leased to that lessee. O. Reg. 163/65, s. 1.

(4) Where no application for a lease is received from a lessee mentioned in subsection 3, or where such lessee refuses to apply for a lease, the Minister may issue a lease to any other person who applies therefor. O. Reg. 163/65, s. 1.

(5) A lease issued under this section shall be issued in the same form and terms as a lease issued under section 23 but is subject to the condition that, within six months after the lease is issued, the lessee enters into a pooling arrangement with all the producers and royalty owners in each spacing unit in which the lands in the lease lie, whether the arrangement is by voluntary agreement or under a pooling Regulation and the minimum annual rental shall be $25. O. Reg. 125/62, s. 1; O. Reg. 53/65, s. 1.

(6) Where a lease includes land in a spacing unit, a separate return shall be made under subsection 9 of section 23 in respect of the natural gas, petroleum and petroleum products produced from the spacing unit. O. Reg. 125/62, s. 1.

(7) Where a lease is issued under this section for lands contained in a licence, subsection 2 of section 28 applies to the fees and expenditures in respect of the licence in the same manner as if the lands were surrendered. O. Reg. 125/62, s. 1.

23.—(1) Where the Minister has accepted an application for a lease and the applicant has complied with section 6, the Minister shall issue to the applicant a lease authorizing the lessee to prospect for and recover natural gas and petroleum.

(2) The lease shall be in Form 2.

(3) The annual rental is at the rate of $1 an acre, or $640, whichever is the greater.

(4) The term of the lease is twenty-one years. R.R.O. 1960, Reg. 440, s. 22 (1-4).

(5) Royalty is payable to the Treasurer of Ontario on natural gas, petroleum and petroleum products,

(*a*) on all natural gas produced, of 10 per cent of the prevailing field price for natural gas; and

(*b*) on all petroleum and petroleum products, of 10 per cent of the actual value at the well-head,

but no royalty is payable on nautral gas, petroleum or petroleum products used on the premises for drilling or exploration purposes. R.R.O. 1960, Reg. 440, s. 22 (5); O. Reg. 53/65, s. 2 (1).

(6) The amount of royalty payable in any year shall be reduced by the amount of rent paid for that year. O. Reg. 53/65, s. 2 (2).

(7) Where the production or distribution of natural gas is restricted or limited under *The Energy Act*, the Minister may reduce or suspend the rental payable by the lessee in such manner and to such extent as he deems expedient.

(8) Where commercial production of natural gas or petroleum is obtained and where at any time before the expiry of the lease the Minister is satisfied that the productive life of the lease is longer than the term thereof, he may renew the lease for successive periods of not more than twenty-one years each.

(9) The lessee shall,

(*a*) keep a record of all natural gas, petroleum and petroleum products produced, sold or otherwise disposed of each year under each lease or group of leases held by him; and

(*b*) within thirty days after each anniversary date of the lease submit to the Minister a sworn statement showing the quantity and actual value at the well-head of all natural gas, petroleum and petroleum products produced during the previous twelve-month period.

(10) The Minister or any person authorized by him may at any time enter upon the lands described in the lease and examine all books, records and papers used or kept in connection with the operations of the lessee on the lands. R.R.O. 1960, Reg. 440, s. 22 (6-9).

GENERAL

24.—(1) If default is made,

(*a*) in the performance or observance of the terms and conditions of a licence, or of the Act or this Regulation respecting the licence; or

(*b*) by a lessee in payment of rent or royalties, or both, or of the Act or this Regulation respecting his lease,

and the default is not remedied within thirty days after notice has been delivered or sent by registered mail to the holder of the licence or the lessee, as the case may be, at his last-known address recorded with the Department, setting forth the default and calling upon him to remedy the default, the Minister may forthwith,

(*c*) in the case of a licence, cancel the licence; or

(*d*) in the case of a lease, declare the lease forfeit and void.

(2) Where a lease is issued for the area in a licence, the licence is thereupon terminated. R.R.O. 1960, Reg. 440, s. 23.

25. The licensee or lessee, as the case may be, shall comply with the objectives for Boundary Waters Quality Control established by the International Joint Commission and approved by the Governments of Canada and the United States of America. R.R.O. 1960, Reg. 440, s. 24.

26. The licensee or lessee, as the case may be, shall carry out all drilling and exploratory work in accordance with *The Energy Act*, *The Beds of Navigable Waters Act*, the *Navigable Waters Protection Act* (Canada), *The Lakes and Rivers Improvement Act* and all regulations made under those Acts. R.R.O. 1960, Reg. 440, s. 25.

27. A lease or licence or any interest therein shall not be transferred or assigned without the consent in writing of the Minister or Deputy Minister. R.R.O. 1960, 440, s. 26.

28.—(1) A licensee or lessee may, on thirty days prior notice, surrender any part of the lands contained in a licence or a lease if the part being retained complies with section 2 or section 21, as the case may be.

(2) Where a surrender has been made under subsection 1, the annual fee, expenditure or rent for the year in which the surrender is made shall be based on the area in the licence or lease at the commencement of that year, but the annual fee, expenditure or rent for ensuing years shall be based on the area being retained. R.R.O. 1960, Reg. 440, s. 27.

29. A licensee or lessee, as the case may be, shall not in any way interfere with navigation or with the use of any docks or wharves existing on the 22nd day of January, 1957, or that are thereafter constructed upon or built out from the shoreline into the waters covering any of the lands described in a licence or lease, or with the right of access by water of the riparian owner. R.R.O. 1960, Reg. 440, s. 28.

30. A licensee or lessee shall do no damage to or interfere with the fishing or nets or appliances used for fishing purposes in the waters over the lands described in the licence or lease by discharging salt water, oil or any other deleterious substance into the waters or by doing any other act, and shall comply with all directions of the Minister or his agent with respect to the disposal of any such substance. R.R.O. 1960, Reg. 440, s. 29.

Form 1

The Mining Act

EXPLORATORY LICENCE OF OCCUPATION

NO.....

Under *The Mining Act* and the regulations, and subject to the limitations thereof, this licence of occupation is issued to .....

of .....

to enter upon and explore for natural gas and petroleum on the area specified in the Schedule upon the following terms and conditions:

1. Payment of an annual fee of .....

on or before ..... in each year.

2. This licence is for a term of three years commencing .....

3. The licensee shall expend,

(*a*) during the first year of the term of the licence, a sum averaging $500 a square mile or fraction thereof; and

(*b*) during each of the second and third years of the term of the licence, a sum averaging $1,000 a square mile or fraction thereof.

4. This licence, or any interest therein, shall not be transferred or assigned without the consent in writing of the Minister or Deputy Minister.

.....

Minister of Mines and Northern Affairs

Toronto, ...19....

R.R.O. 1960, Reg. 440, Form 1.

Form 2

The Mining Act

This Indenture made the ..... day of ....., one thousand nine hundred and ....., in pursuance of *The Short Forms of Leases Act*

BETWEEN:

HER MAJESTY THE QUEEN in right of Ontario, as represented by the Minister of Mines,

hereinafter called the lessor of the First Part

—and—

hereinafter called the lessee of the Second Part

WITNESSETH that under section 45 of *The Mining Act* and the regulations, and subject to the provisions thereof, and in consideration of the rents, royalties, covenants and agreements hereinafter reserved and contained on the part of the lessee, the lessor doth demise and lease unto the lessee all that parcel or tract of land lying and being .....

containing ..... acres, more or less.

TO HAVE AND TO HOLD the said demised premises for the purpose of exploring for and producing natural gas, petroleum and petroleum products for and during the term of twenty-one years to be computed from the .... day of ....., one thousand nine hundred and ....., and thenceforth next ensuing and fully to be complete and ended.

YIELDING AND PAYING therefor yearly and every year the rent or sum of ..... payable on the following days and times, that is to say, on the .... day of ..... in each year of the said term, the first of such payments to become due and be made on or before the .... day of .....

"ALSO YIELDING AND PAYING therefor yearly and every year during the said term royalties as follows:

(*a*) on all natural gas produced, 10 per cent of the prevailing field price for natural gas; and

(*b*) on all petroleum and petroleum products, 10 per cent of the actual value at the well-head,

but no royalty shall be payable on natural gas, petroleum or petroleum products used on the premises for drilling or exploration purposes, such payment to be made on or before the ..... day of ..... in each year.

PROVIDED that the amount of royalty payable in any year shall be reduced by the amount of rent paid for that year".

THE LESSEE shall on or before the .... day of ..... in each year submit to the lessor a sworn statement showing the quantity of natural gas obtained or saved and the prevailing field price thereof, and the quantity and actual value at the well-head of all petroleum and petroleum products obtained or saved from the herein described lands during the twelve-month period ending thirty days preceding the said date.

THE SAID LESSEE covenants with the said lessor to pay rent and royalties.

AND TO PAY taxes including local improvements.

AND THAT THE SAID LESSOR may enter and view state of repair; and that the said lessee will repair according to notice in writing, reasonable wear and tear and damage by fire, lightning and tempest only excepted.

AND THAT he will leave the premises in good repair, reasonable wear and tear and damage by fire, lightning and tempest only excepted.

PROVIDED that, at the expiration of the lease, or where the lease is forfeited, the provisions of section 73 of *The Mining Act* shall apply *mutatis mutandis*.

PROVISO for re-entry by the said lessor on non-performance of covenants.

RESERVING the free use, passage and enjoyment of, in, over and upon all navigable waters which shall or may be found on or under or be flowing through or upon any part of the said parcel or tract of land hereby demised.

RESERVING FURTHER such use of the land hereby demised for such works as may be necessary for the development of water power and the development, transmission and distribution of electrical power and the transmission of natural gas, petroleum and petroleum products, including the construction, maintenance and operation of roads, railroads, transmission lines and stations, flumes, pipe lines, dams, power houses and other works and structures without any liability.

RESERVING ALSO all trees standing or being on the herein described lands, together with the right to

enter upon the herein described lands to remove the timber, as provided by section 114 of *The Mining Act*.

RESERVING ALSO 10 per cent of the acreage herein described for roads and the right to lay out roads where the Crown or its officers considers necessary.

PROVIDED that where the lessor is satisfied before the expiry of this lease that the productive life of the lands herein described is longer than the term hereof, this lease may be renewed for successive periods of not more than twenty-one years and each and every renewal shall date from the day after the expiration of this lease or the last renewal thereof, if application therefor is made to the Minister of Mines and Northern Affairs within ninety days of the expiration of this lease or the last renewal thereof, or within such further period as the Minister of Mines and Northern Affairs in the circumstances considers proper.

PROVIDED that all drilling and other exploratory work on the herein described lands shall be carried out in accordance with the provisions of *The Energy Act*, *The Beds of Navigable Waters Act*, the *Navigable Waters Protection Act* (Canada), *The Lakes and Rivers Improvement Act* and all regulations made under those Acts.

PROVIDED that, in default of compliance with any of the terms, requirements, provisions and conditions herein contained, or of payment of the rent or royalties as aforesaid during the said terms, the lease shall be held to have ceased, ended and determined, and all the right, title, or claim of the said lessee under the lease shall revert to and become the property of and be vested in the lessor anything herein contained notwithstanding.

PROVIDED that this lease and the terms hereby created shall not be transferred or assigned without the written consent of the Minister of Mines and Northern Affairs or Deputy Minister of Mines and Northern Affairs.

PROVIDED that the lessee subject to the approval of the lessor shall have the right to erect such structures and lay pipe lines under the waters of Lake Erie within the herein described limits as are necessary to carry out the operations of exploring, drilling for, producing, collecting, storing, removing and transmitting natural gas, petroleum and petroleum products.

PROVIDED that the lessee shall not in any way interfere with navigation or with the use of any docks or wharves now existing or which may be hereafter constructed upon or built out from the shoreline into the waters covering any part of the lands herein described or with the right of access to water by the riparian proprietor.

PROVIDED that the lessee shall not do damage to or interfere with the fishing or nets or appliances used for fishing purposes in the waters over the herein described lands by discharging salt water, oil or any other deleterious substance into the said waters or by the doing of any other act, and shall comply with all directions of the Minister of Mines and Northern Affairs or his agent with respect to the disposal of any such substance.

PROVIDED that no petroleum, petroleum products or natural gas obtained or saved from the herein described lands shall be conveyed outside of Ontario.

PROVIDED that the books, accounts and records of the lessee having references to the operations of the herein described lands and the plant and machinery in connection therewith shall at all times be open to inspection by the Minister of Mines and Northern Affairs or his authorized agent.

PROVIDED that the lessee shall comply with the objectives for Boundary Waters Quality Control established by the International Joint Commission and approved by the Governments of Canada and the United States of America.

PROVIDED that the right to remove, and to allow the removal of, sand and gravel and other mines and minerals, excepting natural gas, petroleum and petroleum products, from the herein described lands, and to grant such parts of the said lands for water lots, wharves and such other purposes as may be considered necessary, is specifically reserved to the Crown.

THE SAID LESSEE covenants with the said lessor to comply with section 113 of *The Mining Act*.

PROVIDED that the terms and conditions hereof shall not be construed as conveying any right or interest to the mines and minerals other than natural gas and petroleum and shall not limit the staking or acquiring of other mines and minerals under *The Mining Act*.

WHERE the word "Lessee" occurs in this indenture, it shall include the heirs, executors, administrators, successors and assigns of the lessee.

IN WITNESS WHEREOF the said parties have hereunto set their hands and seals.

SIGNED, SEALED AND DELIVERED

In the presence of

.....
Minister of Mines and Northern Affairs

R.R.O. 1960, Reg. 440, Form 2;
O. Reg. 53/65, s. 3.

REGULATION 604

under The Mining Act

EXPLORATORY LICENCES AND LEASES FOR OIL AND NATURAL GAS NORTH OF THE FIFTY-FIRST PARALLEL OF LATITUDE

1.—(1) For the purpose of this Regulation, that part of Ontario lying north of the fifty-first parallel of latitude is divided into oil and gas exploration grid areas.

(2) An oil and gas exploration grid area shall be bounded on the east and west sides by successive meridians of longitude of the series 80° 00′ 00″, 80° 15′ 00″, 80° 30′ 00″, which series may be extended as required, and on the north and south sides by straight lines joining the points of intersection of the east and west boundaries with successive parallels of latitude of the series 51° 00′ 00″, 51° 10′ 00″, 51° 20′ 00″, which series may be extended as required.

(3) Every oil and gas exploration grid area shall be referred to by the latitude and longitude of the northeast corner of that grid area.

(4) Every oil and gas exploration grid area shall be divided into sections.

(5) A section shall be bounded on the east and west sides by meridians spaced at one-tenth of the interval between the east and west boundaries of the oil and gas exploration grid area and on the north and south by straight lines drawn parallel to the north and south boundaries of the oil and gas exploration grid area and spaced at intervals of one-tenth of the interval between the north and south boundaries of the oil and gas exploration grid area.

(6) A section shall be identified by the number to which it corresponds.

(7) Sections in an oil and gas exploration grid area shall be numbered from 1 to 100, both inclusive, with the eastern ten sections being numbered from 1 to 10 commencing at the south section, as illustrated in the following example:

N

W										E
	100	90	80	70	60	50	40	30	20	10
	99	89	79	69	59	49	39	29	19	9
	98	88	78	68	58	48	38	28	18	8
	97	87	77	67	57	47	37	27	17	7
	96	86	76	66	56	46	36	26	16	6
	95	85	75	65	55	45	35	25	15	5
	94	84	74	64	54	44	34	24	14	4
	93	83	73	63	53	43	33	23	13	3
	92	82	72	62	52	42	32	22	12	2
	91	81	71	61	51	41	31	21	11	1

S

(8) The boundary between,

(*a*) the north and south halves of an oil and gas exploration grid area is the north boundary of sections 5, 15, 25, 35, 45, 55, 65, 75, 85 and 95; and

(*b*) the east and west halves of an oil and gas exploration grid area is the west boundary of sections 41 to 50.

(9) Where an oil and gas exploration grid area is broken or incomplete for any reason, the provisions of subsections 6, 7 and 8 may be modified by the Minister. O. Reg. 159/70, s. 1.

2.—(1) In this section and in sections 3 to 15, "petroleum products" includes,

(*a*) related hydrocarbons other than coal; and

(*b*) all gases and minerals and substances,

(i) whether liquid or solid, and

(ii) whether or not hydrocarbons,

produced in association with natural gas and petroleum or found in any water contained in any oil or gas reservoir.

(2) Any licence to explore and any lease issued under this Regulation shall be for natural gas and petroleum and petroleum products and shall exclude all other minerals.

(3) A licence to explore for natural gas and petroleum and petroleum products in, upon or under an oil and gas exploration grid area may be granted upon the terms and conditions provided in this Regulation. O. Reg. 159/70, s. 2.

3.—(1) The Minister may issue a licence in Form 1 to an applicant to enter upon and explore for natural gas and petroleum on an oil and gas exploration grid area.

(2) The licence shall be issued only upon application in writing to the Minister.

(3) The application shall be accompanied by,

(*a*) a sketch and description of the oil and gas exploration grid area for which application is made;

(*b*) a statement or other evidence showing the financial ability of the applicant to undertake the exploratory work required by this Regulation; and

(*c*) the fee for the first year of the term of the licence.

(4) The Minister may,

(*a*) consider applications from more than one applicant with respect to a specific oil and gas exploration grid area or specific oil and gas exploration grid areas and may request each applicant to submit a detailed plan of proposed development; and

(*b*) issue a licence or licences to the applicant who, in his opinion, will develop the oil and gas exploration grid area or oil and gas exploration grid areas most advantageously.

(5) The Minister may offer for sale by tender the right to obtain a licence or licences for a specific oil and gas exploration grid area or for specific oil and gas exploration grid areas and shall give public notice of the sale, specifying the lands and the manner of tendering.

(6) A licence,

(*a*) shall be for an oil and gas exploration grid area; or

(*b*) may, in circumstances satisfactory to the Minister, be for half of an oil and gas exploration grid area.

(7) Where adjoining oil and gas exploration grid areas are not of full size, the Minister may consent to the adjoining oil and gas exploration grid areas being combined in an application.

(8) No person shall apply for and obtain more than nine licences in any twelve-month period.

(9) A licence shall be for a term of three years.

(10) The fee for a licence is $250 payable annually in advance during the term of the licence. O. Reg. 159/70, s. 3.

4.—(1) The licensee shall expend,

(*a*) during the first year of the term of the licence, a sum averaging at least five cents an acre;

(*b*) during the second year of the term of the licence, a sum averaging at least five cents an acre; and

(*c*) during the third year of the term of the licence, a sum averaging at least ten cents an acre,

in geophysical, geological or other exploratory work of a kind acceptable to the Minister, or in drilling, on the oil and gas exploration grid area specified in the licence.

(2) Where, during any year of the term of a licence or a renewal, the licensee expends an amount greater than the amount required under subsection 1 for that year, he may apply the excess amount against the amount required to be expended in any other year or years of the original term or of a renewal.

(3) Where a licensee who is the holder of more than one licence expends an amount greater than the amount required under subsection 1 on an oil and gas exploration grid area specified in one licence, the licensee may apply the excess amount to one or more of the oil and gas exploration grid areas specified in his other licences, so long as the oil and gas exploration grid area or areas are located within a radius of one hundred miles of the oil and gas exploration grid area on which he has expended the excess amount.

(4) Where an excess amount is applied to an oil and gas exploration grid area under subsection 3, the excess amount must be applied to work performed during the term, or renewal term, of the licence for the oil and gas exploration grid area.

(5) Where holders of licences for separate but contiguous oil and gas exploration grid areas carry out geophysical exploration jointly on their oil and gas exploration grid areas, each licensee may apply

the amount actually expended by him, in the joint geophysical exploration, on his oil and gas exploration grid area.

(6) Where holders of licences for separate but contiguous oil and gas exploration grid areas jointly engage in drilling a well within ten miles of their common boundary, each licensee may apply the amount actually expended by him, in drilling the well, on his oil and gas exploration grid area.

(7) Where during the first year of the term of a licence or during any subsequent year, or during the term of any renewal, except the last renewal permitted under section 5 of this Regulation, the amount expended by the licensee is less than the amount required under this section, the licensee shall deposit with the Minister an amount equal to the difference between the amount expended and the amount required to be expended.

(8) An amount deposited under subsection 7 shall be deposited within thirty days of the commencement of the next year of the term or of the commencement of the renewal, as the case may be, and shall be in cash or in,

(*a*) bearer bonds of,

(i) the Province of Ontario,

(ii) The Hydro-Electric Power Commission of Ontario, or

(iii) the Government of Canada; or

(*b*) the form of a promissory note guaranteed by a chartered bank of Canada.

(9) A deposit under subsection 7 is compliance with respect to expenditure requirements for the purpose of section 5.

(10) Subject to subsection 11, where a licensee expends the minimum required for a year in which an amount has been deposited under subsection 7, the amount shall be refunded upon proof of the expenditure by means of the statement required by section 6.

(11) Any sum expended,

(*a*) after an amount has been deposited under subsection 7;

(*b*) in respect of the lands described in a licence during the remaining term of the licence or of any renewal,

shall be applied to the first year, second year and third year of the term of the licence and to the term of the first renewal, second renewal, third renewal, fourth renewal, fifth renewal and sixth renewal, in that order.

(12) Where an amount has been deposited with the Minister with respect to the lands described in a licence and the licensee,

(*a*) fails to deposit any further amount in the amount required by this section;

(*b*) fails to expend the minimum sum required within the term, or a renewal term, of the licence; or

(*c*) fails to obtain a renewal of the licence,

that part of the amount deposited that equals the difference between the minimum required to be expended in the year or years for which the deposit was made and the amount expended for that year or those years is forfeit to the Crown in right of Ontario.

(13) Where part of an amount that has been deposited is forfeited, the balance shall be refunded to the licensee within thirty days after the forfeiture.

(14) Upon forfeiture of an amount deposited under subsection 7, the licence in respect of which the deposit was made is terminated. O. Reg. 159/70, s. 4.

5.—(1) Where, during the term of a licence,

(*a*) the licensee has complied with the terms and conditions of the licence and with the Act and this Regulation;

(*b*) there has been no discovery of natural gas or petroleum in commercial quantities on the lands described in the licence;

(*c*) the licensee applies to the Minister before the expiry of the licence,

the Minister may renew the licence for a term of one year, in Form 2.

(2) Where, during the term of a renewal,

(*a*) the licensee has complied with the terms and conditions of the licence and with the Act and this Regulation;

(*b*) there has been no discovery of natural gas or petroleum in commercial quantities on the lands described in the licence; and

(*c*) the licensee applies to the Minister before the expiry of the renewal,

the Minister may issue a further renewal for one year, but not more than six renewals shall issue with respect to any licence.

(3) The fee for each renewal is $500, payable in advance.

(4) The minimum sums required to be expended for each acre of land in the lands described in a renewal of a licence are,

(*a*) thirty cents for a first renewal;

(*b*) forty cents for a second renewal;

(*c*) fifty cents for a third renewal;

(*d*) fifty cents for a fourth renewal;

(*e*) fifty cents for a fifth renewal; and

(*f*) fifty cents for a sixth renewal,

and the expenditures shall be for work as prescribed in section 4.

(5) A licensee may surrender his licence or renewal at any time upon giving written notice thereof to the Minister at least thirty days before the surrender is to take effect.

(6) A licensee may, with the consent of the Minister, surrender half of the oil and gas exploration grid area specified in his licence or renewal, if the part being retained complies with subsection 8 of section 1.

(7) Where a surrender is made and accepted under subsection 6, the expenditure for the year of the term in which the surrender is made shall be that required for the lands described in the licence prior to the surrender, but the expenditure for any subsequent year or years of the term shall be based on the remaining lands. O. Reg. 159/70, s. 5.

6.—(1) Within thirty days after each anniversary date of the issue of a licence or a renewal, the licensee shall submit a sworn statement to the Minister,

(*a*) detailing the amount and manner of all expenditures made by him in geophysical, geological or other exploratory work as prescribed in section 4; and

(*b*) giving full particulars of the work and operations carried on by him,

during the previous twelve-month period on the lands described in the licence or renewal.

(2) Where the Minister is not satisfied by the sworn statement of the licensee that he has expended the sums required by sections 4 and 5 for which the statement has been submitted, the Minister may send a notice by registered mail to the licensee at his latest address recorded in the Department, requiring him to submit such further details as are in the opinion of the Minister necessary to prove that the expenditure complies with the requirements of sections 4 and 5 and, if the licensee is still unable to satisfy the Minister that the expenditures have been in compliance with the requirements of sections 4 and 5, the Minister may disallow the expenditures or any part of them.

(3) No expenditures other than those detailed in the sworn statement referred to in subsection 1 and allowed by the Minister shall be credited to the minimum required to be expended under sections 4 and 5. O. Reg. 159/70, s. 6.

7. While a licence is in force, the licensee has the sole and exclusive right to drill for natural gas and petroleum on the lands described in the licence. O. Reg. 159/70, s. 7.

8.—(1) Upon application to the Minister, a licensee shall be granted a lease to produce natural gas and petroleum if the Minister is satisfied that a well drilled on the lands described in the licence, or in a licence for a contiguous area held by the same licensee, has indicated the presence of natural gas or petroleum in commercial quantities.

(2) The lands to be included in a lease shall be selected by the licensee from the lands described in his licence and shall not be for more than one-half of the number of sections in the oil and gas exploration grid area specified in the licence.

(3) Every application for a lease shall be accompanied by,

(*a*) the rent for the first year of the term; and

(*b*) a diagram and description of the lands to be included in the lease.

(4) The lands to be included in a lease shall be composed of quadrilateral blocks of sections not larger than five sections by three sections or four sections by four sections.

(5) Where more than one block is included in an application, each block shall corner another block or be separated from another block by at least one section.

(6) No lease shall be granted for less than one section.

(7) A lease shall be in Form 3 and shall be for a term of twenty-one years.

(8) Where commercial production of natural gas or petroleum is obtained and where at any time before the expiry of the lease the Minister is satisfied that the productive life of the lease is longer than the term thereof, he may renew the lease for successive periods of not more than twenty-one years each.

(9) The annual rental for a lease is $1 an acre or $1,000, whichever is the greater, payable in advance.

(10) Royalty is payable to the Treasurer of Ontario and Minister of Economics on natural gas, petroleum and petroleum products,

(*a*) on all natural gas produced, of 10 per cent of the prevailing field price for natural gas; and

(*b*) on all petroleum and petroleum products, of 10 per cent of the actual value at the wellhead,

but no royalty is payable on natural gas, petroleum or petroleum products used on the premises for drilling or exploration purposes.

(11) The amount of royalty payable in any year shall be reduced by the amount of rent paid on the lease for that year.

(12) Where production of natural gas, petroleum or petroleum products is restricted or limited under *The Energy Act*, the regulations thereunder or any order of the Ontario Energy Board, the Minister may reduce or suspend the rental payable by the lessee in such manner and to such extent as he deems expedient.

(13) The lessee shall,

(*a*) keep a record of all natural gas, petroleum and petroleum products produced, sold or otherwise disposed of each year under each lease held by him; and

(*b*) within thirty days after each anniversary date of the lease, submit to the Minister a sworn statement showing the quantity and actual value at the well-head of all natural gas, petroleum and petroleum products produced during the previous twelve-month period, together with a remittance for any royalty payable for that period.

(14) Where a lease is issued for any part of the lands described in a licence, the licence is terminated.

(15) A lessee may, on thirty days prior written notice to the Minister, surrender any part of the lands included in a lease so long as the part being retained complies with subsections 4, 5 and 6.

(16) Where a surrender has been made under subsection 15, the annual rent for the year in which the surrender is made shall be based on the lands included in the lease at the commencement of that year, but the annual rent for ensuing years shall be based on the lands being retained. O. Reg. 159/70, s. 8.

9. Notwithstanding section 3, where a licence is terminated under subsection 14 of section 8 or under section 10, the Minister may offer for sale by tender the right to obtain a licence or licences or a lease or leases for a specific parcel or specific parcels and shall give public notice of the sale, specifying the lands and the method of tendering. O. Reg. 159/70, s. 9.

10. If default is made,

(*a*) in the performance or observance of the terms and conditions of a licence, or of the Act or this Regulation; or

(*b*) by a lessee in payment of rent or royalties, or both, or in the performance or observance of the terms and conditions of the lease or of the Act, or this Regulation respecting his lease,

and the default is not remedied within thirty days after notice has been delivered or sent by registered mail to the holder of the licence or the lessee, as the case may be, at his latest address recorded with the Department, setting forth the default and calling upon him to remedy the default,

(*c*) in the case of a licence, the Minister may forthwith cancel the licence; or

(*d*) in the case of a lease, the Minister may forthwith declare the lease forfeit and void. O. Reg. 159/70, s. 10.

11. The licensee or lessee, as the case may be, shall carry out all drilling and exploratory work in accordance with *The Mining Act*, *The Energy Act* and all other applicable Acts and the regulations thereunder. O. Reg. 159/70, s. 11.

12. A licence or a lease, issued under this Regulation, or any interest therein shall not be transferred or assigned without the written consent of the Minister. O. Reg. 159/70, s. 12.

13.—(1) The licensee or lessee, as the case may be, shall submit to the Minister reports, maps, photographs and drilling logs in duplicate, covering all geological and geophysical examinations, drilling, prospecting or other exploratory or development work, within sixty days of completion.

(2) Except with the consent of the licensee or lessee, as the case may be, material submitted under subsection 1 shall not be made public for one year from the date of submission or for such longer period as the Minister, at his discretion, may direct. O. Reg. 159/70, s. 13.

14.—(1) Where any uncertainty or dispute arises respecting the position of any boundary, the Minister may require the licensee or lessee, as the case may be,

to file a cadastral survey showing the boundary in respect of which the uncertainty or dispute has arisen.

(2) The licensee shall supply any necessary cadastral surveys of the lands selected under section 8 in accordance with instructions issued by the Minister and in a form acceptable under *The Land Titles Act* and the regulations thereunder. O. Reg. 159/70, s. 14.

15.—(1) Where an exploratory licence for natural gas and petroleum has been issued under subsection 2 of section 646 of the Act, and the terms of the licence provide for conversion to licences or permits under regulations in force at the time of conversion, this Regulation applies, subject to any special conditions contained in the licence.

(2) Where there has been an over-expenditure on exploration on land described in a licence referred to in subsection 1 and there is a provision in the licence for a limited carry-over of over-expenditures to be applied against licences issued under this Regulation, the Minister, at his discretion, may increase the limit of the amount that may be applied if the over-expenditure is the result of the drilling of a well or wells.

(3) Where, in an exploratory licence described in subsection 1, the lands described in the licence are described as rectangular areas, bounded by meridians of longitude and parallels of latitude with the northeast co-ordinate for each rectangular area given, the lands described in the licence shall be deemed for the purpose of this Regulation to be comprised of oil and gas exploration grid areas, and the limits of the lands described in the licence shall be deemed to be in conformity with the oil and gas exploration grid area limits, and where all or part of the lands described in the licence do not comprise an entire oil and gas exploration grid area the lands shall be deemed to comprise a part of an oil and gas exploration grid area as described in section 1, the limits of which part shall be in conformity with the limits of the sections, or wtih straight lines of sight, established proportionally between the section lines. O. Reg. 159/70, s. 15.

Form 1

The Mining Act

EXPLORATORY LICENCE OF OCCUPATION

No.

Under *The Mining Act* and the regulations, and subject to the limitations thereof, this licence of occupation is issued to.....

of.....

to enter upon and explore for natural gas and petroleum on the oil and gas exploration grid area specified in the attached Schedule upon the following terms and conditions:

1. Payment of an annual fee of.....

   on or before.....in each year.

2. This licence is for a term of three years

   commencing.....

3. the licensee shall expend,

   (*a*) during each of the first and second years of the licence, a sum averaging at least five cents an acre; and

   (*b*) during the third year of the term of the licence, a sum averaging at least ten cents an acre.

4. This licence, or any interest therein, shall not be transferred or assigned without the consent in writing of the Minister.

.....
Minister of Mines and Northern Affairs

Toronto,....., 19....

O. Reg. 159/70, Form 1, *revised.*

Form 2

The Mining Act

RENEWAL OF EXPLORATORY LICENCE OF OCCUPATION

Under *The Mining Act* and the regulations, and subject to the limitations thereof, this.....

renewal of Exploratory Licence of Occupation No.

.....is issued to.....

.....

of.....

to enter upon and explore for natural gas and petroleum on the oil and gas exploration grid area specified in the licence, upon the following terms and conditions:

1. Payment of the fee of $.....

2. This renewal is for a term of one year commencing.....

.....

3. The licensee shall expend during the term of the licence, a sum averaging.....

cents an acre.

4. This renewal, or any interest therein, shall not be transferred or assigned without the consent in writing of the Minister.

.....
Minister of Mines and
Northern Affairs

Toronto,....., 19....

O. Reg. 159/70, Form 2, *revised.*

Form 3

The Mining Act

This Indenture made the....day of.....,

One thousand nine hundred and....., in pursuance of *The Short Forms of Leases Act*

BETWEEN:

HER MAJESTY THE QUEEN in right of Ontario, as represented by the Minister of Mines and Northern Affairs;

hereinafter called the lessor
of the First Part

—and—

.....

hereinafter called the lessee
of the Second Part

WITNESSETH that under section 123 of *The Mining Act* and the regulations, and subject to the provisions thereof, and in consideration of the rents, royalties, covenants and agreements hereinafter reserved and contained on the part of the lessee, the lessor doth demise and lease unto the lessee all that parcel or tract of land lying and being

.....

.....

containing.....acres, more or less.

TO HAVE AND TO HOLD the said demised premises for the purpose of exploring for and producing natural gas, petroleum and petroleum products for and during the term of twenty-one years to be computed from the.....day of....., one thousand nine hundred and....., and thenceforth next ensuing and fully to be complete and ended.

YIELDING AND PAYING therefor yearly and every year the rent or sum of.....payable on the following days and times, that is to say, on the.....day of.....in each year of the said term, the first of such payments to become due and be made on or before the.....day of .....

ALSO YIELDING AND PAYING therefor yearly and every year during the said term royalties as follows:

(*a*) on all natural gas produced, 10 per cent of the prevailing field price for natural gas; and

(*b*) on all petroleum and petroleum products, 10 per cent of the actual value at the well-head,

but no royalty shall be payable on natural gas, petroleum or petroleum products used on the premises for drilling or exploration purposes, such payment to be made on or before the.....day of .....in each year.

PROVIDED that the amount of royalty payable in any year shall be reduced by the amount of rent paid for that year.

THE LESSEE shall on or before the.....day of .....in each year submit to the lessor a sworn statement showing the quantity of natural gas obtained or saved and the prevailing field price thereof, and the quantity and actual value at the well-head of all petroleum and petroleum products obtained or saved from the herein described lands during the twelve-month period ending thirty days preceding the said date.

THE SAID LESSEE covenants with the said lessor to pay rent and royalties.

AND TO PAY taxes including local improvements.

AND THAT THE SAID LESSOR may enter and view state of repair; and that the said lessee will repair according to notice in writing, reasonable wear and tear and damage by fire, lightning and tempest only excepted.

AND THAT he will leave the premises in good repair, reasonable wear and tear and damage by fire, lightning and tempest only excepted.

PROVIDED that, at the expiration of the lease, or where the lease is forfeited, the provisions of section 73 of *The Mining Act* shall apply *mutatis mutandis*.

PROVISO for re-entry by the said lessor on non-performance of covenants.

RESERVING the free use, passage and enjoyment of, in, over and upon all navigable waters which shall or may be found on or under or be flowing through or upon any part of the said parcel or tract of land hereby demised.

RESERVING FURTHER such use of the land hereby demised for such works as may be necessary for the development of water power and the development, transmission and distribution of electrical power and the transmission of natural gas, petroleum and petroleum products, including the construction, maintenance and operation of roads, railroads, transmission lines and stations, flumes, pipelines, dams, power houses and other works and structures without any liability.

RESERVING ALSO all trees standing or being on the herein described lands, together with the right to enter upon the herein described lands to remove the timber, as provided by section 114 of *The Mining Act*.

RESERVING ALSO 10 per cent of the acreage herein described for roads and the right to lay out roads where the Crown or its officers considers necessary.

PROVIDED that where the lessor is satisfied before the expiry of this lease that the productive life of the lands herein described is longer than the term hereof, this lease may be renewed for successive periods of not more than twenty-one years and each and every renewal shall date from the day after the expiration of this lease or the last renewal thereof, if application therefor is made to the Minister of Mines and Northern Affairs within ninety days of the expiration of this lease or the last renewal thereof, or within such further period as the Minister of Mines and Northern Affairs in the circumstances considers proper.

PROVIDED that, all drilling and other exploratory work on the herein described lands shall be carried out in accordance with the provisions of *The Mining Act* and *The Energy Act* and all regulations made thereunder and all other applicable Acts and regulations.

PROVIDED that, in default of compliance with any of the terms, requirements, provisions and conditions herein contained, or of payment of the rent or royalties as aforesaid during the said terms, the lease shall be held to have ceased, ended and determined, and all the right, title, or claim of the said lessee under the lease shall revert to and become the property of and be vested in the lessor anything herein contained notwithstanding.

PROVIDED that this lease and the terms hereby created shall not be transferred or assigned without the written consent of the Minister of Mines and Northern Affairs or Deputy Minister of Mines and Northern Affairs.

PROVIDED that the lessee subject to the approval of the lessor shall have the right to erect such structures and lay pipelines within the herein described limits as are necessary to carry out the operations of exploring, drilling for, producing, collecting, storing, removing and transmitting natural gas, petroleum and petroleum products.

PROVIDED that no petroleum, petroleum products or natural gas obtained or saved from the herein described lands shall be conveyed outside Ontario.

PROVIDED that the books, accounts and records of the lessee having references to the operations of the herein described lands and the plant and machinery in connection therewith shall at all times be open to inspection by the Minister of Mines and Northern Affairs or his authorized agent.

PROVIDED that where any uncertainty or dispute arises respecting the position of any boundary, the lessee, if so required by the lessor, shall file a cadastral survey showing the boundary in respect of which the uncertainty or dispute has arisen and such survey shall be carried out in accordance with instructions issued by the Minister of Mines and Northern Affairs.

PROVIDED that the lessee shall submit to the Minister of Mines and Northern Affairs reports, maps, photographs and drilling logs in duplicate covering all geological and geophysical examinations, drilling, prospecting or other exploratory or development work within sixty days of completion.

PROVIDED that the right to remove, and to allow the removal of, sand and gravel and other mines and minerals, excepting natural gas, petroleum and petroleum products, from the herein described lands, and to grant or use such parts of the said lands for such other purposes as may be considered necessary, is specifically reserved to the Crown.

THE SAID LESSEE covenants with the said lessor to comply with section 113 of *The Mining Act*.

PROVIDED that the terms and conditions hereof shall not be construed as conveying any right or interest to the mines and minerals other than natural gas, petroleum and petroleum products and shall not limit the staking or acquiring of other mines and minerals under *The Mining Act*.

WHERE the word "lessee" occurs in this indenture, it shall include the heirs, executors, administrators, successors and assigns of the lessee.

IN WITNESS WHEREOF the said parties have hereunto set their hands and seals.

SIGNED, SEALED AND DELIVERED

In the presence of .....

.....

.....

Minister of Mines
and
Northern Affairs

O. Reg. 159/70, Form 3, *revised*.

REGULATION 605

under The Mining Act

FORMS

MINER'S LICENCES

1.—(1) An application for a miner's licence,

(*a*) by a person other than a company, shall be in Form 1; and

(*b*) by a company, shall be in Form 2.

(2) A miner's licence,

(*a*) for a person other than a company, shall be in Form 3; and

(*b*) for a company, shall be in Form 4. R.R.O. 1960, Reg. 441, s. 1.

2.—(1) An application for renewal of a miner's licence in Form 3 or 4 shall be in Form 5 or 6, respectively.

(2) A renewal of a miner's licence under subsection 1 of section 27 of the Act,

(*a*) for a person other than a company, shall be in Form 7; and

(*b*) for a company, shall be in Form 8. R.R.O. 1960, Reg. 441, s. 2.

3. A renewal of the licence of a person who has held a miner's licence continuously for twenty-five years or more under subsection 5 of section 27 of the Act shall be in Form 9. R.R.O. 1960, Reg. 441, s. 3.

APPLICATION TO RECORD A MINING CLAIM

4. An application under subsection 1 of section 60 of the Act shall be in Form 10. R.R.O. 1960, Reg. 441, s. 4.

DISPUTE OF RECORDED CLAIM

5.—(1) A dispute under subsection 1 of section 65 of the Act shall be in Form 11.

(2) An affidavit under subsection 1 of section 65 of the Act shall be in Form 12. R.R.O. 1960, Reg. 441, s. 5.

CERTIFICATE OF RECORD

6. A certificate of record shall be in Form 13. R.R.O. 1960, Reg. 441, s. 6.

TRANSFER OF UNPATENTED MINING CLAIM

7. A transfer of an unpatented mining claim or any interest therein shall be in Form 14. R.R.O. 1960, Reg. 441, s. 7.

AFFIDAVIT OF SUBSCRIBING WITNESS

8. An affidavit under section 80 of the Act shall be in Form 15. R.R.O. 1960, Reg. 441, s. 8.

CERTIFICATE OF INTEREST IN AN UNPATENTED MINING CLAIM

9. A certificate under subsection 2 of section 84 of the Act shall be in Form 16. R.R.O. 1960, Reg. 441, s. 9.

REPORT OF WORK

10. A report under subsection 3 of section 85 of the Act shall be in Form 17. R.R.O. 1960, Reg. 441, s. 10, *amended*.

CERTIFICATE OF PERFORMANCE OF WORK

11. A certificate under subsection 4 of section 85 of the Act shall be in Form 18. R.R.O. 1960, Reg. 441, s. 11.

NOTICE OF ABANDONMENT

12. A notice under subsection 1 of section 92 of the Act shall be made in Form 19 in duplicate. R.R.O. 1960, Reg. 441, s. 13.

APPLICATION FOR PATENT OR LEASE

13. An application for a lease shall be in Form 20. R.R.O. 1960, Reg. 441, s. 14; O. Reg. 257/63, s. 2.

BORING PERMIT

14.—(1) A boring permit under subsection 1 of section 121 of the Act shall be in Form 21.

(2) An application under clause *b* of subsection 1 of section 121 of the Act shall be in Form 22.

(3) An affidavit verifying the application shall be in Form 23.

(4) A transfer under subsection 6 of section 113 of the Act shall be in Form 24. R.R.O. 1960, Reg. 441, s. 15.

QUARRY PERMITS

15.—(1) An application for a quarry permit shall be in Form 25.

(2) A quarry permit shall be in Form 26.

(3) A return under section 131 of the Act shall be in Form 27. R.R.O. 1960, Reg. 441, s. 16.

NOTICE OF APPEAL

16. A notice under subsection 3 of section 148 of the Act shall be in Form 28. R.R.O. 1960, Reg. 441, s. 17.

NOTICE OF LIABILITY

17. A notice of liability to taxation and forfeiture under section 664 of the Act shall be in Form 29. R.R.O. 1960, Reg. 441, s. 18.

CERTIFICATE OF FORFEITURE

18. A certificate of forfeiture under subsection 3 of section 668 of the Act shall be in Form 30. R.R.O. 1960, Reg. 441, s. 19.

MEDICAL CERTIFICATES

19.—(1) An initial certificate issued under subsection 6 of section 175 of the Act shall be in Form 31.

(2) A miner's certificate issued under subsection 8 of section 175 of the Act shall be in Form 32. R.R.O. 1960, Reg. 441, s. 20.

Form 1

The Mining Act

APPLICATION FOR MINER'S LICENCE

(Individual)

I, | | | | | | | | | | | | | | |

(print family or last name)

| | | | | | | | | | | | | | |

(print given names in full)

of.....
(street and number, or post office box number)

.....
(city, town, village or township, and province or

.....
state)

apply under *The Mining Act* for a miner's licence for the licence year beginning April 1, 19.... (state year) and in support thereof make the following statements:

1. I am over eighteen years of age.

2. I am not the holder of a miner's licence.

.....
(signature of applicant)

Dated....., 19....

O. Reg. 345/65, s. 1.

Form 2

The Mining Act

APPLICATION FOR MINER'S LICENCE
(Company)

Application is made under *The Mining Act* for a miner's licence for the licence year beginning April 1, 19.... (state year) and the following statements of facts are made in support thereof:

Name of Company.....

Address of Head Office.....

Name and address of President.....

.....

Name and address of Secretary.....

.....

Place of incorporation.....

Capitalization.....

Dated....., 19....

.....
(signature of official and office held)

This application must be signed by an authorized officer of the corporation.

O. Reg. 345/63, s. 1.

Form 3

The Mining Act

MINER'S LICENCE

Letter and

No.....

(Individual)

Under *The Mining Act* and the regulations and subject to the limitations thereof, this licence is

issued to.....

of.....

This licence is not valid unless signed by licensee.

This licence expires with the 31st day of March next following the date hereof.

.....
(place and date of issue)

....
(signature of licensee) (signature)

R.R.O. 1960, Reg. 441, Form 3.

Form 4

The Mining Act

MINER'S LICENCE

Letter and

No.....

(Company)

Under *The Mining Act* and the regulations, and subject to the limitations thereof, this licence is

issued to.....

of.....

This licence is not valid unless signed by the president or secretary of the licensee.

This licence expires with the 31st day of March next following the date hereof.

Toronto, ..., 19....

.....
(signature)

.....
(signature of president or secretary of licensee)

R.R.O. 1960, Reg. 441, Form 4.

Date.....

Form 5

The Mining Act

APPLICATION FOR RENEWAL OF MINER'S LICENCE

(Individual)

(print family or last name)

(print given names in full)

.....
(street and number or post office box number)

.....
(city, town, village or township, and province or

.....
state)

apply for renewal of miner's licence No.....

.....
(signature of licensee)

R.R.O. 1960, Reg. 441, Form 5.

Form 6

The Mining Act

APPLICATION FOR RENEWAL OF MINER'S LICENCE
(Company)

Application is made under *The Mining Act* for a

renewal of Miner's Licence No.....,

dated.....

Name of Company.....

Address of Head Office.....

Dated....., 19....

.....
(signature of official and office held)

This application must be signed by an authorized officer of the corporation.

O. Reg. 345/63, s. 1.

Form 7

The Mining Act

RENEWAL OF MINER'S LICENCE

Letter and Number.....

(Individual)

Under *The Mining Act* and the regulations, and subject to the limitations thereof, this renewal of

miner's licence No.....dated.....

....., 19.... is issued to.....

.....

This licence is not valid unless signed by licensee.

This renewal expires with the 31st day of March next following the date hereof.

Dated....., 19....

.....
(signature)

.....
(signature of licensee)

R.R.O. 1960, Reg. 441, Form 7.

Form 8

The Mining Act

RENEWAL OF MINER'S LICENCE

Letter and

No.....

(Company)

Under *The Mining Act* and the regulations, and subject to the limitations thereof, this renewal of

miner's licence No.....is issued to.....

.....of.....

This licence is not valid unless signed by president or secretary of licensee.

This renewal expires with the 31st day of March next following the date hereof.

Dated at....., 19....

.....
(signature)

.....
(signature of president or secretary of licensee)

R.R.O. 1960, Reg. 441, Form 8.

Form 9

The Mining Act

RENEWAL OF MINER'S LICENCE BY MINISTER

Letter and

No.....

Under *The Mining Act* and the regulations, and subject to the limitations thereof, this renewal of

miner's licence No.....dated the.....

....., 19....is issued to.....

of.....

without payment of fee, by reason of his having held a miner's licence continuously for twenty-five years or more.

This licence is not valid unless signed by the licensee.

This renewal expires with the 31st day of March next following the date hereof.

....
(signature of licensee) Minister of Mines and Northern Affairs

R.R.O. 1960, Reg. 441, Form 9.

Form 10

The Mining Act

APPLICATION TO RECORD THE STAKING OUT OF MINING CLAIM(S)

Page 1

Please Print in Block Letters

FULL NAME OF APPLICANT	MINER'S LICENCE	OFFICE USE (RECEIPT NO.)	NAME AND ADDRESS FOR SERVICE IN ONTARIO IF NON-RESIDENT
FULL ADDRESS (If not an Ontario resident, also give name and address for service ⟶)			
SIGNATURE OF APPLICANT	DATE	DATED AT	

MINING DIVISION	TOWNSHIP OR AREA (See Note 1 below)

Group Claim No.	Tag Number (Record No.) See Note 2	Staking Date	Staking Time	Description if Township is Subdivided	Restaking of Claim No.	Office Use Only (Reservations)

NOTES: 1. A separate application and group sketch must be used for each separate township or area.

2. When claims are pretagged the tag numbers MUST be shown above AND on the group sketch on page 4.

FOR DEPARTMENT USE ONLY:

Page 2

The penalty for making a false statement in this application is $500 fine or six months imprisonment or both.

I, the undersigned, hereby certify:

1. That I staked out in accordance with *The Mining Act* the mining claim(s) on the lands described and shown in my application and on the sketch or plan on Page 4.

2. That the distances given in my application and sketch or plan are as accurate as they could reasonably be ascertained.

3. That all other statements and particulars herein set forth in the application and shown on the sketch or plan on Page 4 are true and correct.

4. That at the time of staking there was nothing upon the lands to indicate that they were not open to be staked and that I believe they were so open.

5. That the staking is valid and should be recorded.

6. That there are upon the lands staked no buildings, clearing or improvements for farming or other purposes, except as follows and indicated on the sketch or plan on Page 4:

7. Check (*a*) OR (*b*) but not both:

   (*a*) ☐ I have affixed the proper tags on the proper posts;

   (*b*) ☐ I have *not* affixed the proper tags on the proper posts, and I have *not* used common posts.

....

(date) (signature of applicant)

SAMPLE GROUP SKETCH

SCALE: 1 inch = 1320 feet (20 chains)

COMPLETE THE GROUP SKETCH ON PAGE 4 USING THIS SAMPLE AS A GUIDE. WHERE APPLICABLE, THE ITEMS INDICATED BELOW MUST BE SHOWN IN THE SKETCH.

NORTH ASTRONOMIC

LOCATION OF CLAIMS

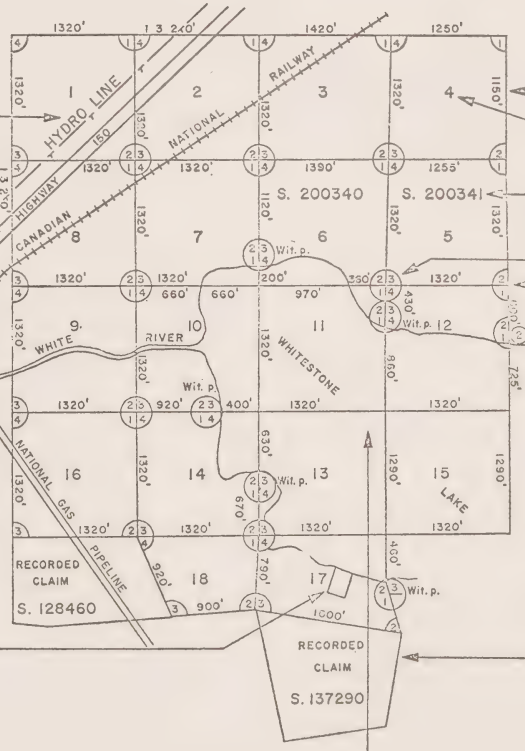
(Show lot and concession lines and numbers if township is subdivided)

→ GOODE TOWNSHIP

DEVELOPMENTS

SUCH AS:

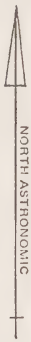
- Hydro lines
- Highways (and roads)
- Railway lines
- Pipeline
- Summer cottages (or other buildings)


1320'
1420'
1250'
1320'
1150'
1320'
1390'
1255'
1320'
1320'
1320

Page 4

GROUP SKETCH OF CLAIMS LISTED ON PAGE 1

SCALE: 1 inch = 1320 feet (20 chains)



Form 11

The Mining Act

DISPUTE AGAINST A RECORDED CLAIM

To the Recorder of.....Mining Division:

I,.....

of....., the
(address)

holder of miner's licence No.....allege that Mining Claim No....., recorded in the name of.....

is illegal or invalid in whole or in part because

.....

.....
(state fully how and why claim is illegal or invalid)

.....

If the disputant or the licensee in whose behalf he is acting claims to be entitled to be recorded for or to be entitled to any right or interest in the lands or mining rights, or any part thereof comprised in the disputed claim, give statement of particulars.....

.....

Address for service.....
(see note)

.....

Dated at.....this....day of....., 19...

.....
(signature)

NOTE: Section 65 (3) of the Act reads as follows:

(3) The dispute shall contain or have endorsed upon it an address in Ontario at which the disputant may be served with any notice or document relating to the dispute, and any such notice or document is sufficiently served upon the disputant if it is left with a grown-up person at such address or, where no such person can there be found, if sent by registered mail addressed to the disputant at such address.

R.R.O. 1960, Reg. 441, Form 11.

Form 12

The Mining Act

AFFIDAVIT VERIFYING DISPUTE

County, etc., or District of

I,.....,
of the.....of.....
in the.....of.....,
make oath and say:

1. I am the holder of miner's licence No.....

2. I signed the annexed dispute on the....day of....., 19....

3. I have personal knowledge of the matters mentioned in the dispute, and that the statements contained therein are true.

Sworn before me.....
at..... in the
.....of.....
this....day of.....,
19....

.....
(signature of licensee)

Mining Recorder or
Commissioner.

R.R.O. 1960, Reg. 441, Form 12.

Form 13

The Mining Act

No..... Fee $1.00

CERTIFICATE OF RECORD

Under *The Mining Act* and the regulations, and subject to the limitations thereof, this certificate of record is issued to.....

.....

.....

the holder of miner's licence No.....in respect of Mining Claim No.....containing..... acres more or less.

Dated at.....this....day of....., 19...

.....
Recorder of....Mining Division

R.R.O. 1960, Reg. 441, Form 13.

Form 14

The Mining Act

TRANSFER OF UNPATENTED MINING CLAIM(S)

I, ...Licence No.....

the recorded holder of.....
(specify interest held)

interest, hereby transfer in consideration of.....

dollars or other valuable consideration paid to me

.....interest in ( ) mining
(specify interest transferred)

claim(s) numbered.....
(claim numbers must be listed)

.....Township(s) or Area(s).....
separately)

to.....

Address.....

the holder of miner's licence.....

as Transferee.

Dated at....., this....day of....., 19...

....
(signature of witness) (signature of transferor)

NOTE: If transferee is not a resident of Ontario show here the name of the person who is a resident of Ontario upon whom service may be made.

Name.....

Residence in Ontario.....

Post Office Address.....

O. Reg. 217/67, s. 1.

Form 15

The Mining Act

AFFIDAVIT OF SUBSCRIBING WITNESS

County, etc., of | I,.....,
of the.....of.....
in the.....of.....,
make oath and say:

1. That I was personally present did see the attached instrument signed and executed by.....
....., one of the parties thereto.

2. That the attached instrument was executed at
.....

3. That I know the said party.

4. That I am a subscribing witness to the attached instrument.

Sworn before me at.....
.....in the.....
of.....this.....
day of....., 19....

.....
(signature)

Mining Recorder
or Commissioner

R.R.O. 1960, Reg. 441, Form 15.

Form 16

The Mining Act

CERTIFICATE OF INTEREST

I certify that in a proceeding commenced by
.....
(name)

of.....
(address)

an interest is called in question in Mining Claim No.....recorded in the office of the Recorder for the.....Mining Division in the name of.....

The nature of the proceeding is.....
.....

Dated at.....this.....day of....., 19...

.....
Mining Commissioner or

Recorder of.....
Mining Division

R.R.O. 1960, Reg. 441, Form 16.

Form 17

The Mining Act

REPORT OF WORK

A separate form is required for each type of work to be recorded.

To the Recorder of.....Mining Division

I,.....
(name of recorded holder) (miner's licence)

.....
(post office address)

do hereby report the performance of.....days of.....
(type of work)

not before reported to be applied on the following contiguous claims:

Claim No.	Days	Claim No.	Days	Claim No.	Days
.....	.....	.....	.....	.....	.....
.....	.....	.....	.....	.....	.....
.....	.....	.....	.....	.....	.....
.....	.....	.....	.....	.....	.....
.....	.....	.....	.....	.....	.....
.....	.....	.....	.....	.....	.....
.....	.....	.....	.....	.....	.....

All the work was performed on Mining Claim(s).....
(In the case of geological and/or geophysical survey(s) where more than 18 claims are involved attach a schedule.)

READ CAREFULLY.

THE FOLLOWING INFORMATION IS REQUIRED BY THE MINING RECORDER:

For Manual Work, Stripping or Opening up of Mines, Sinking Shafts or Other Actual Mining Operation—Names and addresses of the men who performed the work and the dates and hours of their employment.

For Diamond and other Core Drilling—Footage, No. and angle of holes and diameter or core. Name and address of owner or operator of drill. Dates when drilling was done. Signed core log and sketch in duplicate.

For Compressed Air or Other Power Driven or Mechanical Equipment—Type of drill or equipment. Names and addresses of men engaged in operating equipment and the dates and hours of their employment.

For Power Stripping—Type of equipment. Name and address of owner or operator. Amount expended. Dates on which work was done. Proof of actual cost must be submitted within 30 days of recording.

With each of the above types of work sketches are required to show the location and extent of the work in relation to the nearest claim post. In the case of diamond or other core drilling the sketch must be submitted in duplicate.

For Geological and Geophysical Survey—The names and addresses of men employed as well as dates. Type of instrument used in the case of geophysical survey. Reports and maps in duplicate must be filed with the Minister within 60 days of recording.

For Land Survey—The name and address of Ontario Land Surveyor.

THE REQUIRED INFORMATION IS AS FOLLOWS: (Attach a list if this space is insufficient)

Date..... .....
(signature of recorded holder or agent)

The Mining Act

CERTIFICATE VERIFYING REPORT OF WORK

I,.....

.....
(post office address)

hereby certify:

1. That I have a personal and intimate knowledge of the facts set forth in the report of work annexed hereto, having performed the work or witnessed same during and/or after its completion.
2. That the annexed report is true.

Dated....., 19.... .....
(signature)

O. Reg. 17/65, s. 1.

Form 18

The Mining Act

No.....

CERTIFICATE OF PERFORMANCE OF WORK

Under *The Mining Act* and the regulations, and subject to the limitations thereof, this certificate is

granted to.....

.....

.....

the holder of miner's licence No.....

who has duly performed or caused to be performed the

prescribed work on Mining Claim No.....

to my satisfaction for.....period(s)

ending the.....day of....., 19....

Dated at.....this.....day of....., 19....

.....

Recorder of.....Mining Division

R.R.O. 1960, Reg. 441, Form 20.

Form 19

The Mining Act

NOTICE OF ABANDONMENT

To the Recorder of.....Mining Division:

I,.....
(name)

of.....
(address)

.....

the holder of miner's licence No.....give

notice that I have abandoned Mining Claim No....

situate in.....

Dated at.....this.....day of....., 19...

.....
(recorded holder)

.....
(witness)

R.R.O. 1960, Reg. 441, Form 23.

Form 20

The Mining Act

APPLICATION FOR LEASE

To the Recorder of.....Mining Division:....

I,.....
(name)

of.....
(address)

.....

the recorded holder of an interest in Mining Claim

No.....apply for the issue of a (Mining & Surface Rights or Mining Rights) Lease thereof.

Accompanying this application is,

(*a*) Certificate of Record;

(*b*) Certificate of Performance of Work; and

(*c*) .....dollars in payment of the rental for the first year.

The names, address and occupations of the recorded holders of the claim are as follows:

Surname	Given Names	Address	Occupation	Interest Held

Dated at.....this.....day of....., 19...

.....
(signature of applicant)

O. Reg. 257/63, s. 4.

Form 21

The Mining Act

BORING PERMIT

No..... Fee $100.00

Under *The Mining Act* and the regulations, and subject to the limitations thereof, this boring permit

is granted to.....

.....

the holder of miner's licence No.....to prospect for petroleum, natural gas, coal or salt upon the area of land shown on the sketch or plan attached hereto for a period of one year from the date of issue hereof.

Dated at Toronto this.....day of....., 19...

.....
Minister of Mines and
Northern Affairs

R.R.O. 1960, Reg. 441, Form 25.

Form 22

The Mining Act

APPLICATION FOR BORING PERMIT

To the Recorder of.....Mining Division:

I,.....
(name)

of.....
(address)

the holder of miner's licence No.....
attached hereto, apply for a boring permit to prospect for petroleum, natural gas, coal or salt upon the area of land shown on the attached sketch or plan, and described as follows:

.....

.....

containing.....acres more or less.

Address for service of non-resident.....

Service may be made upon.....

whose residence and post office address is.....

.....

Dated at.....this.....day of....., 19...

.....
(signature of applicant)

R.R.O. 1960, Reg. 441, Form 26.

Form 23

The Mining Act

AFFIDAVIT TO ACCOMPANY APPLICATION FOR BORING PERMIT

County of..... | I,.....
of the.....
of.....in the
.....of.....,
make oath and say:

1. That on the.....day of....., 19...., I staked out the area of land described in the application annexed hereto.

2. That the distances given in the application and sketch or plan are as accurate as they could reasonably be ascertained and that all other statements and particulars set forth and shown in the application and sketch or plan are true and correct.

3. That at the time of staking there was nothing upon the lands to indicate they were not open to be staked out for the purposes of the application and I verily believe that they were so open.

4. That there are upon the lands so staked no buildings, clearing or improvements for farming or other purposes, except as follows:

.....
and indicated on the sketch annexed hereto.

Sworn before me at..... | .....
in the.....of..... | (signature)
this.....day of.....
19....

.....
Mining Recorder or Commissioner

R.R.O. 1960, Reg. 441, Form 27.

Form 24

The Mining Act

TRANSFER OF A BORING PERMIT

I,.....the holder of Boring Permit No.....as transferor in consideration of.....dollars or other valuable consideration paid to me transfer all my rights in Boring Permit No.....or the land included therein to.....

the holder of miner's licence No..... as transferee.

Dated at.....this....day of....., 19...

.....
(signature of transferor)

.....
(witness)

R.R.O. 1960, Reg. 441, Form 28.

Form 25

The Mining Act

APPLICATION FOR QUARRY PERMIT

Name.....

Telephone.....

Address.....

Location of Pit.....
(township or area)

Nature of Material.....

Amount Required.....Cubic Yards;.....Tons

Approximate Area of Pit.....Acres

Removal Operations Will Commence Not Later than

....., 19.....

Purpose or Destination of Material.....

Description of Equipment.....

.....

Date....., 19.... Signature.....

NOTE: *If pit area is situated within limits of existing Department of Highways gravel reservation, written consent of that Department must accompany this application.*

.....

SHOW SKETCH OF PIT AREA HERE



Show pit boundaries with distances in feet and all topography such as lakes, rivers, roads, transmission lines, buildings, etc.

O. Reg. 177/69, s. 1.

Form 26

The Mining Act

QUARRY PERMIT

No..... Fee $.....

Under *The Mining Act* and the regulations, and subject to the limitations thereof, this quarry permit is issued to.....
(name)

.....
(address)

to take or remove from the lands described as follows:

.....

not more than..... .....of
(amount) (yards or tons)

.....
(specify nature of material)

upon the condition that the permittee on or before the 10th day of each month shall pay to the Treasurer of Ontario a sum of .....for every cubic yard or ton of.....removed therefrom
(state material)

This permit expires with the 31st day of March, 19....

Dated at.....this....day of....., 19...

.....
(signature)

R.R.O. 1960, Reg. 441, Form 30.

Form 27

The Mining Act

Return of.....taken or
(state nature of material)

removed under Quarry Permit No.....

Date of taking or removing	Quantity in Cubic Yards or Tons	Royalty Rate	Amount of Royalty	Destination

I certify that this return is a complete record of all .....taken or removed during
(state nature of material)

....., 19....
(month)

Dated the.....day of....., 19...

.....
(permittee)

R.R.O. 1960, Reg. 441, Form 31.

Form 28

The Mining Act

NOTICE OF APPEAL

IN THE MATTER OF *The Mining Act* before the Mining Commissioner:

IN THE MATTER OF Mining Claim No.....

Take notice that I,.....,

of.....,

the holder of Miner's Licence No.....,

hereby appeal to the Mining Commissioner from the decision of, or the act or thing, whether ministerial or judicial, done or refused or neglected

to be done by the Recorder of the.....

Mining Division on the....day of....., 19..,

in or by which he.....

.....
(state briefly what is appealed against)

The reasons for appeal are.....

.....

.....

Address for service.....
(see note)

.....

.....

Dated at....., this....day of....., 19..

.....
(signature)

To the Recorder of..... Mining Division

and to.....

.....
(names of parties adversely interested)

NOTE: Subsection 5 of section 146 of the Act reads as follows:

(4) The notice of appeal shall contain or have endorsed upon it an address in Ontario at which the appellant may be served with any notice or document relating to the appeal, and any such notice or document is sufficiently served upon the appellant if it is left with a grown-up person at such address or, where no such person can there be found, if sent by registered letter addressed to the appellant at such address.

R.R.O. 1960, Reg. 441, Form 32.

Form 29

The Mining Act

NOTICE OF LIABILITY TO TAXATION AND FORFEITURE

To.....
(the proper register of deeds, or master of titles)

at.....

Under section 664 of *The Mining Act* I hereby give notice of liability to taxation in respect of the lands or mining rights described in Schedule A hereto, and that arrears of tax for two years or more may result in forfeiture to the Crown of the lands or mining rights so described.

Dated at Toronto, this....day of....., 19..

.....
Deputy Minister of Mines
and Northern Affairs

SCHEDULE A

1. .....

2. .....

R.R.O. 1960, Reg. 441, Form 33.

Form 30

The Mining Act

CERTIFICATE OF FORFEITURE

This is to certify that under subsection 3 of section 668 of *The Mining Act*, and subject to the limitations thereof, the lands or mining rights described in the Schedule appended hereto, and every interest therein, are declared forfeited to and vested in the Crown in right of Ontario.

Saving, and excepting and reserving from forfeiture any part of the lands or mining rights occupied by the right of way of any railroad, or transmission line, or by a highway or road.

In witness whereof I have hereunto set my hand this....day of....., 19....

Witness:

.....
Minister of Mines and Northern Affairs

R.R.O. 1960, Reg. 441, Form 34.

Form 31

The Mining Act

INITIAL CERTIFICATE

Serial No.....Date.....

Name.....

Address.....

Nationality.....

Married.....Single.....Age.....

Signature of Holder.....

PERSONAL PHOTOGRAPH

(Full Face View)

THE WORKMEN'S COMPENSATION BOARD
ONTARIO

This certifies that I have examined.....

.....

whose photograph is attached hereto, and have found him free from diseases of the respiratory organs and otherwise fit for employment in a dust-exposure occupation.

.....
(signature of medical officer)

To be re-examined	Date of re-examination	Signature of Medical Officer

The Medical Officer will indicate in col. 1 (above) the date before which holder should appear for re-examination.

THE WORKMEN'S COMPENSATION BOARD
ONTARIO

This certifies that I have re-examined.....

.....

whose photograph and record of employment are attached hereto, and have found him free from diseases of the respiratory organs and fit for employment in a dust-exposure occupation, and do hereby endorse this certificate.

.....
(signature of medical officer)

RECORD OF EMPLOYMENT OF ABOVE WORKMAN

Mine	Occupation	Dates of occupations and signature of timekeeper
		From.....To.....
		From.....To.....
		From.....To.....
		From.....To.....
		From.....To.....
		From.....To.....

R.R.O. 1960, Reg. 441, Form 35.

Form 32

The Mining Act

MINER'S CERTIFICATE

Serial No.....Date.....

Name.....

Address.....

Nationality.....

Married.....Single.....Age.....

Signature of Holder.....

PERSONAL PHOTOGRAPH

(Full Face View)

THE WORKMEN'S COMPENSATION BOARD
ONTARIO

This certifies that I have examined.....

.....

whose photograph is attached hereto, and have found him free from tuberculosis of the respiratory organs.

.....
(signature of medical officer)

To be re-examined	Renewed from	Signature of Medical Officer

The Medical Officer will indicate in col. 1 (above) date before which holder should appear for re-examination.

R.R.O. 1960, Reg. 441, Form 36.

REGULATION 606

under The Mining Act

MINING DIVISIONS

1. Ontario is divided into mining divisions as follows:

1. Eastern Ontario Mining Division as described in Schedule 1.
2. Kenora Mining Division as described in Schedule 2.
3. Larder Lake Mining Division as described in Schedule 3.
4. Patricia Mining Division as described in Schedule 4.
5. Porcupine Mining Division as described in Schedule 5.
6. Red Lake Mining Division as described in Schedule 6.
7. Sault Ste. Marie Mining Division as described in Schedule 7.
8. Sudbury Mining Division as described in Schedule 8.
9. Thunder Bay Mining Division as described in Schedule 9. O. Reg. 311/69, s. 1.

2. In the schedules, "township", when used with reference to a township in a territorial district, means geographic township. O. Reg. 311/69, s. 2.

Schedule 1

EASTERN ONTARIO MINING DIVISION

Beginning at the southwest angle of the Township of West Ferris in the Territorial District of Nipissing; thence northerly along the westerly boundary of that township to the south boundary of the Township of Widdifield; thence easterly along the southerly boundaries of the townships of Widdifield, Phelps, Olrig and Mattawan to a point in the interprovincial boundary line between the Provinces of Ontario and Quebec at the confluence of the Ottawa and Mattawa Rivers near the Town of Mattawa; thence in a general southeasterly, easterly and southerly direction along that interprovincial boundary line to its intersection with the international boundary line between Canada and the United States of America in the St. Lawrence River; thence along that international boundary line through the St. Lawrence River, Lake Ontario, the Niagara River, Lake Erie, the Detroit River, Lake St. Clair, the St. Clair River and Lake Huron to its intersection with parallel of latitude 45° 20′ north; thence easterly along that parallel of latitude to its intersection with meridian of longitude 81° 00′ west; thence north astronomically along that meridian of longitude to the southerly boundary of the Township of Travers at the intersection with the high-water mark on the north shore of Georgian Bay of Lake Huron; thence in a general easterly direction along that north shore to the mouth of the French River; thence in a general northeasterly direction up that river following the channel forming the boundary between the territorial districts of Parry Sound and Sudbury, to the northeast angle of the Township of Scollard in the Territorial District of Sudbury; thence east astronomically along the southerly boundary of the Township of Latchford and its production easterly to the division line between the territorial districts of Nipissing and Parry Sound; thence easterly along that division line to the southwest angle of the Township of West Ferris, being the place of beginning. O. Reg. 311/69, Sched. 1.

Schedule 2

KENORA MINING DIVISION

Beginning at a point in the boundary between the territorial districts of Kenora and Thunder Bay where it is intersected by the base line run by O.L.S. Phillips and O.L.S. Benner in 1932; thence south astronomically along the westerly boundary of the Territorial District of Thunder Bay to the intersection with the international boundary line between Canada and the United States of America in Saganaga Lake; thence in a general southwesterly, northwesterly, westerly, and northwesterly direction following that international boundary line through Rainy Lake, Lake of the Woods and the several lakes, rivers and portages along that international boundary line to its intersection with the interprovincial boundary line between the Provinces of Manitoba and Ontario; thence north astronomically along that interprovincial boundary line to the intersection with parallel of latitude 50° 45′ north; thence east along that parallel of latitude a distance of 29 miles, more or less, to meridian of longitude 94° 30′ west; thence south astronomically along that meridian of longitude a distance of 23 miles, more or less, to the 7th base line run by O.L.S. Phillips and O.L.S. Benner in 1927 and 1928; thence east along that base line to its intersection with the 6th meridian line, near the west end of Lac Seul, run by O.L.S. Patten in 1919; thence south astronomically along that meridian line

to the northwest angle of the Township of Rowell in the Territorial District of Kenora; thence south astronomically along the west boundary of that township to the southwest angle thereof; thence east astronomically along the south boundary of that township to the southeast angle thereof; thence southerly along the east boundary of the Township of Britton to the southeast angle thereof; thence easterly along the north boundaries of the townships of Zealand, Brownridge and Laval to the northeast angle of the Township of Laval; thence south astronomically along the east boundary of that township to the southeast angle thereof; thence easterly along the north boundary of the Township of Hartman, a distance of 3.96 chains, more or less, to the northeast angle thereof; thence southerly along the east boundary of that township a distance of 0.85 chain, more or less, to its intersection with the base line run by O.L.S. Phillips and O.L.S. Benner in 1932, said point of intersection being the northwest angle of the Township of MacFie; thence east along that base line to its intersection with the boundary between the territorial districts of Kenora and Thunder Bay, being the place of beginning. O. Reg. 311/69, Sched. 2.

Schedule 3

LARDER LAKE MINING DIVISION

Beginning at the northeast angle of the Township of Robertson in the Territorial District of Timiskaming; thence west astronomically along the north boundary of the townships of Robertson, McNeil and Cleaver to the northwest angle of the Township of Cleaver; thence south astronomically along the west boundary of that township a distance of 0.83 chain, more or less, to the northeast angle of the Township of Geikie; thence south astronomically along the east boundary of that township to the southeast angle thereof; thence west astronomically along the south boundaries of the townships of Geikie and Bartlett to the southwest angle of the Township of Bartlett; thence north astronomically along the west boundary of that township a distance of 0.48 chain, more or less, to the northeast angle of the Township of Beemer in the Territorial District of Sudbury; thence west astronomically along the north boundary of that township to the northwest angle thereof; thence south astronomically along the west boundaries of the townships of Beemer, Moher and Nursey to the southwest angle of the Township of Nursey; thence east astronomically along the south boundary of that township a distance of 15.62 chains, more or less, to the northwest angle of the Township of Burrows; thence south astronomically along the west boundaries of the townships of Burrows and Cabot to the southwest angle of the Township of Cabot; thence west astronomically along the north boundary of the Township of Connaught a distance of 10 chains, more or less, to the northwest angle thereof; thence south astronomically along the west boundaries of the townships of Connaught, Miramichi and Garibaldi to the southwest angle of the Township of Garibaldi; thence east astronomically along the south boundary of that township a distance of 15.17 chains, more or less, to the northwest angle of the Township of Moffat; thence south astronomically along the west boundary of that township to the southwest angle thereof; thence east astronomically along the south boundary of that township to the southeast angle thereof; thence southerly along the west boundary of the Township of Amyot a distance of 1.73 chains, more or less, to the southwest angle thereof; thence east astronomically along the south boundaries of the townships of Amyot and Browning to the southeast angle of the Township of Browning; thence southerly along the west boundary of the Township of Dufferin in the Territorial District of Timiskaming a distance of 4.53 chains, more or less, to the southwest angle thereof; thence east astronomically along the south boundaries of the townships of Dufferin, Leckie, Corley, Gamble, McGiffin and Rorke to the southeast angle of the Township of Rorke, being also the northwest angle of the Township of Medina; thence south astronomically along the west boundary of the Township of Medina to the southwest angle thereof; thence south astronomically along the west boundaries of the townships of Canton, and Le Roche in the Territorial District of Nipissing to the southwest angle of the Township of Le Roche; thence west astronomically along the north boundary of the Township of Belfast to the northwest angle thereof; thence south astronomically along the west boundaries of the townships of Belfast, Scholes and Clement to the southwest angle of the Township of Clement; thence southerly along the west boundary of the Township of Pardo to the southwest angle thereof; thence east astronomically along the south boundaries of the townships of Pardo, Hobbs, McCallum, Sisk, Kenny, Gooderham, LaSalle, McAuslan and Wyse and the easterly production of the south boundary of the Township of Wyse across Lake Timiskaming to a point in the interprovincial boundary line between the Provinces of Ontario and Quebec in Lake Timiskaming; thence in a general northwesterly direction along that interprovincial boundary line in Lake Timiskaming, to the head of that lake; thence north astronomically continuing along that boundary line to the intersection with the north boundary of the Township of Bradette in the Territorial District of Cochrane; thence west astronomically along the north boundaries of the townships of Bradette, Noseworthy, Hoblitzell, Blakelock, Tweed and McQuibban to the northeast angle of the Township of Swartman; thence south astronomically along the east boundaries of the townships of Swartman and Potter to the southeast angle of the Township of Potter; thence west astronomically along the south boundary of that township a distance of 8 chains, more or less, to the northeast angle of the Township of Laughton; thence south astronomically along the east boundaries of the townships of Laughton and Kennedy to the southeast angle of the Township of Kennedy; thence west astronomically along the south boundary of that township a distance of 9.08 chains, more or

less, to the northeast angle of the Township of Fox; thence south astronomically along the east boundaries of the townships of Fox and Pyne to the southeast angle of the Township of Pyne; thence west astronomically along the south boundary of that township a distance of 0.92 chain, more or less, to the northeast angle of the Township of Aurora; thence south astronomically along the east boundaries of the townships of Aurora, Calvert, Clerque, Stock and Bond to the southeast angle of the Township of Bond; thence west astronomically along the south boundary of that township a distance of 4.41 chains, more or less, to the northwest angle of the Township of Egan; thence south astronomically along the west boundary of that Township to the southwest angle thereof; thence east astronomically along the south boundary of that township to the northeast angle of the Township of Timmins in the Territorial District of Timiskaming; thence south astronomically along the east boundaries of the townships of Timmins and Michie to the northeast angle of the Township of Robertson, being the place of beginning. O. Reg. 311/69, Sched. 3.

Schedule 4

PATRICIA MINING DIVISION

Beginning at a point in the boundary between the territorial districts of Kenora and Thunder Bay where it is intersected by the base line run by O.L.S. A. C. Ross in 1922; thence east astronomically along that base line to the intersection with meridian of longitude 90° 00′ west; thence north astronomically along that meridian of longitude to the intersection with parallel of latitude 50° 00 north; thence east along that parallel of latitude to the intersection with meridian of longitude 89° 00′ west; thence north astronomically along that meridian of longitude to the intersection with the southerly shore of the Albany River; thence in a general easterly, southeasterly, northeasterly and southeasterly direction following that southerly shore to the intersection with meridian of longitude 85° 00′ west; thence north astronomically along that meridian of longitude to the southerly shore of Hudson Bay; thence in a general northwesterly direction following that southerly shore to the interprovincial boundary line between the Provinces of Manitoba and Ontario; thence southwesterly along that interprovincial boundary line to its intersection with meridian of longitude 91° 00′ west; thence south astronomically along that meridian of longitude to the 10th base line as run by O.L.S. Phillips and O.L.S. Benner in 1929, which extends west astronomically from the southeast angle of the Township of Ponsford; thence west astronomically along that base line to the intersection with the 4th meridian line, which extends north astronomically from the southeast corner of the Township of Ignace; thence south astronomically along that meridian line to the 7th base line as run by O.L.S. Phillips and O.L.S. Benner in 1927 and 1928; thence west astronomically along that base line to its intersection with the 6th meridian line near the west end of Lac Seul, run by O.L.S. Patten in 1919 and which extends north astronomically from the southwest angle of the Township of Rowell; thence south astronomically along that meridian line to the northwest angle of that township; thence south astronomically along the west boundary of that township to the southwest angle thereof; thence east astronomically along the south boundary of that township to the southeast angle thereof; thence southerly along the east boundary of the Township of Britton to the southeast angle thereof; thence easterly along the north boundaries of the townships of Zealand, Brownridge and Laval to the northeast angle of the Township of Laval; thence south astronomically along the east boundary of that township to the southeast angle thereof; thence easterly along the north boundary of the Township of Hartman a distance of 3.96 chains, more or less, to the northeast angle thereof; thence southerly along the east boundary of that township a distance of 0.85 chain, more or less, to its intersection with the base line run by O.L.S. Phillips and O.L.S. Benner in 1932, said point of intersection being the northwest angle of the Township of MacFie; thence east along the said base line to its intersection with the boundary between the territorial districts of Kenora and Thunder Bay; thence south astronomically along that boundary to the place of beginning. O. Reg. 311/69, Sched. 4.

Schedule 5

PORCUPINE MINING DIVISION

Beginning at the northeast angle of the Township of Robertson in the Territorial District of Timiskaming; thence west astronomically along the north boundaries of the townships of Robertson, McNeil and Cleaver to the northwest angle of the Township of Cleaver; thence south astronomically along the west boundary of that township a distance of 0.83 chain, more or less, to the northeast angle of the Township of Geikie; thence south astronomically along the east boundary of that township to the southeast angle thereof; thence west astronomically along the south boundaries of the townships of Geikie and Bartlett to the southwest angle of the Township of Bartlett; thence north astronomically along the west boundary of that township a distance of 0.48 chain, more or less, to the northeast angle of the Township of Beemer in the Territorial District of Sudbury; thence west astronomically along the north boundaries of the townships of Beemer and Hassard to the northwest angle of the Township of Hassard; thence southerly along the west boundary of that township a distance of 4.12 chains, more or less, to the northeast angle of the Township of McBride; thence west astronomically along the north boundaries of the townships of McBride and Crothers to the northwest angle of the Township of Crothers; thence south astronomically along the west boundary of that township to the northeast angle of the Township of Regan; thence west astronomically along the north boundaries of the townships of

Regan, Hardiman, Horwood and Silk to the northwest angle of the Township of Silk; thence north astronomically along the east boundary of the Township of Pinogami to the northeast angle thereof; thence west astronomically along the north boundaries of the townships of Pinogami and Evans to the northwest angle of the Township of Evans; thence north astronomically along the east boundary of the Township of Murdock and the northerly production of the east boundary thereof into a small lake, in all a distance of 7.31 chains, more or less, to the intersection with the easterly production of the north boundary of that township across the aforementioned lake; thence west astronomically along the easterly production of the north limit of the last-mentioned township and continuing west astronomically along the north boundary thereof to the northwest angle thereof; thence westerly along the north boundary of the Township of Collins to the northwest angle thereof; thence west astronomically along the north boundary of the Township of Pattinson to the northwest angle thereof; thence north astronomically along the east boundary of the Township of Racine a distance of 11.57 chains, more or less, to the northeast angle thereof; thence west astronomically along the north boundary of the last-mentioned township to the southwest angle of the Township of Floranna; thence north astronomically along the west boundaries of the townships of Floranna, Lipsett and Lloyd to the northwest angle of the Township of Lloyd; thence west astronomically along the south boundary of the Township of Lerwick in the Territorial District of Algoma to the southwest angle thereof; thence north astronomically along the west boundaries of the townships of Lerwick, Coderre, Champlain, Ericson, Cromlech and Abbott to the northwest angle of the Township of Abbott; thence continuing north astronomically along the west boundaries of the townships of Rykert and Magladery in the Territorial District of Cochrane to the northwest angle of the Township of Magladery; thence west astronomically along the south boundary of the Township of Staunton to the southwest angle thereof; thence north astronomically along the west boundary of that township to the northeast angle of the Township of Shetland; thence west astronomically along the north boundaries of the townships of Shetland, Lowther, Landry, Verdun and Langemarck to the northwest angle of the Township of Langemarck; thence west along the projected north boundaries of the townships of McEwing, Frost, Hiawatha and Frances in the Territorial District of Algoma to the northwest angle of the Township of Frances; thence north astronomically along the west boundary of the Township of Downer to the northwest angle thereof; thence north astronomically along the west boundaries of the townships of Clavet, Boyce and Bicknell in the Territorial District of Cochrane to the northwest angle of the Township of Bicknell; thence east astronomically along the north boundaries of the townships of Bicknell and Burrell to the intersection with meridian of longitude 85° west; thence north astronomically along that meridian of longitude to the intersection with the southerly shore of Hudson Bay; thence in a general easterly, southerly southeasterly and northeasterly direction following that southerly shore and the westerly and southerly shores of James Bay to the interprovincial boundary line between the Provinces of Quebec and Ontario; thence south astronomically along that interprovincial boundary line to the intersection with the north boundary of the Township of Bradette; thence west astronomically along the north boundaries of the townships of Bradette, Noseworthy, Hoblitzell, Blakelock, Tweed and McQuibban to the northeast angle of the Township of Swartman; thence south astronomically along the east boundaries of the townships of Swartman and Potter to the southeast angle of the Township of Potter; thence west astronomically along the south boundary of that township a distance of 8 chains, more or less, to the northeast angle of the Township of Laughton; thence south astronomically along the east boundaries of the townships of Laughton and Kennedy to the southeast angle of the Township of Kennedy; thence west astronomically along the south boundary of that township a distance of 9.08 chains, more or less, to the northeast angle of the Township of Fox; thence south astronomically along the east boundaries of the townships of Fox and Pyne to the southeast angle of the Township of Pyne; thence west astronomically along the south boundary of that township a distance of 0.92 chain, more or less, to the northeast angle of the Township of Aurora; thence south astronomically along the east boundaries of the townships of Aurora, Calvert, Clerque, Stock and Bond to the southeast angle of the Township of Bond; thence west astronomically along the south boundary of that township a distance of 4.41 chains, more or less, to the northwest angle of the Township of Egan; thence south astronomically along the west boundary of that township to the southwest angle thereof; thence east astronomically along the south boundary of that township to the northeast angle of the Township of Timmins in the Territorial District of Timiskaming; thence south astronomically along the east boundaries of the townships of Timmins and Michie to the northeast angle of the Township of Robertson, being the place of beginning. O. Reg. 311/69, Sched. 5.

Schedule 6

RED LAKE MINING DIVISION

Beginning at a point in the interprovincial boundary between the Provinces of Manitoba and Ontario where it is intersected by parallel of latitude 50° 45′ north; thence east along that parallel of latitude a distance of 29 miles, more or less, to meridian of longitude 94° 30′ west; thence south astronomically along that meridian of longitude a distance of 23 miles, more or less, to the 7th base line run by O.L.S. Phillips and O.L.S. Benner in 1927 and 1928; thence east along that base line to its intersection with the 4th meridian line, which extends north astronomically from the southeast

angle of the Township of Ignace; thence north astronomically along that meridian line to the intersection with the 10th base line run by O.L.S. Phillips and O.L.S. Benner in 1929, which extends west astronomically from the southeast angle of the Township of Ponsford; thence east astronomically along that base line to the intersection with meridian of longitude 91° 00″ west; thence north astronomically along that meridian of longitude to the interprovincial boundary between the Provinces of Manitoba and Ontario; thence southwesterly and southerly along that interprovincial boundary to the place of beginning. O. Reg. 311/69, Sched. 6.

Schedule 7

SAULT STE. MARIE MINING DIVISION

Beginning at the southeast angle of the Township of Cecile in the Territorial District of Thunder Bay; thence north astronomically along the west boundaries of the townships of Common, Johns, Magone, Welsh, Drew, Foch, Flanders, and Frances in the Territorial District of Algoma to the northwest angle of the Township of Frances; thence east astronomically along the projected north boundaries of the townships of Frances, Hiawatha, Frost and McEwing to the northwest angle of the Township of Langemarck, in the Territorial District of Cochrane; thence east astronomically along the north boundaries of the townships of Langemarck, Verdun, Landry, Lowther and Shetland to the northeast angle of the Township of Shetland; thence south astronomically along the west boundary of the Township of Staunton to the southwest angle thereof; thence east astronomically along the south boundary of that township to the northwest angle of the Township of Magladery; thence south astronomically along the west boundaries of the townships of Magladery and Rykert to the northwest angle of the Township of Abbott in the Territorial District of Algoma; thence south astronomically along the west boundaries of the townships of Abbott, Cromlech, Ericson, Champlain, Coderre and Lerwick to the southwest angle of the Township of Lerwick; thence east astronomically along the south boundary of that township to the northwest angle of the Township of Lloyd; thence south astronomically along the west boundaries of the townships of Lloyd, Lipsett and Floranna to the southwest angle of the Township of Floranna; thence west astronomically along the north boundary of the Township of Racine to the northwest angle thereof; thence south astronomically along the west boundaries of the townships of Racine, D'Arcy, Cochrane, Gallagher, Tp. 28, Tp. 12E and Tp. 11E to the southwest angle of Township Tp. 11E; thence east astronomically along the south boundaries of townships Tp. 11E, Tp. 11D, Tp. 11C, Tp. 11B and the easterly production of the south boundary of Township Tp. 11B into Wakami Lake to the intersection with the southerly production of the east boundary of Township Tp. 11B into Wakami Lake; thence southerly along that southerly production a distance of 5.53 chains, more or less, to the intersection with the westerly production of the north boundary of Township Tp. 10B into Wakami Lake; thence east astronomically along that westerly production and long the north boundaries of townships Tp. 10B and Tp. 10A to the northeast angle of Township Tp. 10A; thence south astronomically along the east boundaries of townships Tp. 10A and Tp. 9A to the southeast angle of Township Tp. 9A; thence east astronomically along the north boundary of Township Tp. 8A a distance of 23.98 chains, more or less, to the northeast angle thereof; thence south astronomically along the east boundary of that township to the northeast angle of Township Tp. 7A in the Territorial District of Algoma; thence south astronomically along the east boundary of that township to the southeast angle thereof; thence west astronomically along the south boundary of that township a distance of 6.96 chains, more or less, to the northeast angle of Township Tp. 6A; thence south astronomically along the east boundaries of townships Tp. 6A and Tp. 5A to the southeast angle of Township 5A; thence west astronomically along the south boundary of that township a distance of 9.95 chains, more or less, to the northeast angle of Township Tp. 4A; thence south astronomically along the east boundaries of townships Tp. 4A and Tp. 3A to the southeast angle of Township 3A; thence west along the south boundary of that township to the northeast angle of Township Tp. 2A; thence southerly along the east boundary of that township to the southwest angle of Township V; thence east astronomically along the south boundaries of townships V, R and N to the southeast angle of Township N; thence southerly along the west boundaries of townships I, Tp. 132, Tp. 131, Tp. 130 and Tp. 129 to the southwest angle of Township Tp. 129; thence continuing southerly along the west boundary of the Township of Victoria in the Territorial District of Sudbury and its production southerly across the Spanish River to the northerly limit of the Spanish River Indian Reserve No. 5; thence in a general southwesterly and southeasterly direction following the westerly boundary of that Indian Reserve to the intersection with meridian of longitude 82° 15′ west; thence south astronomically along that meridian of longitude to the intersection with parallel of latitude 46° 00′ north; thence westerly along that parallel of latitude to the intersection with the international boundary line between the United States of America and Canada in the North Channel of Lake Huron near Cockburn Island; thence in a general northwesterly direction following that international boundary line through the North Channel of Lake Huron, the St. Marys River and the expansions thereof, and Lake Superior, to the intersection with meridian of longitude 86° 30′ west; thence north astronomically along that meridian of longitude to the intersection with the westerly production of the south boundary of the Township of Pic in the Territorial District of Thunder Bay; thence east astronomically along that westerly production and the south boundary of that township to the southeast angle thereof;

thence north astronomically along the east boundary of that township to the southwest angle of Township Tp. 74; thence east astronomically along the projected south boundaries of townships Tp. 74, Tp. 73, Tp. 72, Tp. 71, Tp. 70 and the Township of Cecile to the southeast angle of the Township of Cecile, being the place of beginning. O. Reg. 311/69, Sched. 7.

Schedule 8

SUDBURY MINING DIVISION

Beginning at the southeast angle of the Township of Rorke in the Territorial District of Timiskaming; thence west astronomically along the south boundaries of the townships of Rorke, McGiffin, Gamble, Corley, Leckie, and Dufferin to the southwest angle of the Township of Dufferin; thence northerly along the west boundary of that township a distance of 4.53 chains, more or less, to the southeast angle of the Township of Browning in the Territorial District of Sudbury; thence west astronomically along the south boundaries of the townships of Browning and Amyot to the southwest angle of the Township of Amyot; thence northerly along the west boundary of that township a distance of 1.73 chains, more or less, to the southeast angle of the Township of Moffat; thence west astronomically along the south boundary of that township to the southwest angle thereof; thence north astronomically along the west boundary of that township to the northwest angle thereof; thence west astronomically along the south boundary of the Township of Garibaldi a distance of 15.17 chains, more or less, to the southwest angle thereof; thence north astronomically along the west boundaries of the townships of Garibaldi, Miramichi and Connaught to the northwest angle of the Township of Connaught; thence east astronomically along the north boundary of that township a distance of 10 chains, more or less, to the southwest angle of the Township of Cabot; thence north astronomically along the west boundaries of the townships of Cabot and Burrows to the northwest angle of the Township of Burrows; thence west astronomically along the south boundary of the Township of Nursey a distance of 15.62 chains, more or less, to the southwest angle thereof; thence north astronomically along the west boundaries of the townships of Nursey, Moher and Beemer to the northwest angle of the Township of Beemer; thence west astronomically along the north boundary of the Township of Hassard to the northwest angle thereof; thence southerly along the west boundary of that township a distance of 4.12 chains, more or less, to the northeast angle of the Township of McBride; thence west astronomically along the north boundaries of the townships of McBride and Crothers to the northwest angle of the township of Crothers; thence south astronomically along the west boundary of that township to the northeast angle of the Township of Regan; thence west astronomically along the north boundaries of the townships of Regan, Hardiman, Horwood and Silk to the northwest angle of the Township of Silk; thence north astronomically along the east boundary of the Township of Pinogami to the northeast angle thereof; thence west astroxomically along the north boundaries of the townships of Pinogami and Evans to the northwest angle of the Township of Evans; thence north astronomically along the east boundary of the Township of Murdock and its production northerly into a small lake, in all a distance of 7.31 chains, more or less, to the intersection with the easterly production of the north boundary of the township across the aforementioned lake; thence west astronomically along the easterly production of the north limit of the last-mentioned township and continuing west astronomically along the north boundary thereof to the northwest angle thereof; thence westerly along the north boundary of the Township of Collins to the northwest angle thereof; thence west astronomically along the north boundary of the Township of Pattinson to the northwest angle thereof; thence north astronomically along the east boundary of the Township of Racine a distance of 11.57 chains, more or less, to the northeast angle thereof; thence west astronomically along the north boundary of that township to the northwest angle thereof; thence south astronomically along the west boundaries of the townships of Racine, D'Arcy, Cochrane, Gallagher Tp. 28, Tp. 12E and Tp. 11E to the southwest angle of Township 11E; thence east astronomically along the south boundaries of the townships Tp. 11E, Tp. 11D, Tp. 11C, Tp. 11B and the easterly production of the south boundary of Township Tp. 11B into Wakami Lake to the intersection with the southerly production of the east boundary of Township Tp. 11B into Wakami Lake; thence southerly along that southerly production a distance of 5.53 chains, more or less, to the intersection with the westerly production of the north boundary of Township Tp. 10B into Wakami Lake; thence east astronomically along that westerly production and along the north boundaries of townships Tp. 10B and Tp. 10A to the northeast angle of Township 10A; thence south astronomically along the east boundaries of townships Tp. 10A and Tp. 9A to the southeast angle of the Township 9A; thence east astronomically along the north boundary of Township Tp. 8A a distance of 23.98 chains, more or less, to the northeast angle thereof; thence south astronomically along the east boundary of that township to the southeast angle thereof; thence south astronomically along the east boundary of Township Tp. 7A in the Territorial District of Algoma to the southeast angle thereof; thence west astronomically along the south boundary of that township a distance of 6.96 chains, more or less, to the northeast angle of Township Tp. 6A; thence south astronomically along the east boundaries of townships Tp. 6A and Tp. 5A to the southeast angle of Township 5A; thence west astronomically along the south boundary of that township a distance of 9.95 chains, more or less, to the northeast angle of Township Tp. 4A; thence south astronomi-

cally along the east boundaries of townships Tp. 4A and Tp. 3A to the southeast angle of Township 3A; thence west along the south boundary of that township to the northeast angle of Township Tp 2A; thence southerly along the east boundary of that township to the southwest angle of Township V; thence east astronomically along the south boundaries of townships V, R and N to the southeast angle of Township N; thence southerly along the west boundaries of townships I, Tp. 132, Tp. 131, Tp. 130 and Tp. 129 to the southwest angle of Township Tp. 129; thence continuing southerly along the west boundary of the Township of Victoria in the Territorial District of Sudbury and its production southerly across the Spanish River to the northerly limit of the Spanish River Indian Reserve No. 5; thence in a general southwesterly and southeasterly direction following the westerly boundary of that Indian Reserve to the intersection with meridian of longitude 82° 15′ west; thence south astronomically along that meridian of longitude to the intersection with parallel of latitude 46° 00′ north; thence westerly along that parallel of latitude to the intersection with the international boundary line between the United States of America and Canada in the North Channel of Lake Huron near Cockburn Island; thence southwesterly and southeasterly along that international boundary line to the intersection with parallel of latitude 45° 20′ north; thence easterly along that parallel of latitude to its intersection with meridian of longitude 81° 00′ west; thence north astronomically along that meridian of longitude west to the southerly boundary of the Township of Travers at the intersection with the high-water mark on the north shore of Georgian Bay of Lake Huron; thence in a general northeasterly direction up the French River; following the channel forming the boundary between the territorial districts of Parry Sound and Sudbury to the northeast angle of the Township of Scollard in the Territorial District of Sudbury; thence east astronomically along the southerly boundary of the Township of Latchford and its production easterly to the division line between the territorial districts of Nipissing and Parry Sound; thence easterly along that division line to the southwest angle of the Township of West Ferris; thence northerly along the westerly boundary of that township to the south boundary of the Township of Widdifield; thence easterly along the southerly boundaries of the townships of Widdifield, Phelps, Olrig and Mattawan to a point in the interprovincial boundary line between the Provinces of Ontario and Quebec at the confluence of the Ottawa and Mattawa Rivers near the Town of Mattawa; thence in a generaly northwesterly direction along that interprovincial boundary line in the Ottawa River and Lake Timiskaming to the intersection with the easterly production of the south boundary of the Township of Wyse; thence west astronomically along that easterly production and along the south boundaries of the townships of Wyse, McAuslan, LaSalle, Gooderham, Kenny, Sisk, McCallum, Hobbs and Pardo to the southwest angle of the Township of Pardo; thence northerly along the west boundary of that township to the northwest angle thereof; thence north astronomically along the west boundaries of the townships of Clement, Scholes and Belfast to the northwest angle of the Township of Belfast; thence east astronomically along the north boundary of that township to the southwest angle of the Township of Le Roche; thence north astronomically along the west boundaries of the townships of Le Roche, Canton and Medina to the northwest angle of the Township of Medina; being also the southeast angle of the Township of Rorke and the place of beginning. O. Reg. 311/69, Sched. 8.

Schedule 9

THUNDER BAY MINING DIVISION

Beginning at the southeast angle of the Township of Cecile in the Territorial District of Thunder Bay; thence north astronomically along the west boundaries of the townships of Common, Johns, Magone, Welsh, Drew, Foch, Flanders, Frances and Downer in the Territorial District of Algoma to the northwest angle of the Township of Downer; thence north astronomically along the west boundaries of the townships of Clavet, Boyce and Bicknell in the Territorial District of Cochrane to the northwest angle of the Township of Bicknell; thence east astronomically along the north boundaries of the townships of Bicknell and Burrell to the intersection with meridian of longitude 85° 00′ west; thence north astronomically along that meridian of longitude to the intersection with the southerly shore of the Albany River; thence in a general northwesterly, southwesterly, northwesterly and westerly direction following that southerly shore to its intersection with meridian of longitude 89° 00′ west; thence south astronomically along that meridian of longitude to the intersection with parallel of latitude 50° 00′ north; thence west along that parallel of latitude to the intersection with meridian of longitude 90° 00′ west; thence south astronomically along that meridian of longitude to the intersection with the base line run by O.L.S. Ross in 1922; thence west astronomically along that base line to the intersection with the boundary between the territorial districts of Kenora and Thunder Bay; thence south astronomically along the westerly boundary of the Territorial District of Thunder Bay to the intersection with the international boundary line between Canada and the United States of America in Saganaga Lake; thence in a general easterly direction following that international boundary line to the mouth of the Pigeon River; thence continuing easterly, northeasterly and southeasterly following that international boundary line in Lake Superior to its intersection with meridian of longitude 86° 30′ west; thence north astronomically along that meridian of longitude to the intersection with the westerly production of the south boundary of the Township of Pic in the Territorial District of Thunder Bay; thence east

astronomically along that westerly production and the south boundary of that township to the southeast angle thereof; thence north astronomically along the east boundary of that township to the southwest angle of Township Tp. 74; thence east astronomically along the projected south boundaries of townships Tp. 74, Tp. 73, Tp. 72, Tp. 71, Tp. 70, and the Township of Cecile to the southeast angle of the Township of Cecile; being the place of beginning. O. Reg. 311/69, Sched. 9.

REGULATION 607

under The Mining Act

REFINERY LICENCES

1. The fees payable under Part X of the Act are,

(*a*) for a refinery licence..... $1.00

(*b*) for renewal of a refinery licence.... 1.00

(*c*) for a certificate of exemption..... no fee

(*d*) for renewal of a certificate of exemption..... no fee

R.R.O. 1960, Reg. 444, s. 1.

2. The forms are prescribed for use under Part X of the Act. R.R.O. 1960, Reg. 444, s. 2.

Form 1

The Mining Act

APPLICATION FOR REFINERY LICENCE

Name of applicant .....
(print name)

Address .....

Nationality ..... If British subject state whether by birth or naturalization.....

If applicant is an incorporated company, under laws of what jurisdiction was applicant incorporated?

.....

Location of refinery .....

.....

Purposes for which refinery is used.....

.....

Dated at ....., this .... day of .....,

19....

Enclosed herewith is fee of $1.

.....
(applicant)

.....
(witness)

(Where applicant is an incorporated company, this application may be signed by the president, secretary, manager or other responsible official.)

R.R.O. 1960, Reg. 444, Form 1.

Form 2

The Mining Act

APPLICATION FOR RENEWAL OF REFINERY LICENCE

Number of licence and of last renewal thereof.....

Name of applicant .....
(print name)

Address .....

Has there been any change in the location or purpose for which refinery is used since the issue of the refinery licence or last renewal thereof? If so, give particulars.....

.....

.....

Has the refinery been used for refining any ore, mineral or substance belonging to any person other than the applicant since the issue of the refinery licence or the last renewal thereof? If so, give particulars thereof. (If licensee is in the business of assaying, so state.)

.....

.....

.....

Dated at ....., this .... day of .....,

19....

Enclosed herewith is fee of $1.

.....
(applicant)

.....
(witness)

(Where applicant is an incorporated company, this application may be signed by the president, secretary, manager or other responsible official.)

R.R.O. 1960, Reg. 444, Form 2.

Form 3

The Mining Act

APPLICATION FOR CERTIFICATE OF EXEMPTION

Name of applicant .....
(print name)

Address .....

Location of refinery .....

Is certificate of exemption sought because refinery,

(*a*) is not maintained or used for the refining, retorting, smelting, assaying or treating of ore, mineral or substance for the purpose of recovering or determining the quantity of gold, platinum, silver or any other precious metal therefrom or therein; or

(*b*) is used only for educational purposes?

(Answer simply (*a*) or (*b*) .....

If (*a*), state purpose for which refinery is used .....

.....

If (*b*), state whether refinery is used,

(*a*) exclusively for educational purposes .....

.....; or

(*b*) for educational purposes and commercial assaying or other commercial purposes from

which any revenue is derived .....

.....

state to whom such revenue is paid .....

.....

Dated at ....., this .... day of .....,

19....

.....
(applicant)

.....
(witness)

R.R.O. 1960, Reg. 444, Form 3.

Form 4

The Mining Act

APPLICATION FOR RENEWAL OF CERTIFICATE OF EXEMPTION

Name of applicant .....
(print name)

Address .....

Business of applicant .....

Has there been any change in the location, or purpose for which refinery is used, since the issue of the certificate of exemption or last renewal thereof? If so, give particulars.

.....

.....

.....

Dated at ....., this .... day of .....,

19....

.....
(applicant)

.....
(witness)

R.R.O. 1960, Reg. 444, Form 4.

Form 5

The Mining Act

Fee $1 No.....

REFINERY LICENCE

Issued under Part X of the Act to .....

.....

of (or in the case of a company, with head office at)

....., in respect of

(*a*) refinery (ies) ..... owned or

operated by the said .....

and located at .....

Dated at Toronto, this .... day of .....,

19....

.....
Minister of Mines

(This licence expires with the 31st day of March, 19..., and must be renewed on or before that date. Forms of application for renewal will be supplied on application to the Minister. This licence is not transferable.)

R.R.O. 1960, Reg. 444, Form 5.

Form 6

The Mining Act

Fee: $1 No.....

RENEWAL OF REFINERY LICENCE

No....., 19....

Issued under Part X of the Act to.....

.....

of (or in the case of a company, with head office at)

.....

in respect of (*a*) refinery(ies) owned or operated by the

said.....

and located at.....

Dated at Toronto, this .... day of .....,

19....

.....
Minister of Mines

(This renewal of licence expires on the 31st day of

March, 19...., and must be renewed on or before that date. Forms of application for renewal will be supplied on application to the Minister. A refinery licence or renewal thereof is not transferable.)

R.R.O. 1960, Reg. 444, Form 6.

Form 7

The Mining Act

No.....

CERTIFICATE OF EXEMPTION

Issued under Part X of the Act to.....

.....

of (or in the case of a corporation, with head office at)

.....

in respect of (*a*) refinery(ies) owned or operated by the

said.....

and located at.....

This certificate of exemption is issued upon the condition that the refinery(ies) not be used for refining, retorting, smelting, assaying or treating any ore, mineral or substance for the purpose of recovering or determining the quantity of gold, platinum, silver or any other precious metal therefrom or therein or, if so used, be used only for educational purposes.

Dated at Toronto, this .... day of .....,

19....

.....
Minister of Mines and
Northern Affairs

(This certificate of exemption expires on the 31st day

of March, 19...., and must be renewed on or before that date. Forms of application for renewal will be supplied on application to the Minister. A certificate of exemption or renewal thereof is not transferable.)

R.R.O. 1960, Reg. 444, Form 7.

Form 8

The Mining Act

No.....

RENEWAL OF CERTIFICATE OF EXEMPTION

No....., 19....

Issued under Part X of the Act to .....

.....

of .....,

in respect of (*a*) refinery(ies) owned or operated by the

said.....

and located at.....

Dated at Toronto, this .... day of .....,

19....

.....
Minister of Mines and
Northern Affairs

(This renewal of certificate of exemption expires with

the 31st day of March, 19...., and must be renewed on or before that date. Forms of application for renewal will be supplied on application to the Minister. A certificate of exemption or renewal thereof is not transferable.)

R.R.O. 1960, Reg. 444, Form 8.

REGULATION 608

under The Mining Act

SALE OF RIGHTS TO EXPLORE FOR MINERALS

1. Licences of occupation for the purpose of prospecting and exploring for minerals in, upon or under the lands described in the schedules may be granted in the manner and upon the terms and conditions and for the price provided by this Regulation. O. Reg. 108/67, s. 1.

2.—(1) The Minister may offer for sale by tender the rights to obtain licences of occupation for the purpose of prospecting and exploring for minerals in, upon or under each of the parcels of land described in the schedules.

(2) The Minister shall give a public notice of the sale by causing not less than one advertisement to be inserted in at least,

(*a*) one daily newspaper published in Toronto; and

(*b*) one weekly newspaper published in Ontario, having a circulation of not less than 25,000 copies each week.

(3) The notice shall,

(*a*) contain a description of the lands;

(*b*) state the place at which and the person to whom a tender is to be delivered;

(*c*) set the final date and time for the receipt of any tender;

(*d*) require,

(i) each tender to be in a sealed envelope properly addressed so as to indicate that it contains a tender submitted as a result of the notice, and

(ii) the person submitting a tender to attach thereto a certified cheque for 25 per cent of the price of the tender; and

(*e*) refer to this Regulation.

(4) Within ten days from the date the Minister accepts the tender he shall notify the person submitting the tender that his tender has been accepted.

(5) Within ten days from the date the Minister notifies the person, whose tender has been accepted, that person shall pay the Minister the balance of the price of the tender and the rent for the first year of the term of the licence of occupation.

(6) The Minister shall refund the money submitted with the tenders to the persons whose tenders are not accepted.

(7) Where,

(*a*) a tender has been accepted; and

(*b*) the person submitting the tender has refused, or neglected, to comply with subsection 5,

the Minister may declare that the partial payment of the price of the tender submitted with the tender is forfeited to the Crown and thereupon all rights which the person submitting the tender may have under this Regulation cease. O. Reg. 108/67, s. 2.

3.—(1) An exploratory licence of occupation shall be for a term of three years and may contain such conditions as the Minister considers proper.

(2) The fee for the licence shall be 25 cents per acre or $200, whichever is the greater, payable annually during the term of the licence.

(3) A licensee may surrender his licence at any time upon giving written notice thereof to the Minister at least thirty days before the surrender is to take effect.

(4) The Minister may terminate a licence at any time if he is satisfied that the licensee has not complied with this section and the conditions of the licence.

(5) A licensee shall expend annually in geophysical, geological or other exploratory work of a similar nature, or drilling, a sum equal to $5 per acre in the first year of the term, $7 per acre in the second year of the term and $8 per acre in the third year of the term.

(6) The licensee shall,

(*a*) within thirty days after the anniversary date of the licence, prove to the satisfaction of the Minister that he has expended the amount required in the manner provided in subsection 5;

(*b*) within sixty days of completion submit to the Minister full reports and plans of all geological or geophysical examinations, drilling or other exploratory work, including detailed logs of all holes drilled;

(*c*) correctly label all drill cores and cuttings; and

(*d*) permit the Minister or his authorized agent to examine all drill cores and cuttings at any time not later than six months after the completion of the drilling. O. Reg. 108/67, s. 3.

4.—(1) If a licensee finds a deposit of mineral that in the opinion of the Minister is of economic importance, the licensee is entitled to apply for a lease of an area comprising not more than 50 per cent of the area of the lands in the licence.

(2) Section 104 of the Act applies *mutatis mutandis* to a lease issued under this Regulation. O. Reg. 108/67, s. 4.

5. Any person may inspect the form of licence of occupation and the form of lease at the office of the Director, Mining Lands Branch, Department of Mines and Northern Affairs, Parliament Buildings, Toronto, during business hours on any business day from the date of the notice in subsection 2 of section 2 to the final date for the receipt of tenders. O. Reg. 108/67, s. 5.

Schedule 1

BEING COMPOSED of land and land under water of Lake Nipissing lying south of Nipissing Indian Reserve No. 10, in the Territorial District of Nipissing, containing 7,600 acres more or less, and being composed of 14 acres of land comprising Buritt Island (formerly known as Rabbit Island) and 7,586 acres of land under water of Lake Nipissing which may be more particularly located as lying within the following described limits:

Premising that all bearings are astronomical and are referred to the meridian through the most southeasterly extremity of Burritt Island;

Commencing at a point in Lake Nipissing, which point may be located as follows:

Beginning at the most southeasterly extremity of Burritt Island; thence south astronomically 40 chains to the point of commencement; thence west astronomically 60 chains; thence north astronomically 2.5 miles; thence east astronomically 4.75 miles; thence south astronomically 2.5 miles; thence west astronomically 4 miles more or less to the place of beginning. O. Reg. 108/67, Sched. 1.

Schedule 2

BEING COMPOSED of land and land under the water of Lake Nipissing lying north of Bertram and Patterson townships and south and east of Garden Island in the District of Nipissing, having in all an area of 3037 acres more or less and which may be more particularly located as lying within the following described limits:

Beginning at a point in Lake Nipissing, said place of beginning may be located as follows:

Starting at a white pine tree marked S. 32 at the southeasterly extremity of Garden Island as shown on a plan and field notes of survey by Ontario Land Surveyor E. L. Moore, dated 1938 of record in the Department of Lands and Forests, Ontario; thence east astronomically a distance of 4.5 miles; thence south astronomically a distance of 65.0 chains to the place of beginning; thence south astronomically a distance of 2.5 miles; thence east astronomically a distance of 2.0 miles; thence north astronomically a distance of 2.5 miles; thence west astronomically a distance of 2.0 miles to the place of beginning.

Saving and Excepting thereout and therefrom Iron Island and the whole or part of any island or islands which have been alienated by the Crown. O. Reg. 108/67, Sched. 2.

REGULATION 609

under The Mining Act

SURVEYS OF MINING CLAIMS

FILING OF SURVEY RETURNS

1. Immediately after the completion of every survey of a mining claim, the surveyor shall deliver or forward by registered mail to the Surveyor General, by his official title, his returns of survey as specified by section 3. R.R.O. 1960, Reg. 445, s. 1.

INSPECTION OF SURVEYS

2. All surveys of mining claims are subject to inspection and, in the event of the work not being found correct and in compliance with this Regulation, the surveyor shall make such amendments as are ordered by the Surveyor General. R.R.O. 1960, Reg. 445, s. 2.

RETURNS OF SURVEY

3. The following returns of survey of a mining claim shall be forwarded to the Surveyor General:

1. One certified copy of the field notes on durable tracing linen.
2. One certified copy of the plan of each individual claim on durable tracing linen.
3. One certified copy of the application to record and sketch.
4. A tabulated list, certified correct, of the prospector's posts bearing legible markings at the time of survey, and of all survey posts and, in the absence of survey posts, a brief description of the manner in which the survey corner was re-established.
5. A tabulated list of latitudes and departures.
6. A metes and bounds description of each mining claim situated in a subdivided township.
7. Where a mining claim is situated in a township lot of a subdivided township or recorded as an aliquot part of a mining location, paragraph 4 does not apply. R.R.O. 1960, Reg. 445, s. 3.

4. The following returns of survey of a mining claim shall be forwarded to the mining recorder:

1. One white or blue print of the field notes.
2. Two copies of the plan of each individual claim on durable tracing linen.
3. A metes and bounds description of each mining claim situated in a subdivided township. R.R.O. 1960, Reg. 445, s. 4.

SURVEYS

5. The scale of the plan and field notes shall vary betwen five to ten chains to an inch, depending on the size of the claims and the detail to be shown. R.R.O. 1960, Reg. 445, s. 5.

6. Where a group of claims is surveyed, the field notes may be shown on one compiled plan, if the plan does not exceed an area of five square feet. R.R.O. 1960, Reg. 445, s. 6.

7. Measurements shall be shown in chains and decimals of a chain. R.R.O. 1960, Reg. 445, s. 7.

8. The direction of the surveyed lines shall be shown by astronomical bearings, referred to the reference meridian passing through the centre of the township but, where a mining claim is not situated in a township, the bearings shall be referred to a reference meridian through the point of observation. R.R.O. 1960, Reg. 445, s. 8.

9.—(1) In every group, or connected group of mining claims, six or more in number, whether surveyed at one time, or at different times by the same surveyor, an astronomical observation for azimuth shall be taken and, where the group exceeds twelve in number, a check observation for azimuth shall be made for each multiple of twelve claims.

(2) Where the group is less than six in number, the bearings may be referred to a previously surveyed line, claim or parcel of record in the Department, if the bearings shown are reliable. R.R.O. 1960, Reg. 445, s. 9.

10. The surveyor shall mark out the boundaries of the mining claim by blazing the adjacent trees on three sides, one blaze on the face of the tree on the direction of the line and one blaze on each face of the tree at right angles to the direction of the line, the lines being well cut out and straight between survey posts. R.R.O. 1960, Reg. 445, s. 10.

11.—(1) The surveyor shall plant at each angle of the claim a metal post not less than five-eighths of an inch square or three-quarters of an inch in diameter and not less than eighteen inches in length, with the number of the post permanently marked thereon together with the recorded number and letter or letters of the claim and shall also plant at each metal post a durable wooden post, not less than four inches square and thirty-six inches in length, marked in the same manner as the metal post.

(2) Where, owing to physical features, it is not practicable to plant a post at the true corner of the claim, a witness post shall be planted in lieu thereof and marked "W.P." together with the number of the post, recorded number of the claim and letters pertaining thereto. R.R.O. 1960, Reg. 445, s. 11.

12. The marks on the survey posts and bearing trees shall be made in a neat and workmanlike manner with a sharp knife or scribing iron. R.R.O. 1960, Reg. 445, s. 12.

13. Where available, each survey corner shall be referenced by two bearing trees, preferably at right angles to the survey post, and the measurements shall be made from the blaze to the survey post. R.R.O. 1960, Reg. 445, s. 13.

14. The survey of a mining claim shall be connected with a previously surveyed claim, parcel, line or traverse post of record in the Department if the survey is within a radius of two miles, and in other cases, the surveyor shall select a prominent point at which to plant a permanent post. R.R.O. 1960, Reg. 445, s. 14.

15. Where a mining claim is composed partly of land and partly of land under water, the normal or average high-water mark shall consitute the boundary. R.R.O. 1960, Reg. 445, s. 15.

DATA TO BE SHOWN ON FIELD NOTES

16.—(1) Survey posts, bearing trees, observations, scale, north point, adjacent claims surveyed or unsurveyed, streams, roads, power or telephone lines, surveyed lines and the connections made thereto and the high-water mark shall be shown on field notes, and traverses shall be made of all lakes and rivers situated within the limit of the mining claim, and all traverse lines shall be shown in a good quality of vermilion ink and the measurements and bearings of the traverse and boundary lines shall be shown in black india ink.

(2) The title of the field notes shall mention each claim number surveyed and the township or area, together with the district in which the claim is situated.

(3) The following certificate shall appear on the field notes:

"I hereby certify that I have carefully examined the ground included in Mining Claim No....., surveyed by me and have otherwise made all reasonable investigations in my power to ascertain if there was any other subsisting claim conflicting therewith and I certify that I found no trace or indication and have no knowledge or information of any such claim except as follows: (if none, so state; if any, give particulars)."

.....
Ontario Land Surveyor.

R.R.O. 1960, Reg. 445, s. 16.

DATA TO BE SHOWN ON PLANS

17.—(1) The title on the plan shall mention the claim number, the township or area, together with the district in which the claim is situated and, where a mining claim is composed of a part of a township lot or recorded as being an aliquot part of a mining location, the title shall first mention the township lot or mining location and then the recorded mining claim number.

(2) The measurements, bearings and boundary lines shall be shown in black india ink and the boundary lines shall be outlined in a light red colour.

(3) All streams, roads, power or telephone lines, surveyed lines and the connections thereto shall be shown, and a water line shall be shown around the shores of all lakes and rivers but the traverse thereof need not be shown.

(4) The adjacent mining claims shall be shown and if the adjacent claim is not surveyed, the words "not surveyed" shall also be shown.

(5) The scale and north point shall be shown on the plan together with the following certificate:

"I hereby certify that the foregoing plan is correct and is prepared from actual survey performed under my own personal supervision and that I was personally present throughout the progress of the survey."

.....
Ontario Land Surveyor.

R.R.O. 1960, Reg. 445, s. 17.

AREAS

18. The area of a mining claim shall be computed to two places of decimals and, where a claim is composed partly of land and partly of land under water, or partly in two townships, separate areas shall be computed. R.R.O. 1960, Reg. 445, s. 18.

LIMIT OF ERROR

19. The closing error of a surveyed mining claim shall not exceed a ratio of 1 in 2,000, or the square root of the sum of the squares of the closing error in latitude and departure shall not exceed four links in a standard size claim of twenty chains square. R.R.O. 1960, Reg. 445, s. 19.

DUTY OF SURVEYOR BEFORE COMMENCING SURVEY

20.—(1) Except as herein provided, no survey shall be made within a distance of fifteen miles in a straight line from the recorder's office without the written consent or direction of the recorder or of the Commissioner, or of the Minister or Deputy Minister,

and, before proceeding with the survey, the surveyor shall examine the application and sketch or plan of the claim or certified copies thereof.

(2) Where a claim is fifteen miles or more in a straight line from the recorder's office, and where the surveyor has not applied for the consent or direction under subsection 1, the surveyor may survey the claim, but, before he signs the certificate required by section 16, he shall in all other respects follow the procedure under subsection 1 and shall, in addition to his survey, file with the recorder a sworn statement setting out the circumstances under which the survey was made without the consent referred to in subsection 1. R.R.O. 1960, Reg. 445, s. 20.

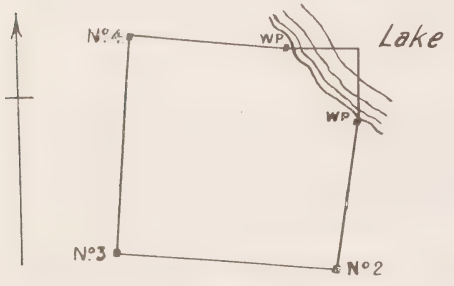
METHOD OF SURVEY

21.—(1) In surveying a mining claim in unsurveyed territory, the surveyor shall establish the boundaries of the claim by running straight lines from the No. 1 post at the northeast angle of the claim to the No. 2 post at the southeast angle thereof, from the No. 2 post to No. 3 post at the southwest angle thereof and from No. 3 post to No. 4 post at the northwest angle thereof, and from No. 4 post to No. 1 post and, where two mining claims are shown as having a common boundary in whole or in part, the boundary of the prior subsisting claim governs.

(2) In establishing the boundaries of a mining claim in unsurveyed territory where, owing to the nature and conformation of the ground, the true angle or angles of the claim could not be posted, and the position thereof is indicated by witness posts as illustrated in each of the diagrams hereto, the surveyor shall follow the method described in the note to the diagram, having due regard to prior subsisting claims and to subsection 2 of section 119 of the Act.

(3) The posts as shown by the diagrams hereto are located on the ground by survey. R.R.O. 1960, Reg. 445, s. 21.

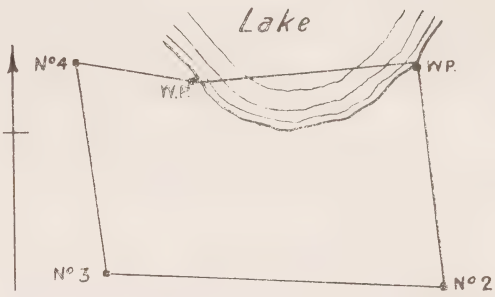
DIAGRAM No. 1



NOTE

Draw a line north astronomically from the witness post on the east boundary to intersect a line drawn east astronomically from the witness post on the north boundary.

DIAGRAM No. 2

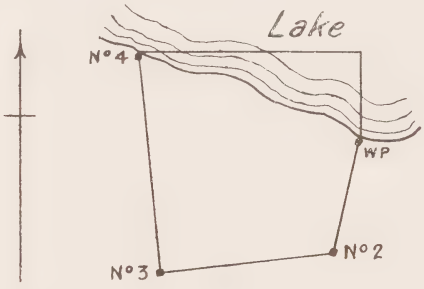


NOTE

EXPLANATION: The prospector's sketch indicates the position of the witness posts as shown by Diagram No. 1.

PROCEDURE: Accept witness post on the east boundary as the No. 1 post and join in a straight line to the witness post on the north boundary.

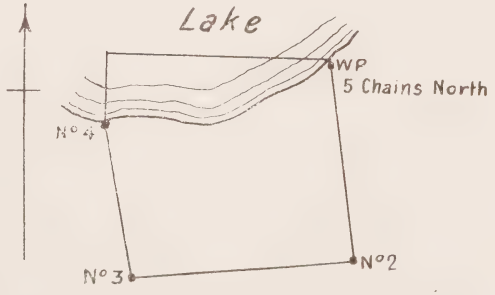
DIAGRAM No. 3



NOTE

Draw a line north astronomically from the witness post on the east boundary to intersect a line drawn east astronomically from the No. 4 post.

DIAGRAM No. 4

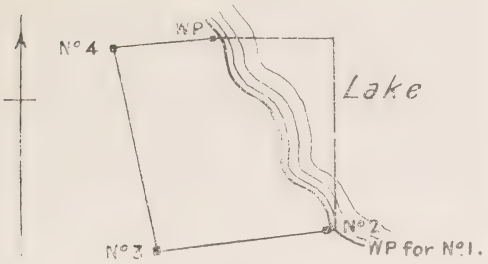


NOTE

EXPLANATION: The prospector's sketch indicates the position of the witness posts as shown by Diagram No. 3.

PROCEDURE: Accept the witness post on the east boundary as the No. 1 post and draw a line west astronomically from this point to intersect a line drawn north astronomically from the prospector's No. 4 post.

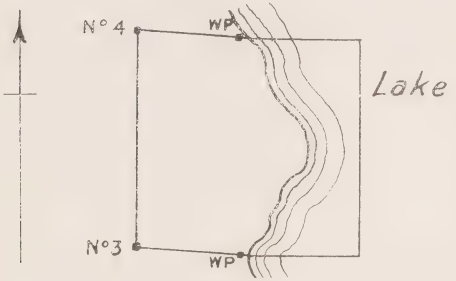
DIAGRAM No. 5



NOTE

Draw a line north astronomically from the No. 2 post to intersect a line drawn east astronomically from the witness post on the north boundary.

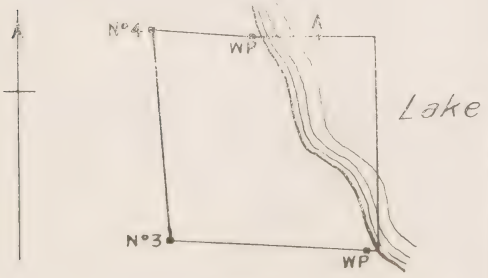
DIAGRAM No. 6



NOTE

Draw a line east astronomically from the witness post on the north boundary the "call" distance; thence from this point draw a line south astronomically to intersect a line drawn east astronomically from the witness post on the south boundary.

DIAGRAM No. 7

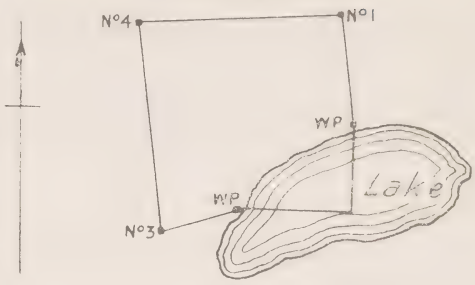


NOTE

The "call" distance from the witness post on the north boundary extends only to point "A" and a line projected south astronomically from "A" intersects the south boundary west of the witness post.

PROCEDURE: Accept witness post on the south boundary as the No. 2 post and proceed as in Diagram No. 5.

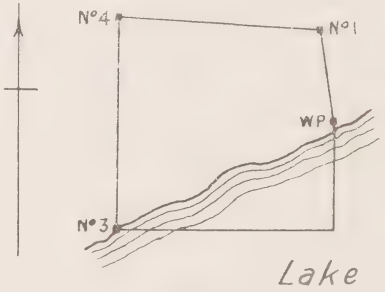
DIAGRAM No. 8



NOTE

Draw a line south astronomically from the witness post on the east boundary to intersect a line drawn east astronomically from the witness post on the south boundary.

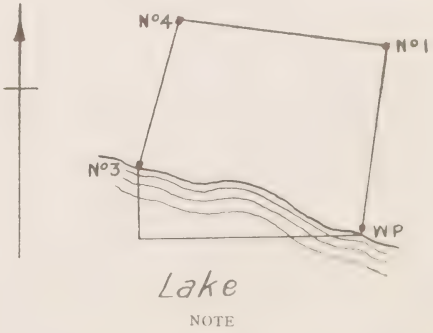
DIAGRAM No. 9



NOTE

Draw a line south astronomically from the witness post on the east boundary to intersect a line drawn east astronomically from the No. 3 post.

DIAGRAM No. 10

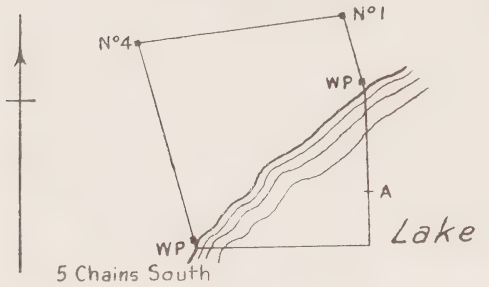


NOTE

EXPLANATION: The prospector's sketch indicates the position of the No. 3 and witness posts as shown by Diagram No. 9.

PROCEDURE: Accept the witness post on the east boundary as the No. 2 post and from this point draw a line west astronomically to intersect a line drawn south astronomically from the prospector's No. 3 post.

DIAGRAM No. 11

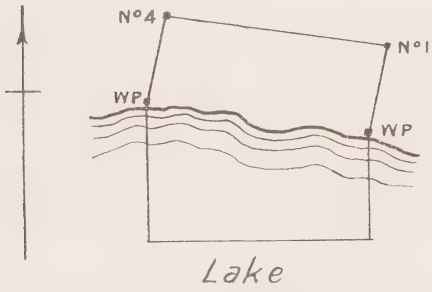


NOTE

The "call" distance from the witness post on the east boundary extends only to point "A". A line projected west astronomically from point "A" intersects the west boundary north of the witness post.

PROCEDURE: Accept the witness post on the west boundary as the No. 3 post and draw a line east astronomically from this point to intersect a line drawn south astronomically from the witness post on the east boundary.

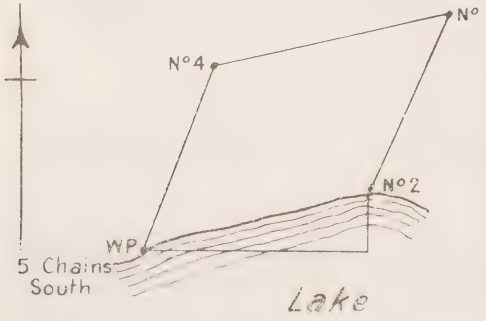
DIAGRAM No. 12



NOTE

Draw a line south astronomically from the witness post on the east boundary the "call" distance, and from this point draw a line west astronomically to intersect a line drawn south astronomically from the witness post on the west boundary.

DIAGRAM No. 13

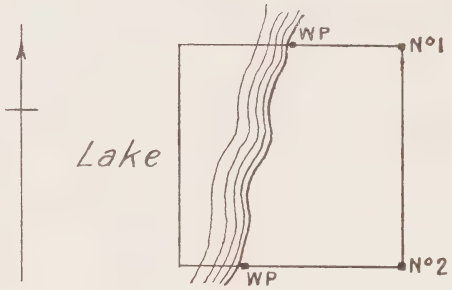


NOTE

EXPLANATION: The prospector's sketch indicates that the witness post is north of the No. 2 post.

Accept witness post on the west boundary as the No. 3 post and from this point draw a line east astronomically to intersect a line drawn south astronomically from the prospector's No. 2 post.

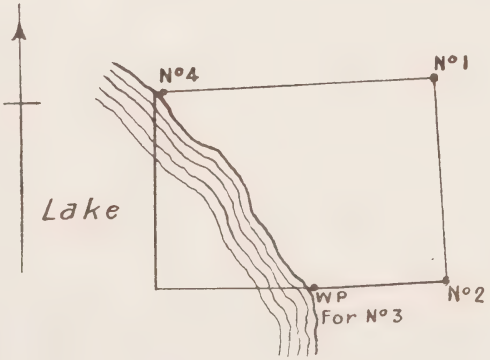
DIAGRAM No. 14



NOTE

Draw a line west astronomically from the witness post on the south boundary the "call" distance and from this point draw a line north astronomically to intersect a line drawn west astronomically from the witness post on the north boundary.

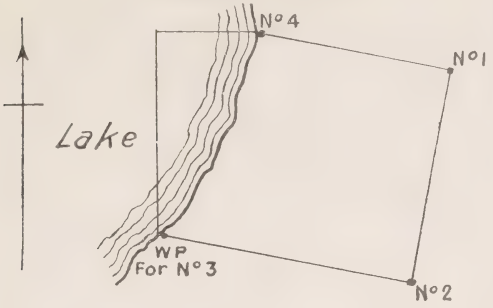
DIAGRAM No. 15



NOTE

Draw a line west astronomically from the witness post on the south boundary to intersect a line drawn south astronomically from the No. 4 post.

DIAGRAM No. 16

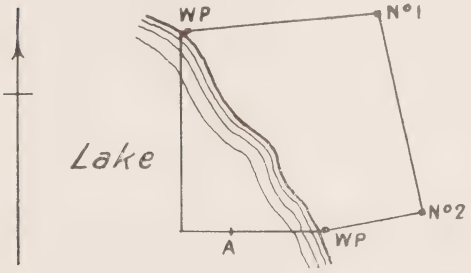


NOTE

EXPLANATION: The prospector's sketch indicates the position of the No. 4 post and witness post as shown by Diagram No. 15.

PROCEDURE: Accept witness post on the south boundary as the No. 3 post and from this point draw a line north astronomically to intersect a line drawn west astronomically from the prospector's No. 4 post.

DIAGRAM No. 17

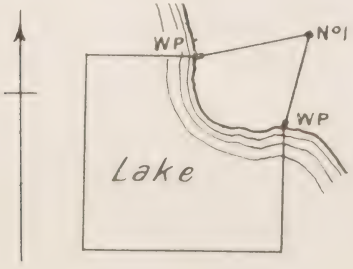


NOTE

The "call" distance from the witness post on the south boundary extends only to point "A". A line projected north astronomically from point "A" intersects the north boundary east of the witness post.

PROCEDURE: Accept witness post on the north boundary as the No. 4 post and draw a line south astronomically from this point to intersect a line drawn west astronomically from the witness post on the south boundary.

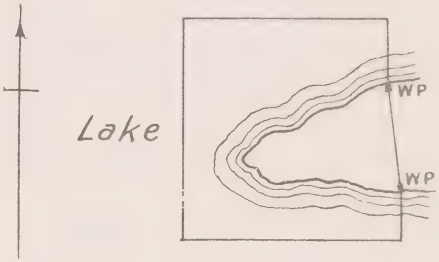
DIAGRAM No. 18



NOTE

Draw a line south astronomically from the post on the easterly boundary the "call" distance; thence west astronomically 20 chains; thence north astronomically to intersect a line drawn west astronomically from the witness post on the northerly boundary.

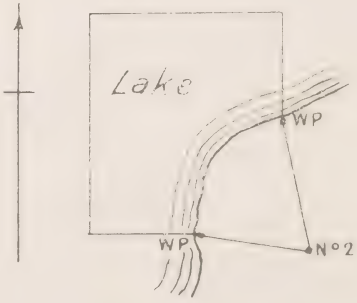
DIAGRAM No. 19



NOTE

Draw a line north astronomically from the northerly witness post the "call" distance to establish the northeasterly angle of the claim. From the southerly witness post draw a line south astronomically the "call" distance to establish the southeasterly angle; thence west astronomically 20 chains; thence north astronomically to intersect a line drawn west astronomically from the northeasterly angle.

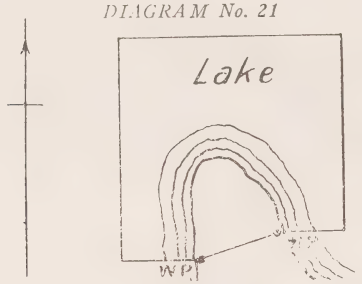
DIAGRAM No. 20



NOTE

Draw a line north astronomically the "call" distance to establish the northeasterly angle. From the witness post on the southerly boundary draw a line west astronomically the "call" distance to establish the southwesterly angle; thence north astronomically to intersect a line drawn west astronomically from the northeasterly angle.

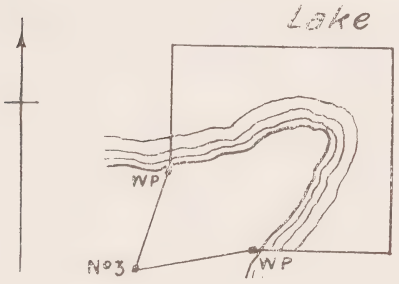
DIAGRAM No. 21



NOTE

Draw a line east astronomically from the easterly witness post the "call" distance; thence north astronomically 20 chains to establish the northeasterly angle. From the westerly witness post draw a line west astronomically the "call" distance; thence north astronomically to intersect a line drawn west astronomically from the northeasterly angle.

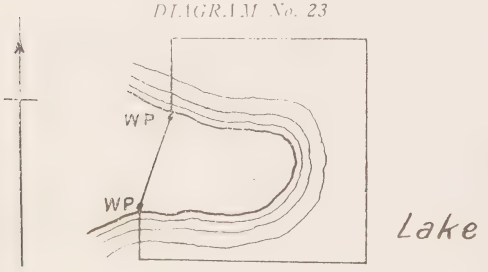
DIAGRAM No. 22



NOTE

From the witness post on the southerly limit, draw a line east astronomically the "call" distance; thence north astronomically 20 chains to establish the northeasterly angle. From the witness post on the westerly limit draw a line north astronomically to intersect a line drawn west astronomically from the northeasterly angle.

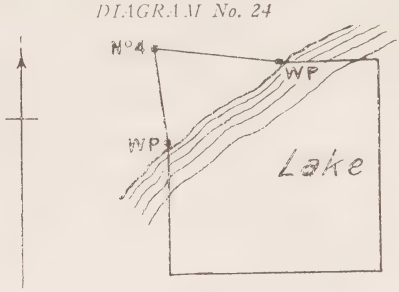
DIAGRAM No. 23



NOTE

From the northerly witness post on the westerly limit draw a line north astronomically the "call" distance; thence east astronomically 20 chains to establish the northeasterly angle; thence south astronomically 20 chains. From the southerly witness post draw a line south astronomically to intersect a line drawn west astronomically from the southeasterly angle.

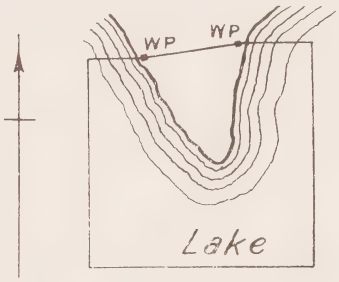
DIAGRAM No. 24



NOTE

From the witness post on the northerly limit draw a line east astronomically the "call" distance to establish the northeasterly angle; thence south astronomically 20 chains; thence west astronomically to intersect a line drawn south astronomically from the witness post on the westerly limit.

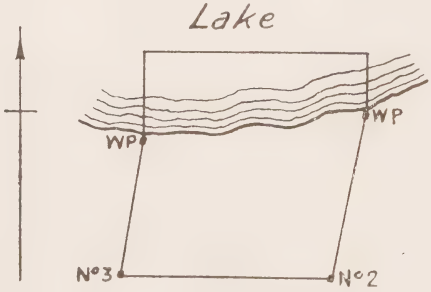
DIAGRAM No. 25



NOTE

From the easterly witness post draw a line east astronomically the "call" distance to establish the northeasterly angle; thence south astronomically 20 chains; thence west astronomically 20 chains; thence north astronomically to intersect a line drawn west astronomically from the westerly witness post.

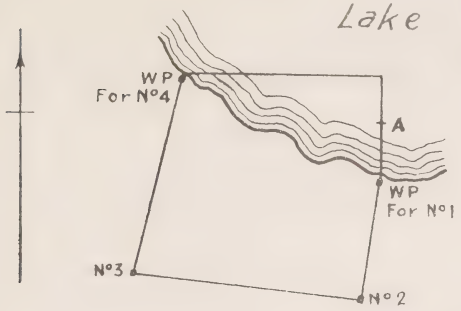
DIAGRAM No. 26



NOTE

From the witness post on the easterly boundary draw a line north astronomically the "call" distance to establish the northeasterly angle. From the witness post on the westerly boundary draw a line north astronomically to intersect a line drawn west astronomically from the northeasterly angle.

DIAGRAM No. 27



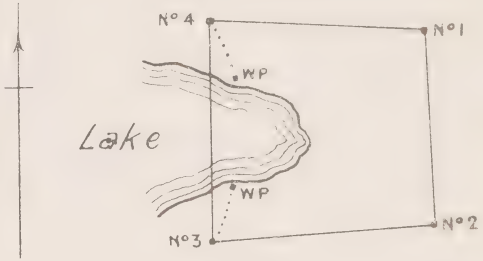
NOTE

EXPLANATION: Prospector's sketch indicates the position of the witness posts, as shown in Diagram No. 26.

The "call" distance from the witness post on the east boundary extends only to point "A". A line projected west astronomically from point "A" intersects the west boundary south of the witness post.

PROCEDURE: Accept the witness post on the west boundary as the No. 4 post and draw a line east astronomically from the point to intersect a line drawn north astronomically from the witness post on the east boundary.

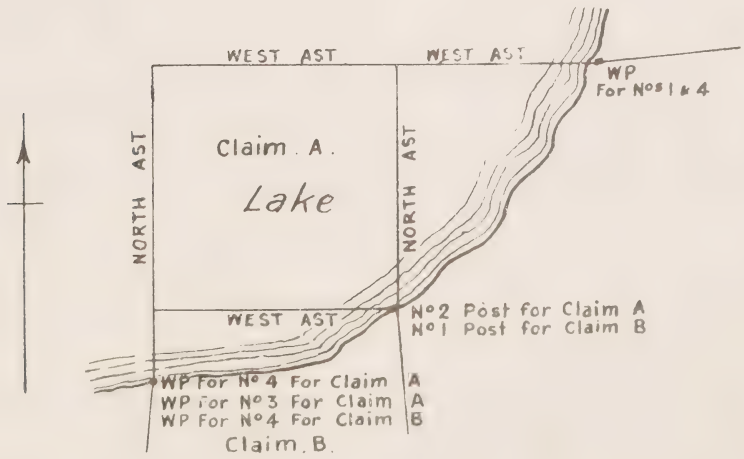
DIAGRAM No. 28



NOTE

Witness posts were planted by the prospector on each side of a small lake on the west boundary, but all corners of the claim were duly marked with posts. Establish west boundary by a straight line between the No. 3 and 4 posts, disregarding the witness posts.

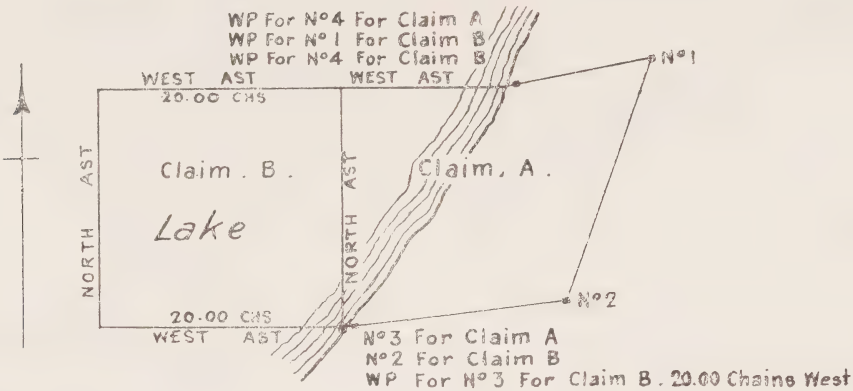
DIAGRAM No. 29



NOTE

Establish boundaries of Claim "A" as indicated by diagram.

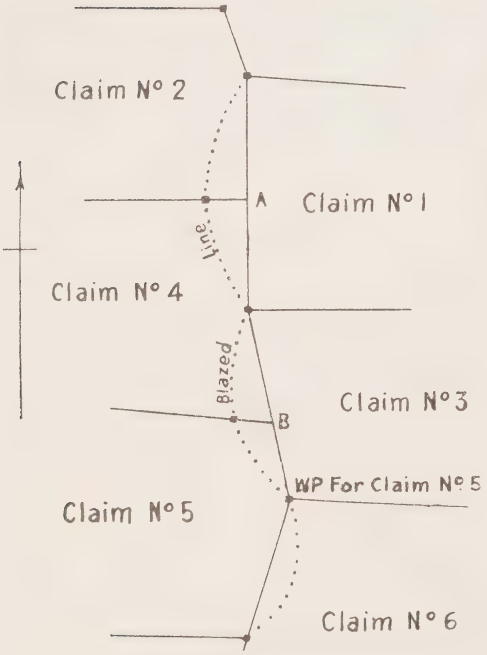
DIAGRAM No. 30



NOTE

Establish boundaries of Claims "A" and "B" as indicated by diagram.

DIAGRAM No. 31

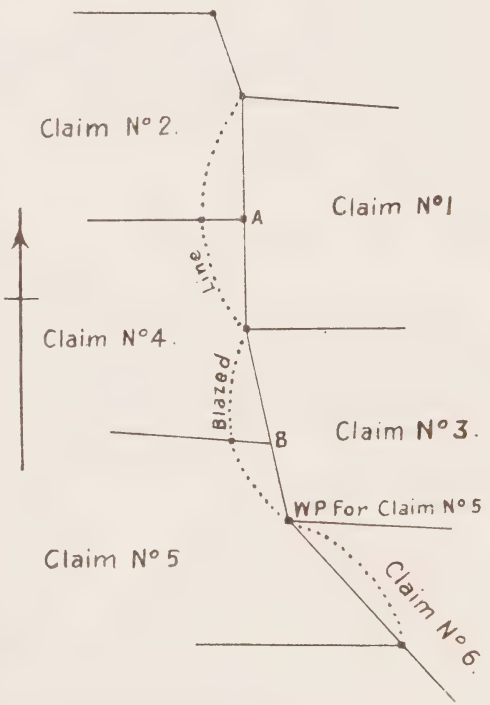


(Illustrating proviso in subsection 1 of section 21)

NOTE

The claims were staked as partly shown by this diagram in order of priority, as shown by the numbers. Part of the westerly boundaries of Claim No. 1 and Claim No. 3 will form the easterly boundary of Claim No. 4 and in the survey of No. 4, the surveyor will plant the corner posts at points "A" and "B" but show on his field notes the position of the prospector's posts. Establish the east boundary of Claim No. 5 as shown by diagram and not by a straight line between point "B" and the No. 2 post.

DIAGRAM No. 32



(Illustrating proviso in subsection 1 of section 21)

NOTE

Establish that part of the east boundary of Claim No. 5, lying south of the No. 3 post of Claim No. 3 by a straight line between the No. 3 post of Claim No. 3 and the No. 2 post of Claim No. 5 and not by a straight line between point "B" and the No. 2 post.

R.R.O. 1960, Reg. 445, (Diagrams 1-32).

REGULATION 610

under The Mortgage Brokers Registration Act

GENERAL

1. The following persons are exempt from the Act in addition to those exempted under section 21 of the Act:

1. Correspondents, agents and solicitors of persons mentioned in clauses *a* to *d* of section 21 of the Act.

2. An employee of a party to a mortgage transaction when the employee is acting for or on behalf of his employer. R.R.O. 1960, Reg. 446, s. 1; O. Reg. 241/61, s. 1.

2. An application for registration and for each renewal of registration shall be made to the Director and shall state,

(*a*) the name of the applicant and the address from which business is carried on;

(*b*) the name under which the applicant intends to carry on business;

(*c*) where the applicant is a partnership, the name and address of each partner;

(*d*) where the applicant is a corporation, the name and address of each officer and director of the corporation;

(*e*) such information pertaining to the applicant's character and financial responsibility as the Director requires; and

(*f*) such other information as the Director requires. R.R.O. 1960, Reg. 446, s. 2, *amended*.

3.—(1) The fee payable on application for initial registration is $10 and shall accompany the application.

(2) The fee payable on registration or renewal of registration is,

(*a*) where the applicant is an association of individuals, a partnership or a corporation, $25; and

(*b*) where the applicant is an individual, $10. R.R.O. 1960, Reg. 446, s. 3.

4.—(1) Every registered broker shall keep and maintain a record showing,

(*a*) the repayment terms of each mortgage;

(*b*) the total amount actually paid or to be paid to the mortgagor of each mortgage;

(*c*) the fees, expenses, costs and other charges required to be borne by the mortgagor in respect of each mortgage transaction; and

(*d*) the particulars of any related agreement. R.R.O. 1960, Reg. 446, s. 4 (1).

(2) Every registered broker shall deliver to the mortgagor the information required by subsection 1 on a form approved by the Director, and shall obtain proof of the delivery. R.R.O. 1960, Reg. 446, s. 4 (2), *amended*.

REGULATION 611

under The Mortmain and Charitable Uses Act

LICENCES AND FEES

LICENCES

1.—(1) Subject to subsection 2, licences under the Act issued to a corporation shall be,

(*a*) to acquire and assure in mortmain to the value of the land set out in the licence such land as is necessary,

(i) for the actual use and occupation of the corporation, or

(ii) to carry on the undertaking of the corporation,

and to hold the land for a period of fifteen years from the date of the licence;

(*b*) to acquire and assure in mortmain to the value of the land set out in the licence such land as is necessary,

(i) for the actual use and occupation of the corporation, or

(ii) to carry on the undertaking of the corporation,

and to hold the land for a period of thirty years from the date of the licence;

(*c*) to acquire and assure in mortmain to the value of the land set out in the licence such land as is necessary,

(i) for the actual use and occupation of the corporation, or

(ii) to carry on the undertaking of the corporation,

and to hold the land in perpetuity;

(*d*) to acquire and assure in mortmain land specifically described in the licence and to hold the land in perpetuity. R.R.O. 1960, Reg. 447, s. 1 (1); O. Reg. 338/61, s. 1.

(2) A licence under the Act that is issued to a corporation without share capital that has objects of a charitable nature shall be the licence referred to in clause *d* of subsection 1. R.R.O. 1960, Reg. 447, s. 1 (2).

APPLICATION FOR A LICENCE

2.—(1) An application by a corporation for a licence under the Act shall,

(*a*) set out,

(i) its corporate name,

(ii) the name of the jurisdiction under the laws of which the corporation was incorporated,

(iii) the date and manner of its incorporation,

(iv) the place where its head office is situated,

(v) whether its existence is limited by statute or otherwise and, if so, the date when its existence expires, and whether its existence may be lawfully extended,

(vi) whether it is a valid and subsisting corporation,

(vii) whether it has capacity to hold land and, if so, the conditions, if any, under which land is to be held,

(viii) if a licence referred to in clause *a*, *b* or *c* of subsection 1 of section 1 is desired, a request to that effect, as the case may be, together with a statement of the period of the licence and the maximum value of the land to be held, and

(ix) if a licence referred to in clause *d* of subsection 1 of section 1 is desired, a request to hold certain land, giving a description of the land capable of being registered under *The Registry Act* or *The Land Titles Act;*

(*b*) be dated;

(*c*) be under the seal of the corporation; and

(*d*) be signed by two officers, or by one officer and one director, of the corporation.

(2) If the request is for a licence referred to in clause *d* of subsection 1 of section 1, the application shall be accompanied by,

(*a*) the consent of the present owner of the land;

(*b*) a registrar's abstract of title covering the past forty years or a solicitor's certificate of title, establishing ownership of the land in the present owner; and

(*c*) an independent valuation of the land.

(3) The application shall be accompanied by,

(*a*) an affidavit by a witness to the execution of the application, verifying the signatures to the application and the impression of the seal of the corporation;

(*b*) an affidavit by an officer of the corporation, verifying the statements contained in the application;

(*c*) a certified copy of the resolution of the directors of the corporation, authorizing the application; and

(*d*) a copy of the special Act, letters patent or articles of association or other constating instrument, and amendments thereto, if any, creating the corporation, certified by the proper officer of the incorporating jurisdiction who is authorized to so certify, except copies of any of these documents that have been filed previously with the Minister. R.R.O. 1960, Reg. 447, s. 2, *amended*.

FEES

3. Fees payable for a licence under the Act are,

(*a*) in the case of a licence referred to in clause *a* of subsection 1 of section 1,

(i) where the value of the land set out in the licence is not in excess of $100,000, a fee of $125,

(ii) where the value of the land set out in the licence is in excess of $100,000 but not in excess of $500,000, a fee of $125 plus 65 cents for each $1,000 in excess of $100,000,

(iii) where the value of the land set out in the licence is in excess of $500,000 but not in excess of $1,000,000, a fee of $385 plus 30 cents for each $1,000 in excess of $500,000, and

(iv) where the value of the land set out in the licence is in excess of $1,000,000, a fee of $535 plus 15 cents for each $1,000 in excess of $1,000,000;

(*b*) in the case of a licence referred to in clause *b* of subsection 1 of section 1, a fee according to clause *a* plus 50 per cent thereof;

(*c*) in the case of a licence referred to in clause *c* of subsection 1 of section 1, a fee according to clause *a* plus 100 per cent thereof;

(*d*) in the case of a licence referred to in clause *d* of subsection 1 of section 1, a fee based on the value of the land at the date of the application for the licence and according to clause *a* plus 50 per cent thereof, subject to clause *e*; and

(*e*) in the case of a licence referred to in clause *d* of subsection 1 of section 1 issued to a corporation without share capital that has objects of a charitable nature, a fee of 25 per cent of the fee set out in clause *d*. R.R.O. 1960, Reg. 447, s. 3; O. Reg. 10/65, s. 1.

REFUNDS

4.—(1) Where a fee has been paid for a licence under the Act and the application for the licence is withdrawn or abandoned, then, subject to subsection 2, 50 per cent of the amount of the prescribed fee therefor shall be retained and the remainder, if any, shall be repaid to the person who paid it or to his legal representative.

(2) Where the application is in respect of a corporation that has objects of a charitable nature, the full amount of the fee that has been paid shall be repaid. R.R.O. 1960, Reg. 447, s. 4.

REGULATION 612

under The Motor Vehicle Accident Claims Act

GENERAL

FEES AND FORMS

1.—(1) The fee payable by a person under subsection 4 of section 2 of the Act shall be the same as the fee prescribed for the issuance or renewal of the driver's licence of the person under *The Highway Traffic Act*. O. Reg. 22/64, s. 1.

(2) The uninsured motor vehicle fee referred to in subsection 2 of section 2 of the Act is $25. O. Reg. 155/62, s. 1 (2); O. Reg. 311/66, s. 1.

2. The application referred to in subsection 1 of section 6 of the Act shall be in Form 1. O. Reg. 155/62, s. 2.

3.—(1) A person indebted to the Fund, who makes a proposal to make repayments to the Fund in monthly instalments, may apply in Form 2 for the restoration of his driver's licence.

(2) Where an application referred to in subsection 1 is made, there shall be filed with the Director of the Motor Vehicle Accident Claims Fund a certificate of insurance issued pursuant to a motor vehicle liability policy provided by an insurance company approved by the Superintendent of Insurance under *The Insurance Act* to do business in the Province of Ontario and which policy shall remain in effect until the indebtedness owing to the Fund is discharged. O. Reg. 509/70, s. 1.

INSTALMENT PAYMENTS

4.—(1) The Minister may appoint a committee to consider applications and proposals and to make recommendations thereon to the Minister.

(2) The committee shall not recommend the acceptance of a proposal unless the amount of the proposed monthly payments is, in the opinion of the committee, reasonable having regard to the income and worth of the applicant and all other relevant circumstances. O. Reg. 155/62, s. 4.

5. The Minister may, upon the recommendation of the committee, accept a proposal. O. Reg. 155/62, s. 5.

6. The committee may, at any time after the acceptance of the proposal and the restoration of the applicant's licence, and after the indebted person has had an opportunity to complete a new application, reconsider a proposal having regard to any change in the income and worth of the indebted person and to any change in other relevant circumstances, and may recommend to the Minister that the amount of the instalment payments be increased or decreased and recommend the amount thereof. O. Reg. 509/70, s. 2, *part*.

7. Every instalment payment made under this Regulation shall be made by certified cheque or money order, payable to the Treasurer of Ontario, and shall be received by the Director of the Motor Vehicle Accident Claims Fund not later than the fifth day of the month for which it is paid. O. Reg. 509/70, s. 2, *part*.

Form 1

The Motor Vehicle Accident Claims Act

ONTARIO DEPARTMENT OF TRANSPORT
MOTOR VEHICLE ACCIDENT CLAIMS FUND

IN THE MATTER OF an application for Payment under Section 6 of *The Motor Vehicle Accident Claims Act*

.....
(Court)

BETWEEN:

.....Plaintiff(s)

—and—

.....Defendant(s)

I (we).....

of.....
(address)

in the.....
(city, town, village, postal address)

in the.....make oath and say:
(province, state)

1. I (we).....am (are) the judgment creditor(s) in the said action.

2. I (we) was (were) awarded judgment in the said action by.....
(name of judge)

at.....
(place of judgment)

on.....and I (we) was (were)
(date)

awarded the sum of $.....

apportioned as follows: (set out amount awarded to each judgment creditor)

.....$.....

.....$.....

.....$.....

.....$.....

and costs which have been taxed (fixed by the trial judge) at $.....

3. The said judgment has become final by expiry without appeal within the time allowed for appeal (or by affirmation on appeal).

4. The said action was brought against all persons against whom I (we) might reasonably be considered as having a cause of action in respect of the damages in question and was prosecuted against every such person to judgment or dismissal.

5. The accident in respect of which the action is brought occurred .....
(describe location)

on the....day of....., 19....at approximately.....o'clock...m.

6. On the date on which the motor vehicle accident in question occurred I (we) was (were) resident in the Province (State) of.....and was (were) resident in such Province (State) for .....
(period of residency)

7. There are no other claims in respect of the accident in question.

.....
(give particulars of other claims if any)

8.—(1) The action was defined by.....
(state lawyer's name or as the case may be)
.....acting for the defendant(s) and there was no default at any stage of the action.

OR

(2) Because of default on the part of the defendant(s) in.....notice was given
(state nature of default)
the Minister of Transport pursuant to section 7 of *The Motor Vehicle Accident Claims Act.*

9.—(1) The action proceeded to trial and the judgment is not the result of a consent, agreement or settlement

OR

(2) The judgment was taken by consent of the defendant(s) after notice had been duly given to the Minister of Transport

OR

(3) The judgment was taken by consent of the Minister of Transport who defended the action on behalf and in the name of the defendant(s)

..... pursuant to section 7 of *The Motor Vehicle Accident Claims Act.*

10. My (our) application for payment out of the Fund is not made by or on behalf of an insurer in respect of any amount paid or payable by an insurer by reason of the existence of a policy of insurance within the meaning of *The Insurance Act*, other than a policy of life insurance;

And no part of the amount sought to be paid out of the Fund is sought in lieu of making a claim or receiving a payment that is payable by reason of the existence of a policy of insurance within the meaning of *The Insurance Act*, other than a policy of life insurance;

And no part of the amount so sought is sought for payment to an insurer in respect of any amount paid or payable by an insurer by reason of the existence of a policy of insurance within the meaning of *The Insurance Act*, other than a policy of life insurance.

11. The following amount contained in the judgment was awarded in respect of damage to property (set out amount awarded to each judgment creditor)

....
(name) (amount)

12. I (We) have recovered the following amount in respect of the judgment $.....

13.—(1) I (we) was (were) paid or am (are entitled to be paid a portion of the loss under a policy of insurance within the meaning of *The Insurance Act* (other than a policy of life insurance) in the amount of $.....

(2) An insurer has (or insurers have) an interest in the judgment by reason of the following payments for:

1. Damage to automobile $.....

2. Damage to other property $.....

3. Medical expenses $.....

(3) I (We) have apportioned the costs in accordance with subsection 2 of section 24 of the Act in the amount of $.....

14. I (We) am (are) satisfied that the said judgment debtor(s).....is (are not insured with a policy of insurance that would cover any part of the judgment.

15. I (We) have not been given notice nor have any actual notice of bankruptcy proceedings instituted by the judgment debtor(s).

OR

I (We) have been given notice or have any actual notice of bankruptcy proceedings instituted by the judgment debtor(s).

16. Annexed hereto and marked,

(*a*) Exhibit A is the Original Judgment above referred to;

(*b*) Exhibit B is the Certificate of the Taxing Officer with respect to costs as taxed pursuant to the said judgment;

(*c*) Exhibit C is the Solicitor and Client Bill of Costs duly taxed and certified;

(*d*) Exhibit D is a copy of the Statement of Claim filed in the said action;

(*e*) Exhibit E is the Assignment of Judgment.

17. To the best of my knowledge the following description of the defendant is reasonably accurate:

Full name.....

Residence.....

Business Address.....

Employer.....

Occupation.....

Approximate Age.....

18. To the best of my (our) knowledge the following description of the defendant's motor vehicle is reasonably accurate:

Make.....Year.....Model.....

Registered for year.....

under permit No.....

19. This is my (our) application for payment out of The Motor Vehicle Accident Claims Fund for the following amounts:

Ijury to or death of a person.... $.....

Damage to property..... $.....

Costs..... $.....

Total..... $.....

Sworn before me.....

at the.....of.....

in the.....of.....

this....day of.....,

19....

A Commissioner, etc.

AMPLE SPACE HAS BEEN PROVIDED IN SEVERAL PLACES TO PERMIT THE FORM TO BE ADAPTED TO ANY SITUATION. BEFORE THE ADMINISTRATION OF THE OATH ALL UNUSED SPACES SHOULD BE SO RULED OR MARKED AS TO PREVENT ANY SUBSEQUENT INSERTION.

O. Reg. 155/62, Form 1; O. Reg. 80/64; O. Reg. 217/66.

Form 2

The Motor Vehicle Accident Claims Act

APPLICATION TO THE DEPARTMENT OF TRANSPORT FOR RESTORATION OF DRIVER'S LICENCE OF A PERSON INDEBTED TO THE MOTOR VEHICLE ACCIDENT CLAIMS FUND

1. Last Name.....

   First Name.....

   Middle Name.....

2. Where do you live.....

   .....

3. Where have you lived for the past 3 years.....

   .....

   .....

4. What is your driver's licence No.....

5. Date of birth..... ....
   (day) (month) (year)

   Height..... .....
   (feet) (inches)

   Weight.....

   Sex.....

6. Are you Single..... Married.....

   Separated..... Divorced.....

   Widow..... Widower.....

7. Name of husband or wife..... .....
   (first name) (middle name)

   Date of birth of husband or wife..... ....
   (day) (month) (year)

8. Dependants Name Age

   ....

   ....

   ....

   ....

9. What is your occupation.....

10. For whom do you work.....

    What is the address.....

    .....

    How long have you worked there.....

11. How much do you earn before deductions

....
(monthly) (weekly) (daily)

Have you any other income (Family Allowance, Pension, etc.).....

12. Do you own an automobile.....

....
(make) (year) (licence no. and year)

Does any member of your family own an automobile.....

....
(name of owner) (make) (year) (licence no. and year)

13. Do you own a house or other property.....

Location.....

.....

14. To whom do you owe money

Name	Amount	Monthly Payment
.....	.....	.....
.....	.....	.....
.....	.....	.....

15. How much can you pay each month on your debt to the Motor Vehicle Accident Claims Fund...

.....

I hereby agree to make an instalment payment of $.....each month, to be received no later than the fifth day of each month, and I realize that failure to pay an instalment will result in suspension of my driver's licence with no further notice.

I hereby agree that, upon request, I must complete a new Repayment Application within ten days and abide by the committee's recommendations regarding amount of instalment payment or have my driver's licence suspended with no further notice.

.....
(signature of applicant)

.....
(date)

O. Reg. 509/70, s. 4.

REGULATION 613

under The Motor Vehicle Fuel Tax Act

EXEMPTIONS

1. The following products are excluded from the Act except when any of them is blended, compounded, mixed or combined with any other product that is not excluded from the Act:

1. Gasoline.
2. Aviation fuel.
3. Jet fuel.
4. Turbo jet fuel.
5. Bunker fuel.
6. Liquefied petroleum gas.
7. Any product that is a solvent, naphtha or thinner that is obtained from a petroleum origin or from the destructive distillation of coal, wood or wood products, or is produced by fermentation or by synthetic chemical reaction.
8. Any product that is a compound or blend comprised wholly of two or more of the products mentioned in paragraph 7.
9. Any other product that is of a petroleum origin except when its use or its intended use by the consumer is to supply motive power to drive a motor vehicle on a highway or in connection with the construction or maintenance of a highway.

R.R.O. 1960, Reg. 449, s. 1.

REGULATION 614

under The Motorized Snow Vehicles Act

GENERAL

1. In this Regulation,

(*a*) "roadway" means roadway as defined in *The Highway Traffic Act;*

(*b*) "vehicle" means a vehicle as defined in *The Highway Traffic Act.* O. Reg. 15/69, s. 1.

2. Where a constable or other police officer considers it reasonably necessary,

(*a*) to ensure orderly movement of traffic;

(*b*) to prevent injury or damage to persons or property; or

(*c*) to permit proper action in an emergency,

notwithstanding the provisions of this Regulation, every driver of a motorized snow vehicle shall obey the directions of the constable or other police officer. O. Reg. 360/68, s. 2.

3. A driver of a motorized snow vehicle approaching an intersection shall yield the right of way to a vehicle or motorized snow vehicle that has entered the intersection from a different highway and when a motorized snow vehicle and vehicle or motorized snow vehicle enter an intersection from different highways at approximately the same time, the driver on the left shall yield the right of way to the vehicle or motorized snow vehicle on the right. O. Reg. 360/68, s. 3.

4. Every driver of a motorized snow vehicle shall obey the instructions or directions indicated on any official sign as defined in *The Highway Traffic Act.* O. Reg. 360/68, s. 4.

5.—(1) Except as provided in sections 3 and 9, the driver of a motorized snow vehicle about to enter or cross a roadway from property adjoining the roadway shall,

(*a*) bring the motorized snow vehicle to a complete stop; and

(*b*) upon entering the roadway yield the right of way to all oncoming traffic that constitutes a hazard.

(2) The driver referred to in subsection 1 shall enter or cross at an angle of approximately 90 degrees to the direction of the roadway. O. Reg. 360/68, s. 5.

6.—(1) The driver of a motorized snow vehicle intending to turn to the right into an intersecting highway shall approach such intersection and turn as closely as practicable to the right curb or edge of the roadway.

(2) The driver of a motorized snow vehicle within an intersection intending to turn to the left across the path of any vehicle or motorized snow vehicle approaching from the opposite direction shall not make such left turn until he has afforded a reasonable opportunity to the driver of such other vehicle or motorized snow vehicle to avoid a collision.

(3) The driver of a motorized snow vehicle intending to turn to the left into an intersecting highway at an intersection where traffic is permitted to move in both directions on each highway entering the intersection shall approach such intersection as closely as practicable to the centre line of the highway and the left turn shall be made by passing to the right of such centre line where it enters the intersection, and upon leaving the intersection by passing to the right of the centre line of the highway then entered.

(4) The driver of a motorized snow vehicle intending to turn to the left from a highway designated for use of one-way traffic into an intersecting highway on which traffic is permitted to move in both directions shall approach the intersection as closely as practicable to the left curb or edge of the roadway and on entering the intersection shall pass to the right of and as closely as practicable to the centre line of the highway being entered where it enters the intersection.

(5) The driver of a motorized snow vehicle intending to turn to the left from a highway on which traffic is permitted to move in both directions into an intersecting highway designated for the use of one-way traffic shall approach the intersection as closely as practicable to the centre line of the highway and on entering the intersection the left turn shall be made by passing as closely as practicable to the left hand curb or edge of the roadway designated for the use of one-way traffic.

(6) The driver of a motorized snow vehicle intending to turn to the left from a highway designated for use of one-way traffic into an intersecting highway designated for use of one-way traffic shall approach the intersection as closely as practicable to the left-hand curb or edge of the roadway and on entering the intersection the left turn shall be made by passing as closely as practicable to the left-hand curb or edge of the roadway being entered. O. Reg. 360/68, s. 6.

7.—(1) The driver of a motorized snow vehicle upon a highway before turning to the left or right at any intersection or into a private road or driveway or from one lane for traffic to another lane for traffic or to leave the roadway shall first see that such movement can be made in safety, and if the operation of any other vehicle or motorized snow vehicle may be affected by such movement shall give a signal plainly visible to the driver of such other vehicle or motorized snow vehicle of the intention to make such movement.

(2) The driver of a motorized snow vehicle parked or stopped on the highway before setting the motorized snow vehicle in motion shall first see that the movement can be made in safety, and, if in turning the motorized snow vehicle the operation of any other vehicle or motorized snow vehicle may be affected by such movement, shall give a signal plainly visible to the driver of such other vehicle or motorized snow vehicle of the intention to make such movement.

(3) The signal referred to in subsections 1 and 2 shall be given by means of the hand and arm and the driver shall indicate his intention to turn,

(*a*) to the left, by extending the hand and arm horizontally and beyond the left side of the vehicle; or

(*b*) to the right, by extending the hand and arm upward and beyond the left side of the vehicle.

(4) The driver of a motorized snow vehicle upon a highway before stopping or suddenly decreasing the speed of the motorized snow vehicle, if the operation of any other vehicle or motorized snow vehicle may be affected by such stopping or decreasing of speed, shall give a signal,

(*a*) plainly visible to the driver of such other vehicle or motorized snow vehicle of the intention to stop or decrease speed; and

(*b*) by means of the hand and arm extended downward beyond the left side of the vehicle. O. Reg. 360/68, s. 7.

8. No driver of a motorized snow vehicle upon a highway shall turn the motorized snow vehicle so as to proceed in the opposite direction when,

(*a*) upon a curve where traffic approaching the motorized snow vehicle from either direction cannot be seen by the driver of the motorized snow vehicle within a distance of 500 feet;

(*b*) on a railway crossing or within 100 feet of a railway crossing;

(*c*) upon an approach to or near the crest of a grade where the motorized snow vehicle cannot be seen by the driver of another vehicle or motorized snow vehicle approaching from either direction within 500 feet; or

(*d*) within 500 feet of a bridge, viaduct or tunnel where the driver's view is obstructed within such distance. O. Reg. Reg. 360/68, s. 8.

9. Every driver of a motorized snow vehicle shall obey the signal of a traffic signal light control system as defined in subsection 17 of section 96 of *The Highway Traffic Act*. O. Reg. 360/68, s. 9.

10.—(1) Where a driver of a motorized snow vehicle on a highway meets another vehicle or motorized snow vehicle, he shall turn out to the right from the centre of the roadway, allowing to the vehicle or motorized snow vehicle so met one-half of the roadway free.

(2) No driver of a motorized snow vehicle shall pass or attempt to pass another vehicle or motorized snow vehicle going in the same direction on a highway unless the roadway,

(*a*) in front of and to the left of the vehicle or motorized snow vehicle to be passed is safely free from approaching traffic; and

(*b*) to the left of the motorized snow vehicle passing or attempting to pass is safely free from overtaking traffic. O. Reg. 360/68, s. 10.

11. No motorized snow vehicle shall be driven to the left of the centre of a roadway designed for one or more lines of traffic in each direction, when approaching the crest of a grade or upon a curve in the roadway or within 100 feet of a bridge, viaduct or tunnel where the driver's view is obstructed within such distance as to create a hazard in the event another vehicle or motorized snow vehicle might approach from the opposite direction, but this section does not apply to a highway designated for the use of one-way traffic or to a highway divided into clearly marked lanes where there are more such lanes for traffic in one direction than in the other direction. O. Reg. 360/68, s. 11.

12.—(1) Subject to subsection 2, the driver of a motorized snow vehicle may overtake and pass to the right of another vehicle or motorized snow vehicle on a highway only,

(*a*) when the vehicle or motorized snow vehicle overtaken is making or about to make a left turn or its driver has signalled his intention to make a left turn;

(*b*) upon a highway with unobstructed pavement of sufficient width for two or more lines of vehicles or motorized snow vehicles in each direction; or

(*c*) upon a highway designed for the use of one-way traffic only.

(2) The driver of a motorized snow vehicle shall not overtake and pass to the right of another vehicle or motorized snow vehicle where such movement cannot be made in safety. O. Reg. 360/68, s. 12.

13. The driver of a motorized snow vehicle shall not follow another vehicle or motorized snow vehicle more closely than is reasonable and prudent having due regard for the speed of such vehicle or motorized snow vehicle and the traffic on and the conditions of the highway. O. Reg. 360/68, s. 13.

14.—(1) When the driver of a motorized snow vehicle is approaching a railway, he shall stop the motorized snow vehicle and shall not proceed to cross until he can do so safely.

(2) The driver referred to in subsection 1 shall enter or cross at an angle of approximately 90 degrees to the direction of the railway. O. Reg. 360/68, s. 14.

15.—(1) No person shall park, stand or stop a motorized snow vehicle on a roadway,

(*a*) when it is practicable to park, stand or stop the motorized snow vehicle off the roadway; or

(*b*) when it is not practicable to park, stand or stop the motorized snow vehicle off the roadway unless a clear view of the motorized snow vehicle and of the roadway for at least 400 feet beyond the motorized snow vehicle may be obtained from a distance of at least 400 feet from the motorized snow vehicle in each direction upon the highway.

(2) Subsection 1 does not apply to a roadway within a city, town or village, and the provisions of subsection 1 with respect to parking, standing or stopping do not apply to a portion of a roadway in respect of which a by-law passed by the council of a township or county or by the trustees of a police village prohibiting or regulating parking, standing or stopping on the roadway, as the case may be, is in force.

(3) Where a constable finds a motorized snow vehicle on a highway in contravention of the provisions of this section, he may move the motorized snow vehicle or require the driver or other person in charge of the motorized snow vehicle to move it.

(4) Notwithstanding the other provisions of this section, no person shall park or stand a motorized snow vehicle on a highway in such a manner as to interfere with the movement of traffic or the clearing of snow from the highway.

(5) A constable upon discovery of any motorized snow vehicle parked or standing in contravention of subsection 4 or of a municipal by-law, may cause it to be moved or taken to and placed or stored in a suitable place and all costs and charges for removing, care and storage thereof, if any, are a lien upon the motorized snow vehicle, which may be enforced in the manner provided by section 48 of *The Mechanic's Lien Act*. O. Reg. 360/68, s. 15.

16. Subject to section 4, no person shall operate a motorized snow vehicle at a speed greater than is reasonable and prudent under conditions then existing. O. Reg. 360/68, s. 16.

17. Every person is guilty of the offence of driving carelessly who drives a motorized snow vehicle without due care and attention or without reasonable consideration for other persons. O. Reg. 360/68, s. 17.

18. Subject to section 20 the driver of a motorized snow vehicle may operate the motorized snow vehicle on those parts of the King's Highway described in the schedules. O. Reg. 360/68, s. 18; O. Reg. 15/69, s. 2.

19. Where a highway is referred to in a Schedule by a number or name, the reference is to that part of the King's Highway that is known thereby. O. Reg. 360/68, s. 19.

20.—(1) Subject to subsections 2 and 3, except on those parts of the King's Highway described in the schedules, the driver of a motorized snow vehicle may operate the motorized snow vehicle on the King's Highway except the roadway provided that he operates such vehicle as far away from the roadway as is practicable under the circumstances.

(2) The driver of a motorized snow vehicle may enter or cross the roadway referred to in subsection 1 so long as he does so in the manner prescribed in section 5.

(3) Notwithstanding subsections 1 and 2, the driver of a motorized snow vehicle shall not operate a motorized snow vehicle on those parts of the King's Highway described as follows:

1. All of the King's Highway known as the Ottawa Queensway.

2. That part of the King's Highway known as No. 27 lying between a point situate at its intersection with the King's Highway known as the Queen Elizabeth Way and a point situate at its intersection with the King's Highway known as No. 7.

3. All of the King's Highway known as No. 400.

4. All of the King's Highway known as No. 401.

5. All of the King's Highway known as No. 402.

6. All of the King's Highway known as No. 403.

7. All of the King's Highway known as No. 405.

8. All of the King's Highway known as No. 406.

9. All of the King's Highway known as the Queen Elizabeth Way. O. Reg. 15/69, s. 3.

21. When on a highway at anytime from one-half hour after sunset to one-half hour before sunrise and at any other time when, due to insufficient light or unfavourable atmospheric conditions, persons and vehicles on the highway are not clearly discernible at a distance of 500 feet or less, every motorized snow vehicle shall carry at least one head lamp on the front of the motorized snow vehicle which shall display a white or amber light only, and one on the rear of the motorized snow vehicle which shall display a red light only, and any lamp so used shall be clearly visible at a distance of at least 500 feet from the front or rear, as the case may be. O. Reg. 360/68, s. 20.

22.—(1) Every permit expires with the date shown on the permit.

(2) The following fees shall be paid to the Department:

1. For registration of a motorized snow vehicle	$ 4
2. For registration of a motorized snow vehicle where the permit issued will be valid under subsection 1 for not more than twelve months	2
3. For a motorized snow vehicle plate in case of loss	2
4. For the transfer of a motorized snow vehicle permit	2
5. For a duplicate permit in case of loss or destruction of the original	1
For each search of records by name of owner or driver	1
7. For copy of any writing, paper or document filed in the Department or any statement containing information from the records	2
8. For certified copy of any writing, paper or document filed in the Department or any statement containing information from the records	3

O. Reg. 452/70, s. 1.

Schedule 1

HIGHWAY NO. 500

1. Junction Fort Stewart Road to Highway No. 41 Denbigh. O. Reg. 360/68, Sched. 1.

Schedule 2

HIGHWAY NO. 503

1. Junction of Highway No. 46 Kirkfield to Sebright. O. Reg. 360/68, Sched. 2.

Schedule 3

HIGHWAY NO. 504

1. East Junction of Highway No. 620 to Junction Lasswade Road.

2. Junction Lasswade Road to West Junction of Highway No. 620 Apsley. O. Reg. 360/68, Sched. 3.

Schedule 4

HIGHWAY NO. 505

1. Luxton/Bexley Township Line to Junction of Highway No. 503 Uphill. O. Reg. 360/68, Sched. 4.

Schedule 5

HIGHWAY NO. 509

1. Clarendon Station to Snow Road. O. Reg. 360/68, Sched. 5.

Schedule 6

HIGHWAY NO. 510

1. Junction of Highway No. 520 Magnetawan to Junction of Highway No. 124. O. Reg. 360/68, Sched. 6.

Schedule 7

HIGHWAY NO. 511

1. White to Brightside. O. Reg. 360/68, Sched. 7.

Schedule 8

HIGHWAY NO. 512

1. Cormac to Brudenell. O. Reg. 360/68, Sched. 8.

Schedule 9

HIGHWAY NO. 513

1. Junction of Highway No. 132 Dacre to Grattan/Admaston Township Line. O. Reg. 360/68, Sched. 9.

Schedule 10

HIGHWAY NO. 515

1. Quadeville to Junction of Highway No. 512. O. Reg. 360/68, Sched. 10.

Schedule 11

HIGHWAY NO. 517

1. Junction of Highway No. 62 Combermere to Junction Fort Stewart Road. O. Reg. 360/68, Sched. 11.

Schedule 12

HIGHWAY NO. 518

1. Sprucedale to Star Lake Road, Orrville. O. Reg. 360/68, Sched. 12.

Schedule 13

HIGHWAY NO. 519

1. South Junction of Highway No. 121 to Junction Road to Minden. O. Reg. 360/68, Sched. 13.

Schedule 14

HIGHWAY NO. 520

1. West Junction of Highway No. 124 to Ardbeg. O. Reg. 360/68, Sched. 14.

Schedule 15

HIGHWAY NO. 522

1. Loring to Pickerel River. O. Reg. 360/68, Sched. 15.

Schedule 16

HIGHWAY NO. 523

1. Junction of Highway No. 60 Madawaska to Nipissing/Hastings County Line. O. Reg. 360/68, Sched. 16.

Schedule 17

HIGHWAY NO. 524

1. Junction of Highway No. 522 to Junction of Highway No. 534. O. Reg. 360/68, Sched. 17.

Schedule 18

HIGHWAY NO. 528

1. Junction of Highway No. 528A to Wolsley Bay. O. Reg. 360/68, Sched. 18.

Schedule 19

HIGHWAY NO. 528A

1. Junction of Highway No. 528 to Pine Cove. O. Reg. 360/68, Sched. 19.

Schedule 20

HIGHWAY NO. 529

1. Junction of Highway No. 529A to north Junction of Highway No. 69 Magnetawan River. O. Reg. 360/68, Sched. 20.

Schedule 21

HIGHWAY NO. 529A

1. Junction of Highway No. 529 to Bayfield Wharf. O. Reg. 360/68, Sched. 21.

Schedule 22

HIGHWAY NO. 533

1. Junction of Highway No. 656 to Junction of Highway No. 63. O. Reg. 360/68, Sched. 22.

Schedule 23

HIGHWAY NO. 535

1. Junction of Highway 17 Hagar to Riviere Veuve. O. Reg. 360/68, Sched. 23.

Schedule 24

HIGHWAY NO. 538

1. East Junction of Highway 17 (East of Algoma) to West Junction of Highway 17 (West of Algoma). O. Reg. 360/68, Sched. 24.

Schedule 25

HIGHWAY NO. 540

1. Junction Evanville Road to Meldrum Bay. O. Reg. 360/68, Sched. 25.

Schedule 26

HIGHWAY NO. 540A

1. Junction Highway No. 540 to Barrie Island. O. Reg. 360/68, Sched. 26.

Schedule 27

HIGHWAY NO. 542

1. South Junction of Highway No. 551 to Junction of Highway Nos. 540 and 540B. O. Reg. 360/68, Sched. 27.

Schedule 28

HIGHWAY NO. 546

1. Junction of Highway No. 554 to Mount Lake. O. Reg. 360/68, Sched. 28.

Schedule 29

HIGHWAY NO. 548

1. Hilton Beach to Hilton Road.

2. Hilton Road to Richard's Landing. O. Reg. 360/68, Sched. 29.

Schedule 30

HIGHWAY NO. 554

1. Junction of Highway No. 546 to Highway No. 129. O. Reg. 360/68, Sched. 30.

Schedule 31

HIGHWAY NO. 558

1. Junction of Highway No. 11 (Tritown By-Pass) to Montreal River. O. Reg. 360/68, Sched. 31.

Schedule 32

HIGHWAY NO. 559

1. South Junction of Highway No. 69 Sly's Creek to North Junction of Highway No. 69 Shawanaga. O. Reg. 360/68, Sched. 32.

Schedule 33

HIGHWAY NO. 560

1. Junction of Highway No. 573 Charlton to East Junction of Highway No. 65 Elk Lake.

2. Gowganda to Junction of Highway No. 560A.

3. Junction of Highway No. 560A to Gogama. O. Reg. 360/68, Sched. 33.

Schedule 34

HIGHWAY NO. 560A

1. Junction of Highway No. 560 to Westree. O. Reg. 360/68, Sched. 34.

Schedule 35

HIGHWAY NO. 562

1. Junction of Highway No. 65 to Junction of Highway No. 11. O. Reg. 360/68, Sched. 35.

Schedule 36

HIGHWAY NO. 564

1. Highway No. 112 to end of Highway No. 564. O. Reg. 360/68, Sched. 36.

Schedule 37

HIGHWAY NO. 568

1. Junction of Highway No. 11 to Kenogami. O. Reg. 360/68, Sched. 37.

Schedule 38

HIGHWAY NO. 570

1. Junction of Highway No. 11 (South of Wavell) to end of Highway No. 570. O. Reg. 360/68, Sched. 38.

Schedule 39

HIGHWAY NO. 572

1. Junction of Holtyre Mine Road to Junction of Highway No. 101. O. Reg. 360/68, Sched. 39.

Schedule 40

HIGHWAY NO. 573

1. Junction of Highway No. 560 to Junction of Highway No. 11. O. Reg. 360/68, Sched. 40.

Schedule 41

HIGHWAY NO. 574

1. Junction of Birchall Park Road Brower to Norembega. O. Reg. 360/68, Sched. 41.

Schedule 42

HIGHWAY NO. 575

1. Junction of Highway No. 101 to Night Hawk Lake. O. Reg. 360/68, Sched. 42.

Schedule 43

HIGHWAY NO. 577

1. Junction of Highway No. 101 Shillington to Junction of Highway No. 11. O. Reg. 360/68, Sched. 43.

Schedule 44

HIGHWAY NO. 579

1. Clute to Gardiner. O. Reg. 360/68, Sched. 44.

Schedule 45

HIGHWAY NO. 580

1. Junction of Highway No. 11 to Lake Nipigon. O. Reg. 360/68, Sched. 45.

Schedule 46

HIGHWAY NO. 582

1. North East Junction of Highway No. 17 to Hurkett. O. Reg. 360/68, Sched. 46.

Schedule 47

HIGHWAY NO. 584

1. Geraldton North Limits to Junction of Highway No. 543.

2. Junction of Highway No. 543 to Nakina. O. Reg. 360/68, Sched. 47.

Schedule 48

HIGHWAY NO. 592

1. Junction of Highway No. 518 Emsdale to North Junction of Highway No. 11. O. Reg. 360/68, Sched. 48.

Schedule 49

HIGHWAY NO. 588

1. Junction of Highway No. 595 to Junction of Highway No. 590.

2. Round Lake to Northern Night Lake. O. Reg. 360/68, Sched. 49.

Schedule 50

HIGHWAY NO. 591

1. Junction of Highway No. 589 to Trout Lake. O. Reg. 360/68, Sched. 50.

Schedule 51

HIGHWAY NO. 593

1. Junction of Highway No. 588 to Pardee Road Junction of Pardee Road to Junction of Old Highway No. 61. O. Reg. 360/68, Sched. 51.

Schedule 52

HIGHWAY NO. 594

1. Junction of Oxdrift Road to Eagle River. O. Reg. 360/68, Sched. 52.

Schedule 53

HIGHWAY NO. 595

1. Junction of Highway No. 608 South Gillies to Junction of Highway No. 597. O. Reg. 360/68, Sched. 53.

Schedule 54

HIGHWAY NO. 597

1. Junction of Highway No. 608 to Junction of Highway No. 595.

2. Junction of Highway No. 595 to Pardee. O. Reg. 360/68, Sched. 54.

Schedule 55

HIGHWAY NO. 599

1. Junction of Highway No. 17 to Ignace to Sandbar Lake Park Road.

2. Sandbar Lake Park Road to Otoskwin River. O. Reg. 360/68, Sched. 55.

Schedule 56

HIGHWAY NO. 600

1. Junction of Highway No. 71 to Junction of Barwick Road Black Hawk.

2. Junction of Barwick Road Black Hawk to Junction of Highway No. 619.

3. Junction of Highway No. 619 to Junction of Highway No. 621 Beigland.

4. Junction of Highway No. 621 Beigland to McInnis Creek Road.

5. McInnis Creek Road to Junction of Highway No. 11 Rainy River. O. Reg. 360/68, Sched. 56.

Schedule 57

HIGHWAY NO. 602

1. Fort Frances to Junction of Highway No. 613.

2. Junction of Highway No. 613 to Junction of Highway Nos. 11 and 71 Emo. O. Reg. 360/68, Sched. 57.

Schedule 58

HIGHWAY NO. 603

1. Junction of Highway No. 17 Borups Corners to Dyment. O. Reg. 360/68, Sched. 58.

Schedule 59

HIGHWAY NO. 607

1. Junction of Highway No. 64 to Junction of Highway No. 607A Bigwood. O. Reg. 360/68, Sched. 59.

Schedule 60

HIGHWAY NO. 608

1. Junction of Highway No. 597 to Junction of Highway No. 595 South Gillies. O. Reg. 360/68, Sched. 60.

Schedule 61

HIGHWAY NO. 609

1. Junction of Highway No. 105 to Quibell Station.

2. Quibell Station to Clay Lake. O. Reg. 360/68, Sched. 61.

Schedule 62

HIGHWAY NO. 611

1. Junction of Highway No. 602 to East Junction of Highway Nos. 11 and 71. O. Reg. 360/68, Sched. 62.

Schedule 63

HIGHWAY NO. 613

1. Junction of Highway No. 602 to Junction of Highway Nos. 11 and 71 Devlin. O. Reg. 360/68, Sched. 63.

Schedule 64

HIGHWAY NO. 615

1. Junction of Highway No. 71 to Junction Road.

2. Junction Road to Emo Road.

3. Emo Road to Emo.

4. Emo to Clearwater Lake. O. Reg. 360/68, Sched. 64.

Schedule 65

HIGHWAY NO. 616

1. Junction of Highway No. 101 to Palomar. O. Reg. 360/68, Sched. 65.

Schedule 66

HIGHWAY NO. 619

1. Junction of Highway No. 11 Pinewood to Junction of Highway No. 600.

2. Junction of Highway No. 600 to Junction of Highway No. 621. O. Reg. 360/68, Sched. 66.

Schedule 67

HIGHWAY NO. 624

1. Junction of Highway No. 11 to Junction of Highway No. 66 Larder Lake. O. Reg. 360/68, Sched. 67.

Schedule 68

HIGHWAY NO. 626

1. Matheson West Limits to Junction of Highway No. 67 Porquis Junction. O. Reg. 360/68, Sched. 68.

Schedule 69

HIGHWAY NO. 631

1. Junction of Highway No. 11 to Hornepayne. O. Reg. 360/68, Sched. 69.

Schedule 70

HIGHWAY NO. 633

1. Junction of Highway No. 11 to Kawene. O. Reg. 360/68, Sched. 70.

Schedule 71

HIGHWAY NO. 636

1. Junction of Highway No. 11 to end of Highway No. 636. O. Reg. 360/68, Sched. 71.

Schedule 72

HIGHWAY NO. 637

1. Junction of Highway No. 69 (South of Burwash) to Killarney. O. Reg. 360/68, Sched. 72.

Schedule 73

HIGHWAY NO. 638

1. Junction of Highway No. 561 Ophir to Dunn's Valley. O. Reg. 360/68, Sched. 73.

Schedule 74

HIGHWAY NO. 642

1. Sioux Lookout to Sturgeon River.

2. Sturgeon River to Alcona. O. Reg. 360/68, Sched. 74.

Schedule 75

HIGHWAY NO. 643

1. Junction of Highway No. 584 to Cavell. O. Reg. 360/68, Sched. 75.

Schedule 76

HIGHWAY NO. 645

1. Junction of Highway No. 529 to Byng Inlet. O. Reg. 360/68, Sched. 76.

Schedule 77

HIGHWAY NO. 646

1. Pickle Lake to Junction of Highway No. 599 Central Patricia. O. Reg. 360/68, Sched. 77.

Schedule 78

HIGHWAY NO. 648

1. West Junction of Highway No. 121 to Dyno Mines. O. Reg. 360/68, Sched. 78.

Schedule 79

HIGHWAY NO. 656

1. Junction of Highway No. 533 to Holden Generating Station. O. Reg. 360/68, Sched. 79.

Schedule 80

HIGHWAY NO. 658

1. West Junction of Old Sudbury-Soo Road to Junction of Drury/Trill Township Line. O. Reg. 360/68, Sched. 80.

Schedule 81

HIGHWAY NO. 660

1. Junction of Highway No. 69 Bala to Junction of Highway No. 103. O. Reg. 360/68, Sched. 81.

Schedule 82

THE 1000 ISLAND PARKWAY

1. That part of the St. Lawrence Parks Commission Highway known as The 1000 Island Parkway in the County of Leeds from the south edge of the north roadway to the north fence line from a point situate at its westerly intersection with the King's Highway known as No. 401 to a point situate at its easterly intersection with the said Highway known as No. 401. O. Reg. 492/69, s. 1.

REGULATION 615

under The Municipal Act

DESIGNATION OF MUNICIPALITIES

1. The following municipalities are designated as local municipalities for the purposes of section 304 of the Act:

1. City of St. Catharines
2. City of Ottawa
3. City of Guelph
4. City of Thunder Bay
5. City of Sudbury
6. City of Sault Ste. Marie
7. City of North Bay
8. City of Hamilton
9. City of Kingston
10. City of Toronto
11. Borough of Scarborough
12. Town of Mississauga
13. City of Peterborough
14. City of Waterloo
15. City of London
16. City of Windsor
17. Borough of North York

O. Reg. 233/70, s. 1.

REGULATION 616

under The Municipal Act

DESIGNATION OF UNIVERSITIES

1. The following universities are designated as universities for the purposes of section 304 of the Act:

1. Brock University
2. University of Ottawa
3. University of Guelph
4. Lakehead University
5. Laurentian University
6. McMaster University
7. Queen's University
(including McArthur College of Education Queen's University)
8. Ontario College of Art
9. University of Toronto
(including the College of Education University of Toronto)
10. Trent University
11. University of Waterloo
12. The University of Western Ontario
(including Althouse College of Education)
13. University of Windsor
14. York University
15. Carleton University

O. Reg. 234/70, s. 1.

REGULATION 617

under The Municipal Act

PENSION PLAN
FOR MUNICIPAL EMPLOYEES

1. This Regulation applies to by-laws that provide for pensions for employees or any class thereof and that are passed by municipalities and local boards under paragraph 64 of section 352 of the Act and approved by the Department before the 18th day of April, 1962. R.R.O. 1960, Reg. 451, s. 1; O. Reg. 167/62, s. 1.

2. A pension shall be limited to an annuity payable in periodic instalments at least as long as the employee lives and commencing on the retirement date of the employee or, in the case of an employee who is retired on account of sickness or disability, commencing within thirty-one days after the date he retires, and shall be provided out of payments by the municipality or local board and deductions from the salary, wages or other remuneration of the employee and the interest thereon. R.R.O. 1960, Reg. 451, s. 2.

3.—(1) Pension plans shall be,

(*a*) by contract with Her Majesty in accordance with the *Government Annuities Act* (Canada);

(*b*) by contract with an insurer licensed under *The Insurance Act*;

(*c*) funded by agreement with a trustee being a trust company incorporated under the laws of Canada or any province thereof and registered under *The Loan and Trust Corporations Act*; or

(*d*) by a combination of any of the methods referred to in clauses *a*, *b* and *c*.

(2) A pension plan under clause *c* of subsection 1 or a combination of methods that include clause *c* shall, in the written opinion of a qualified actuary, be actuarially sound. R.R.O. 1960, Reg. 451, s. 3.

4.—(1) Every employee who is employed when the pension plan comes into effect shall be given the right to elect to join the plan,

(*a*) if he is then eligible, within a stipulated time after the plan comes into effect; or

(*b*) if he is not then eligible, within a stipulated time after he becomes eligible,

but, if the employee does not elect to join the plan within the time stipulated, he shall not be entitled to any contributory payment by the municipality or local board under clause *a* of section 7.

(2) Subject to subsection 1, every employee who is eligible, other than an employee who enters the employment after he has reached normal retirement age, shall be required to participate in the pension plan and to continue to participate during his employment. R.R.O. 1960, Reg. 451, s. 4.

5. Every pension plan shall require that to be eligible an employee shall be a permanent employee. R.R.O. 1960, Reg. 451, s. 5.

PAYMENTS

6.—(1) Each employee participating in the pension plan,

(*a*) shall be required to contribute regular payments; and

(*b*) may make larger payments than the minimum required by the plan.

(2) Payments shall be calculated as a percentage of the employee's salary or wage.

(3) The percentage referred to in subsection 2 shall be the same for all employees under the plan.

(4) All payments shall be made through the municipality or local board. R.R.O. 1960, Reg. 451, s. 6.

7. Contributing payments to a pension plan by a municipality or local board shall not exceed,

(*a*) an amount that will purchase an annuity of $25 for each completed year of an employee's service prior to the commencement date of the plan, excluding any years of service prior to forty years before the normel retirement age of a male employee and thirty-five years before the normal retirement age of a female employee and including any years absent from his employment while in the service of Her Majesty's Forces; and

(*b*) the amount paid by the employee under clause *a* of subsection 1 of section 6 in respect of service after the commencement date of the pension plan. R.R.O. 1960, Reg. 451, s. 7.

8. The administrative costs and expenses of a pension plan under clause *c* of subsection 1 of section 3 or, where the pension plan is a combination of methods that include clause *c*, the administrative costs and expenses of the part thereof that is under clause *c* shall be paid out of the moneys contributed to the plan. R.R.O. 1960, Reg. 451, s. 8.

CASH WITHDRAWALS

9. Where the employment of an employee by a municipality or local board is terminated before a pension becomes payable to him under a pension plan and the employee receives a refund of his contributions to the pension plan, the employee shall not be entitled to receive the contributions made by the municipality or local board in respect of the employee, except where the plan so provides and his employment is terminated because he is permanently unemployable due to mental or physical disability as established by medical evidence satisfactory to the municipality or local board. O. Reg. 27/65, s. 1.

10. Where the employment of an employee by a municipality or local board is terminated before a pension becomes payable to him, the employee shall be entitled to the pension benefits payable to him under the plan in respect of the contributions made by, and with respect to, the employee except where,

(*a*) all or part of the contributions made by the employee to a pension plan are refunded to the employee in which case the refund shall be in full settlement of the rights of the employee in respect of the period of service for which the contributions so refunded were made; or

(*b*) the contributions have been transferred in accordance with subsection 5 of section 250 of the Act. O. Reg. 27/65, s. 1.

11.—(1) Where a person dies before his annuity payments commence, his beneficiary named under the plan or, if none is named, his estate is entitled to payment in full of his payments to the pension plan together with the payments made by the municipality or local board on his behalf, with interest.

(2) Where a person dies after his annuity payments commence, his beneficiary named under the plan or, if none is named, his estate is entitled to payment of the amount or amounts required by the terms of the plan to be payable. R.R.O. 1960, Reg. 451, s.11.

12. Where a pension plan provides that an employee may remain in the service of the municipality or local board after attaining normal retirement age, the pension plan shall provide that,

(*a*) the employee's service shall be for a period of one year renewable by the municipality or local board for further periods of one year each;

(*b*) the pension shall not commence until his actual retirement; and

(*c*) the employee may elect that his payments and the contributing payments by the municipality or local board shall cease, or that his payments and the contributing payments shall continue to be made until his service terminates or until the amount at the credit of the employee will provide an annual pension not in excess of 60 per cent of his average annual salary for the preceding three years of his service. R.R.O. 1960, Reg. 451, s. 12.

VESTING

13. Except as provided in subsection 5 of section 250 of the Act, no pension plan shall provide for assignment, transfer or commutation of any benefits under the plan. O. Reg. 27/65, s. 1.

14. Subject to sections 9 and 13, all payments of the municipality or local board and an employee, together with interest on the sum of both, vest in the employee when paid or earned. R.R.O. 1960, Reg. 451, s. 14.

AGREEMENT WITH A TRUSTEE

15. Where a pension plan is provided by agreement with a trustee, the agreement shall provide,

(*a*) that the trustee may be removed from office on being given sixty days written notice with or without cause by action of the municipality or local board that appointed him, which action shall be evidenced by a by-law of the municipality or a resolution of the local board, certified to the trustee over the signature of the clerk of the municipality under the Corporate Seal or over the signature of the secretary of the local board and delivered to the trustee;

(*b*) that the trustee may resign at any time by giving sixty days written notice of his resignation to the clerk of the municipality or the secretary of the local board; and

(*c*) that the class of securities in which the trustee may invest the trust money shall not include bonds, debentures or other evidence of indebtedness issued or guaranteed by the municipality or local board that appointed him, except when invested in pooled or commingled trust funds. R.R.O. 1960, Reg. 451, s. 15.

REGULATION 618

under The Niagara Escarpment Protection Act

APPLICATION OF ACT—PERMITS

1. The following lands are designated as lands to which the Act applies:

1. In the geographic Township of Chinguacousy, being,
   - (*a*) lots 22 to 34, both inclusive, in Concession VI, West;
   - (*b*) lots 24 to 34, both inclusive, in Concession V, West;
   - (*c*) lots 25 to 34, both inclusive, in Concession IV, West;
   - (*d*) lots 25 to 34, both inclusive, in Concession III, West;
   - (*e*) lots 28 to 34, both inclusive, in Concession II, West;
   - (*f*) lots 31 to 34, both inclusive, in Concession I, West; and
   - (*g*) Lot 34 in Concession I, East.

2. In the geographic Township of Mono, being,
   - (*a*) lots 1 to 14, both inclusive, in Concession III, West;
   - (*b*) lots 30 to 32, both inclusive, in Concession III, West;
   - (*c*) lots 1 to 16, both inclusive, in Concession II, West;
   - (*d*) lots 28 to 32, both inclusive, in Concession II, West;
   - (*e*) lots 1 to 32, both inclusive, in Concession 1, West;
   - (*f*) lots 1 to 32, both inclusive, in Concession I, East;
   - (*g*) lots 1 to 32, both inclusive, in Concession II, East;
   - (*h*) lots 1 to 32, both inclusive, in Concession III, East;
   - (*i*) lots 1 to 32, both inclusive, in Concession IV, East;
   - (*j*) lots 1 to 32, both inclusive, in Concession V, East;
   - (*k*) lots 1 to 28, both inclusive, in Concession VI, East;
   - (*l*) lots 1 to 14, both inclusive, in Concession VII, East; and
   - (*m*) lots 1 to 13, both inclusive, in Concession VIII, East.

3. In the geographic Township of Clinton, being,
   - (*a*) lots 17 to 23, both inclusive, in Broken Front Concession;
   - (*b*) lots 17 to 23, both inclusive, in Concession I;
   - (*c*) all of concessions II, III, IV, V, VI, VII and VIII; and
   - (*d*) lots 1 to 5, both inclusive, in Concession IX.

4. In the geographic Township of Adjala, being,
   - (*a*) lots 1 to 7, both inclusive, in Concession I;
   - (*b*) lots 1 to 3, both inclusive, in Concession II; and
   - (*c*) Lot 1 in Concession III.

5. In the geographic Township of Mulmur, being,
   - (*a*) lots 1 to 32, both inclusive, in Concession III, West;
   - (*b*) lots 1 to 32, both inclusive, in Concession II, West;
   - (*c*) lots I to 32, both inclusive, in Concession I, West;
   - (*d*) lots 1 to 32, both inclusive, in Concession I, East;
   - (*e*) lots 1 to 32, both inclusive, in Concession II, East;

(*f*) lots 1 to 17, both inclusive, in Concession III, East;

(*g*) lots 21 to 32, both inclusive, in Concession III, East;

(*h*) lots 1 to 15, both inclusive, in Concession IV, East;

(*i*) lots 21 to 32, both inclusive, in Concession IV, East;

(*j*) lots 1 to 4, both inclusive, in Concession V, East;

(*k*) lots 22 to 32, both inclusive, in Concession V, East; and

(*l*) lots 25 to 32, both inclusive, in Concession VI, East.

6. In the geographic Township of Nottawasaga, being,

(*a*) lots 1 to 7, both inclusive, in Concession III;

(*b*) lots 1 to 9, both inclusive, in Concession IV;

(*c*) lots 1 to 10, both inclusive, in Concession V;

(*d*) lots 1 to 11, both inclusive, in Concession VI;

(*e*) lots 1 to 22, both inclusive, in Concession VII;

(*f*) lots 1 to 26, both inclusive, in Concession VIII;

(*g*) lots 1 to 31, both inclusive, in Concession IX;

(*h*) lots 1 to 33, both inclusive, in Concession X;

(*i*) lots 1 to 41, both inclusive, in Concession XI; and

(*j*) lots 1 to 48, both inclusive, in Concession XII.

7. In the geographic Township of Osprey, being,

(*a*) lots 71 to 80, both inclusive, in Concession III, South of Durham Road;

(*b*) lots 73 to 80, both inclusive, in Concession II, South of Durham Road;

(*c*) lots 73 to 80, both inclusive, in Concession I, South of Durham Road;

(*d*) lots 73 to 80, both inclusive, in Concession I, North of Durham Road;

(*e*) lots 73 to 80, both inclusive, in Concession II, North of Durham Road;

(*f*) lots 73 to 80, both inclusive, in Concession III, North of Durham Road;

(*g*) lots 1 to 28, both inclusive, in Concession A;

(*h*) Lot 37 in Concession IV;

(*i*) Lot 37 in Concession V;

(*j*) lots 36 and 37, in Concession VI;

(*k*) lots 36 and 37, in Concession VII;

(*l*) lots 36 and 37, in Concession VIII;

(*m*) lots 30 to 37, both inclusive, in Concession IX;

(*n*) lots 26 to 37, both inclusive, in Concession X;

(*o*) lots 24 to 37, both inclusive, in Concession XI;

(*p*) lots 1 to 11, both inclusive, in Concession XII;

(*q*) lots 23 to 37, both inclusive, in Concession XII;

(*r*) lots 1 to 13, both inclusive, in Concession XIII;

(*s*) lots 22 to 37, both inclusive, in Concession XIII;

(*t*) lots 1 to 14, both inclusive, in Concession XIV; and

(*u*) lots 22 to 37, both inclusive, in Concession XIV.

8. In the geographic Township of Collingwood, being,

(*a*) lots 1 to 21, both inclusive, in Concession I;

(*b*) lots 1 to 22, both inclusive, in Concession II;

(*c*) lots 1 to 24, both inclusive, in Concession III;

(*d*) lots 1 to 25, both inclusive, in Concession IV;

(*e*) lots 1 to 26, both inclusive, in Concession V;

(*f*) lots 1 to 27, both inclusive, in Concession VI;

(*g*) lots 4 to 29, both inclusive, in Concession VII;

(*h*) lots 1 to 29, both inclusive, in Concession VIII;

(*i*) lots 1 to 27, both inclusive, in Concession IX;

(*j*) lots 1 to 21, both inclusive, in Concession X;

(*k*) lots 1 to 17, both inclusive, in Concession XI;

(*l*) lots 1 to 16, both inclusive, in Concession XII; and

(*m*) lots 21 to 33, both inclusive, in Concession XII.

9. In the geographic Township of Euphrasia, being,

(*a*) lots 1 to 30, both inclusive, in Concession I;

(*b*) lots 1 to 30, both inclusive, in Concession II;

(*c*) lots 1 to 30, both inclusive, in Concession III;

(*d*) lots 1 to 30, both inclusive, in Concession IV;

(*e*) lots 1 to 30, both inclusive, in Concession V;

(*f*) lots 1 to 30, both inclusive, in Concession VI;

(*g*) lots 1 to 21, both inclusive, in Concession VII;

(*h*) lots 25 to 30, both inclusive, in Concession VII;

(*i*) lots 1 to 16, both inclusive, in Concession VIII;

(*j*) lots 25 to 30, both inclusive, in Concession VIII;

(*k*) lots 25 to 30, both inclusive, in Concession IX;

(*l*) lots 25 to 30, both inclusive, in Concession X;

(*m*) lots 25 to 30, both inclusive, in Concession XI; and

(*n*) lots 25 to 30, both inclusive, in Concession XIII.

10. In the geographic Township of Artemesia, being,

(*a*) lots 28 to 30, both inclusive, in Concession V;

(*b*) lots 25 to 31, both inclusive, in Concession VI;

(*c*) lots 24 to 32, both inclusive, in Concession VII;

(*d*) lots 21 to 32, both inclusive, in Concession VIII;

(*e*) lots 19 to 33, both inclusive, in Concession IX;

(*f*) lots 17 to 33, both inclusive, in Concession X;

(*g*) lots 15 to 33, both inclusive, in Concession XI;

(*h*) lots 14 to 33, both inclusive, in Concession XII;

(*i*) lots 39 and 40, in Concession XII;

(*j*) lots 15 to 33, both inclusive, in Concession XIII;

(*k*) lots 37 to 40, both inclusive, in Concession XIII;

(*l*) lots 15 to 40, both inclusive, in Concession XIV;

(*m*) lots 117 to 162, both inclusive, in Concession III, North-East of the Toronto-Sydenham Road;

(*n*) lots 125 to 161, both inclusive, in Concession II, North-East of the Toronto-Sydenham Road;

(*o*) lots 130 to 159, both inclusive, in Concession I, North-East of the Toronto-Sydenham Road; and

(*p*) lots 135 to 154, both inclusive, in Concession I, South-West of the Toronto-Sydenham Road.

11. In the geographic Township of Niagara, being,

    (*a*) lots 1 to 12, both inclusive, in Broken Front Concession;

    (*b*) lots 1 to 12, both inclusive, in Concession I;

    (*c*) lots 36 to 46, both inclusive, in Concession II;

    (*d*) lots 47 to 58, both inclusive, in Concession III;

    (*e*) lots 81 to 92, both inclusive, in Concession IV;

    (*f*) lots 93 to 105, both inclusive, in Concession V;

    (*g*) lots 126 to 138, both inclusive, in Concession VI;

    (*h*) lots 139 to 151, both inclusive, in Concession VII; and

    (*i*) lots 172 to 184, both inclusive, in Concession VIII.

12. In the geographic Township of Stamford, being,

    (*a*) lots 1 to 119, both inclusive; and

    (*b*) the lots within Cross Concession or Gore adjoining Niagara Township.

13. In the geographic Township of Grantham, being,

    (*a*) lots 11 to 23, both inclusive, in Concession IV;

    (*b*) lots 1 to 23, both inclusive, in Concession V;

    (*c*) lots 1 to 23, both inclusive, in Concession VI;

    (*d*) lots 1 to 23, both inclusive, in Concession VII;

    (*e*) lots 1 to 23, both inclusive, in Concession VIII;

    (*f*) lots 1 to 23, both inclusive, in Concession IX; and

    (*g*) lots 1 to 23, both inclusive, in Concession X.

14. In the geographic Township of Thorold, being,

    (*a*) lots 1 to 88, both inclusive;

    (*b*) lots 101 to 111, both inclusive;

    (*c*) lots 124 to 134, both inclusive;

    (*d*) lots 149 to 163, both inclusive;

    (*e*) Lot 194; and

    (*f*) Gore Lot.

15. In the geographic Township of Pelham, being,

    (*a*) lots 1 to 20, both inclusive, in Concession I;

    (*b*) lots 1 to 17, both inclusive, in Concession II;

    (*c*) lots 1 to 13, both inclusive, in Concession III;

    (*d*) lots 1 to 12, both inclusive, in Concession IV;

    (*e*) lots 1 to 12, both inclusive, in Concession V;

    (*f*) lots 1 to 11, both inclusive, in Concession VI; and

    (*g*) lots 1 to 11, both inclusive, in Concession VII.

16. In the geographic Township of Louth, being,

    (*a*) lots 17 to 23, both inclusive, in Concession I;

    (*b*) lots 1 to 23, both inclusive, in Concession II;

    (*c*) lots 1 to 23, both inclusive, in Concession III;

    (*d*) lots 1 to 23, both inclusive, in Concession IV;

    (*e*) lots 1 to 23, both inclusive, in Concession V;

    (*f*) lots 1 to 23, both inclusive, in Concession VI;

    (*g*) lots 1 to 23, both inclusive, in Concession VII; and

    (*h*) lots 1 to 23, both inclusive, in Concession VIII.

17. All of the lands in the geographic Township of North Grimsby.

18. In the geographic Township of Saltfleet, being,

    (*a*) lots 1 to 34, both inclusive, in Broken Front Concession;

    (*b*) lots 1 to 34, both inclusive, in Concession I;

    (*c*) lots 1 to 34, both inclusive, in Concession II;

    (*d*) lots 1 to 34, both inclusive, in Concession III;

    (*e*) lots 1 to 34, both inclusive, in Concession IV;

    (*f*) lots 1 to 34, both inclusive, in Concession V;

    (*g*) lots 1 to 34, both inclusive, in Concession VI;

    (*h*) lots 16 to 34, both inclusive, in Concession VII; and

    (*i*) lots 23 to 34, both inclusive, in Concession VIII.

19. All of the lands in the geographic Township of Barton.

20. In the geographic Township of Ancaster, being,

    (*a*) lots 30 to 55, both inclusive, in Concession I;

    (*b*) lots 30 to 56, both inclusive, in Concession II; and

    (*c*) lots 34 to 56, both inclusive, in Concession III.

21. In the geographic Township of Beverly, being,

    (*a*) lots 30 to 36, both inclusive, in Concession I; and

    (*b*) lots 32 to 36, both inclusive, in Concession II.

22. In the geographic Township of West Flamborough, being,

    (*a*) lots 1 to 28, both inclusive, in Concession I;

    (*b*) lots 1 to 28, both inclusive, in Concession II;

    (*c*) lots 1 to 25, both inclusive, in Concession III; and

    (*d*) lots 17 to 22, both inclusive, in Concession IV.

23. In the geographic Township of East Flamborough, being,

    (*a*) lots 1 to 13, both inclusive, in Broken Front Concession;

    (*b*) lots 1 to 13, both inclusive, in Concession I;

    (*c*) lots 1 to 13, both inclusive, in Concession II;

    (*d*) lots 1 to 13, both inclusive, in Concession III;

    (*e*) lots 1 to 13, both inclusive, in Concession IV;

    (*f*) lots 1 to 11, both inclusive, in Concession V;

    (*g*) lots 1 to 8, both inclusive, in Concession VI;

    (*h*) lots 1 to 11, both inclusive, in Concession VII;

    (*i*) lots 1 to 11, both inclusive, in Concession VIII;

    (*j*) lots 1 to 11, both inclusive, in Concession IX;

    (*k*) lots 1 to 8, both inclusive, in Concession X; and

    (*l*) lots 1 to 3, both inclusive, in Concession XI.

24. In the geographic Township of Nelson, being,

    (*a*) lots 13 to 18, both inclusive, in Concession II, South of Dundas Street;

    (*b*) lots 9 to 24, both inclusive, in Concession I, South of Dundas Street;

    (*c*) lots 5 to 24, both inclusive, in Concession I, North of Dundas Street;

    (*d*) lots 3 to 24, both inclusive, in Concession II, North of Dundas Street;

    (*e*) lots 1 to 15, both inclusive, in Concession I;

    (*f*) lots 1 to 15, both inclusive, in Concession II;

(*g*) lots 1 to 15, both inclusive, in Concession III;

(*h*) lots 1 to 15, both inclusive, in Concession IV;

(*i*) lots 1 to 15, both inclusive, in Concession V;

(*j*) lots 1 to 15, both inclusive, in Concession VI;

(*k*) lots 1 to 15, both inclusive, in Concession VII; and

(*l*) Captain Joseph Brant's Land.

25. In the geographic Township of Nassagaweya, being,

(*a*) lots 1 to 5, both inclusive, in Concession I;

(*b*) lots 1 to 10, both inclusive, in Concession II;

(*c*) lots 1 to 12, both inclusive, in Concession III;

(*d*) lots 1 to 13, both inclusive, in Concession IV;

(*e*) lots 1 to 13, both inclusive, in Concession V;

(*f*) lots 1 to 13, both inclusive, in Concession VI; and

(*g*) lots 1 to 17, both inclusive, in Concession VII.

26. In the geographic Township of Esquesing, being,

(*a*) lots 1 to 19, both inclusive, in Concession I;

(*b*) lots 1 to 29, both inclusive, in Concession II;

(*c*) lots 1 to 30, both inclusive, in Concession III;

(*d*) lots 6 to 30, both inclusive, in Concession IV;

(*e*) lots 8 to 30, both inclusive, in Concession V;

(*f*) lots 9 to 32, both inclusive, in Concession VI;

(*g*) lots 11 to 32, both inclusive, in Concession VII;

(*h*) lots 15 to 32, both inclusive, in Concession VIII;

(*i*) lots 17 to 32, both inclusive, in Concession IX;

(*j*) lots 19 to 32, both inclusive, in Concession X; and

(*k*) lots 21 to 32, both inclusive, in Concession XI.

27. In the geographic Township of Erin, being,

(*a*) Lot 1 in Concession VII;

(*b*) lots 1 to 4, both inclusive, in Concession VIII;

(*c*) lots 1 to 5, both inclusive, in Concession IX;

(*d*) lots 1 to 5, both inclusive, in Concession X;

(*e*) lots 9 to 17, both inclusive, in Concession X;

(*f*) lots 1 to 5, both inclusive, in Concession XI; and

(*g*) lots 8 to 18, both inclusive, in Concession XI.

28. In the geographic Township of Caledon, being,

(*a*) lots 1 to 24, both inclusive, in Concession VI, West;

(*b*) lots 1 to 27, both inclusive, in Concession V, West;

(*c*) lots 1 to 28, both inclusive, in Concession IV, West;

(*d*) lots 1 to 31, both inclusive, in Concession III, West;

(*e*) lots 1 to 31, both inclusive, in Concession II, West;

(*f*) lots 1 to 31, both inclusive, in Concession I, West;

(*g*) lots 1 to 23, both inclusive, in Concession I, East;

(*h*) lots 26 to 31, both inclusive, in Concession I, East;

(*i*) lots 4 to 19, both inclusive, in Concession II, East;

(*j*) lots 24 to 30, both inclusive, in Concession II, East;

(*k*) lots 4 to 28, both inclusive, in Concession III, East;

(*l*) lots 4 to 27, both inclusive, in Concession IV, East;

(*m*) lots 3 to 26, both inclusive, in Concession V, East; and

(*n*) lots 3 to 24, both inclusive, in Concession VI, East.

29. In the geographic Township of Albion, being,

(*a*) lots 21 to 40, both inclusive, in Concession I;

(*b*) lots 23 to 39, both inclusive, in Concession II;

(*c*) lots 26 to 37, both inclusive, in Concession III; and

(*d*) lots 30 to 36, both inclusive, in Concession IV.

30. In the geographic Township of St. Vincent, being,

(*a*) lots 1 to 4, both inclusive, in Concession I;

(*b*) lots 1 to 6, both inclusive, in Concession II;

(*c*) lots 1 to 8, both inclusive, in Concession III;

(*d*) lots 1 to 8, both inclusive, in Concession IV;

(*e*) lots 1 to 8, both inclusive, in Concession V;

(*f*) lots 1 to 7, both inclusive, in Concession VI;

(*g*) lots 22 to 34, both inclusive, in Concession VI;

(*h*) lots 1 to 9, both inclusive, in Concession VII;

(*i*) lots 20 to 35, both inclusive, in Concession VII;

(*j*) lots 1 to 10, both inclusive, in Concession VIII;

(*k*) lots 17 to 35, both inclusive, in Concession VIII;

(*l*) lots 1 to 10, both inclusive, in Concession IX;

(*m*) lots 12 to 35, both inclusive, in Concession IX;

(*n*) lots 1 to 34, both inclusive, in Concession X;

(*o*) lots 1 to 35, both inclusive, in Concession XI; and

(*p*) lots 1 to 35, both inclusive, in Concession XII.

31. In the geographic Township of Holland, being,

(*a*) lots 1 to 8, both inclusive, in Concession IV;

(*b*) lots 1 to 6, both inclusive, in Concession V;

(*c*) lots 1 to 8, both inclusive, in Concession VI;

(*d*) lots 1 to 10, both inclusive, in Concession VII;

(*e*) lots 1 to 12, both inclusive, in Concession VIII;

(*f*) lots 1 to 12, both inclusive, in Concession IX;

(*g*) lots 1 to 10, both inclusive, in Concession X;

(*h*) lots 1 to 9, both inclusive, in Concession XI;

(*i*) lots 1 to 7, both inclusive, in Concession XII;

(*j*) lots 1 to 30, both inclusive, in Concession IV, East of the Toronto-Sydenham Road; and

(*k*) lots 1 to 30, both inclusive, in Concession III, East of the Toronto-Sydenham Road.

32. In the geographic Township of Sydenham, being all lands in the Township except,

(*a*) lots 1 to 7, both inclusive, in Concession IX;

(*b*) lots 1 to 7, both inclusive, in Concession X;

(*c*) lots 1 to 7, both inclusive, in Concession XI; and

(*d*) lots 1 to 6, both inclusive, in Concession XII.

33. In the geographic Township of Derby, being all lands in the Township except,

(*a*) lots 1 to 5, both inclusive, in Concession I;

(*b*) lots 1 to 5, both inclusive, in Concession II;

(*c*) lots 1 to 5, both inclusive, in Concession III;

(*d*) lots 1 to 6, both inclusive, in Concession IV;

(*e*) lots 1 to 11, both inclusive, in Concession V;

(*f*) lots 1 to 12, both inclusive, in Concession VI;

(*g*) lots 1 to 17, both inclusive, in Concession VII;

(*h*) lots 1 to 17, both inclusive, in Concession VIII;

(*i*) lots 1 to 17, both inclusive, in Concession IX;

(*j*) lots 1 to 16, both inclusive, in Concession X;

(*k*) lots 1 to 16, both inclusive, in Concession XI;

(*l*) lots 1 to 16, both inclusive, in Concession XII; and

(*m*) lots 6 to 20, both inclusive, Indian Lands annexed to Derby by Proclamation of the 3rd day of December, 1853.

34. In the geographic Township of Keppel, being all lands in the Township except,

(*a*) lots 1 to 20, both inclusive, in Concession A;

(*b*) lots 1 to 15, both inclusive, in Concession B;

(*c*) lots 1 to 20, both inclusive, in Concession III;

(*d*) lots 1 to 20, both inclusive, in Concession IV;

(*e*) lots 1 to 17, both inclusive, in Concession V;

(*f*) lots 1 to 16, both inclusive, in Concession VI;

(*g*) lots 1 to 10, both inclusive, in Concession VII;

(*h*) lots 1 to 8, both inclusive, in Concession VIII;

(*i*) lots 1 to 3, both inclusive, in Concession IX;

(*j*) Lot 1 in Concession X;

(*k*) lots 7 to 32, both inclusive, in Concession II, South of Oliphant Road;

(*l*) lots 8 to 34, both inclusive, in Concession I, South of Oliphant Road;

(*m*) lots 11 to 36, both inclusive, in Concession I, North of Oliphant Road;

(*n*) lots 17 to 38, both inclusive, in Concession II, North of Oliphant Road;

(*o*) lots 15 to 18, both inclusive, in Concession XI;

(*p*) lots 15 to 18, both inclusive, in Concession XII;

(*q*) lots 9 to 18, both inclusive, in Concession XIII;

(*r*) lots 6 to 20, both inclusive, in Concession XIV;

(*s*) lots 2 to 20, both inclusive, in Concession XV;

(*t*) lots 1 to 19, both inclusive, in Concession XVI;

(*u*) lots 1 to 19, both inclusive, in Concession XVII;

(*v*) lots 1 to 19, both inclusive, in Concession XVIII;

(*w*) lots 9 to 19, both inclusive, in Concession XIX;

(*x*) lots 11 to 18, both inclusive, in Concession XX; and

(*y*) lots 14 to 18, both inclusive, in Concession XXI.

35. All of the lands in the geographic Township of Sarawak.

36. In the geographic Township of Amabel, being,

(*a*) lots 1 to 3, both inclusive, in Concession XIX;

(*b*) lots 1 to 5, both inclusive, in Concession XX;

(*c*) lots 1 to 7, both inclusive, in Concession XXI;

(*d*) lots 6 to 8, both inclusive, in Concession XXII;

(*e*) lots 6 to 8, both inclusive, in Concession XXIII;

(*f*) Lot A in Concession XXIV;

(*g*) lots 1 to 8, both inclusive, in Concession XXIV;

(*h*) Lot A in Concession XXV; and

(*i*) lots 1 to 8, both inclusive, in Concession XXV.

37. In the geographic Township of Albemarle, being all lands in the Township except,

(*a*) all of concessions VI West, V West, IV West, III West, II West, I West, I East, II East and III East;

(*b*) lots 1 to 29, both inclusive, in Concession IV, East;

(*c*) lots 1 to 27, both inclusive, in Concession V, East;

(*d*) lots 6 to 10, both inclusive, in Concession VI, East;

(*e*) lots 10 to 26, both inclusive, in Concession VII, East;

(*f*) lots 11 to 24, both inclusive, in Concession VIII, East;

(*g*) lots 16 to 23, both inclusive, in Concession X, East; and

(*h*) lots 17 to 21, both inclusive, in Concession XI, East;

38. In the geographic Township of Eastnor, being,

(*a*) lots 28 to 42, both inclusive, in Concession II, East;

(*b*) lots 21 to 42, both inclusive, in Concession III, East;

(*c*) lots 12 to 43, both inclusive, in Concession IV, East;

(*d*) lots 10 to 44, both inclusive, in Concession V, East;

(*e*) lots 1 to 4, both inclusive, in Concession VI, East;

(*f*) lots 9 to 31, both inclusive, in Concession VI, East;

(*g*) lots 39 to 44, both inclusive, in Concession VI, East;

(*h*) lots 1 to 29, both inclusive, in Concession VII, East;

(*i*) lots 42 to 45, both inclusive, in Concession VII, East;

(*j*) lots 1 to 18, both inclusive, in Concession VIII, East;

(*k*) lots 21 to 30, both inclusive, in Concession VIII, East;

(*l*) lots 1 to 16, both inclusive, in Concession IX, East;

(*m*) lots 23 to 31, both inclusive, in Concession IX, East;

(*n*) lots 1 to 15, both inclusive, in Concession X, East;

(*o*) lots 24 to 28, both inclusive, in Concession X, East;

(*p*) lots 3 to 15, both inclusive, in Concession XI, East;

(*q*) lots 5 to 13, both inclusive, in Concession XII, East;

(*r*) lots 6 to 13, both inclusive, in Concession XIII, East; and

(*s*) lots 6 to 12, both inclusive, in Concession XIV, East.

39. In the geographic Township of Lindsay, being,

(*a*) lots 1 and 2, in Concession III, East;

(*b*) lots 1 to 6, both inclusive, in Concession IV, East;

(*c*) lots 1 to 9, both inclusive, in Concession V, East;

(*d*) lots 17 to 34, both inclusive, in Concession V, East;

(*e*) lots 1 to 38, both inclusive, in Concession VI, East;

(*f*) lots 1 to 41, both inclusive, in Concession VII, East;

(*g*) lots 2 to 43, both inclusive, in Concession VIII, East;

(*h*) lots 5 to 21, both inclusive, in Concession IX, East;

(*i*) lots 30 to 47, both inclusive, in Concession IX, East;

(*j*) lots 35 to 48, both inclusive, in Concession X, East;

(*k*) lots 37 to 49, both inclusive, in Concession XI, East;

(*l*) lots 38 to 50, both inclusive, in Concession XII, East;

(*m*) lots 39 to 51, both inclusive, in Concession XIII, East;

(*n*) lots 40 to 51, both inclusive, in Concession XIV, East;

(*o*) lots 40 to 51, both inclusive, in Concession XV, East;

(*p*) lots 41 to 50, both inclusive, in Concession XVI, East; and

(*q*) lots 43 to 47, both inclusive, in Concession XVII, East.

40. In the geographic Township of St. Edmunds, being all lands in the Township except,

(*a*) all of concessions VIII West, VII West, VI West, V West and IV West;

(*b*) lots 1 to 30, both inclusive, in Concession III, West;

(*c*) lots 33 to 50, both inclusive, in Concession III, West;

(*d*) lots 1 to 44, both inclusive, in Concession II, West;

(*e*) lots 1 to 40, both inclusive, in Concession I, West;

(*f*) lots 1 to 32, both inclusive, in Concession I, East;

(*g*) lots 1 to 30, both inclusive, in Concession II, East;

(*h*) lots 1 to 27, both inclusive, in Concession III, East;

(*i*) lots 1 to 21, both inclusive, in Concession IV, East;

(*j*) lots 1 to 14, both inclusive, in Concession V, East;

(*k*) lots 1 to 11, both inclusive, in Concession VI, East;

(*l*) lots 1 to 7, both inclusive, in Concession VII, East;

(*m*) lots 1 to 5, both inclusive, in Concession VIII, East;

(*n*) lots 1 to 3, both inclusive, in Concession IX, East; and

(*o*) Lot 1 in Concession X, East.

O. Reg. 343/70, s. 1; O. Reg. 389/70, ss. 1-27.

2.—(1) A permit to open or operate a mine in the protected zone shall be in Form 1.

(2) A permit in Form 1 remains in force until it is revoked by the Minister. O. Reg. 316/70, s. 2.

Form 1

The Niagara Escarpment Protection Act

PERMIT TO OPEN OR OPERATE A MINE

Under *The Niagara Escarpment Protection Act*, and the regulations, and subject to the limitations thereof,

this permit is issued to ..... to open

or operate a mine on the lands described as .....

.....

for the mining of ..... and is issued subject to the following terms and conditions:

This permit remains in force until revoked by the undersigned or a successor in office.

.....
Minister of Mines and
Northern Affairs

Dated the .... day of ....., 19....

O. Reg. 316/70, Form 1.

REGULATION 619

under The Niagara Parks Act

GENERAL

INTERPRETATION

1. In this Regulation,

(*a*) "officer" means a constable and any employee appointed by the Commission to enforce this Regulation;

(*b*) "sight-seeing vehicle" means a vehicle used for the transportation of persons for compensation and such vehicles are classified as follows:

i. Class 1 — a horse-drawn vehicle designed to carry one to eight passengers.

ii. Class 2 — a motor vehicle designed to carry one to six passengers, hired for one specific sight-seeing trip exclusively for one person or one group of persons.

iii. Class 3 — a motor vehicle designed to carry one to sixteen passengers, operating on a specific sight-seeing trip and available to any passenger paying a set fee for the trip.

iv. Class 4 — a motor vehicle operating on a regular schedule approved by the Commission having a seating capacity for seventeen or more passengers, exclusive of a vehicle that is towed by a power unit.

v. Class 5 — a motor vehicle having a seating capacity for seventeen or more passengers and not operating on a regular schedule.

(*c*) "swimming area" means an area designated by the Commission for swimming and bathing and includes lands and beaches designated as forming part of such area. O. Reg. 486/69, s. 1; O. Reg. 97/70, s. 1.

CONDUCT OF PERSONS USING PARKS

2.—(1) No person shall, within the Parks,

(*a*) remove or damage any plant, shrub or flower;

(*b*) climb, remove or damage any tree or fence;

(*c*) climb, remove or damage any bench, seat, monument or sign;

(*d*) climb, deface or damage any bridge, wall or similar structure;

(*e*) deface or damage any building; or

(*f*) deface or damage any other property of the Commission.

(2) No person shall throw or dump, or cause to be thrown or dumped, any material or litter within the Parks.

(3) No person shall permit a horse, dog or other animal to be at large in the Parks.

(4) No person shall ride a horse, within the Parks, except with the permission of an officer.

(5) No person shall, within the Parks,

(*a*) swim or bathe except in a swimming area;

(*b*) take into or use in a swimming area any life-raft, inner-tube or any other object intended to support a person;

(*c*) take in or use any boat, surf-board, water skis or diving equipment in a swimming area;

(*d*) take into or possess any glass bottle, metal can or container within a swimming area; or

(*e*) take in or permit any cat, dog or other animal to be within a swimming area.

(6) No person shall, within the Parks,

(*a*) possess an air-gun, fire-arm, gas-operated or spring-operated gun, archery equipment or catapult; or

(*b*) fire or discharge any torpedo, rocket or other fire-works,

without the permission of an officer.

(7) Except with the permission and under the supervision of an officer, no person shall build or light a fire within the Parks in places other than in fire-places provided by the Commission, or in portable stoves or barbecues used in picnic or parking areas designated by the Commission.

(8) No person shall go on foot or otherwise upon the grass, lawn or turf in the Parks where a sign of prohibition is posted.

(9) No person shall, within the Parks,

(*a*) use abusive or insulting language;

(*b*) throw stones or other missiles;

(*c*) solicit patronage to or for any person, business, rooming house, restaurant or hotel;

(*d*) beg, solicit or invite subscriptions or contributions;

(*e*) sell or offer for sale any article, thing or service unless authorized in writing by the Commission;

(*f*) loiter anywhere from midnight to sunrise;

(*g*) park a vehicle except in an area designated by the Commission for parking;

(*h*) park a vehicle in a parking area designated by the Commission during hours other than those posted in the designated area;

(*i*) park a vehicle between midnight and 6 a.m. in a place other than a camp-site designated by the Commission;

(*j*) hunt, trap or molest any bird or animal; or

(*k*) damage or destroy any notice posted. O. Reg. 486/69, s. 2.

PICNICS AND GAMES

3.—(1) The Commission may designate the place and time at which picnics may be held in the Parks.

(2) The Commission may designate the place and time of any athletic game or other form of recreation or amusement proposed to be held in the Parks. O. Reg. 486/69, s. 3.

PERMISSIONS

4. Except at a boat launching ramp provided by the Commission, no person shall place or permit to be placed any power-boat, row-boat, sail-boat, canoe, punt, ice-boat, raft, hydroplane or watercraft of any kind upon any portion of the talus or foreshore of the Niagara River that is under the jurisdiction of the Commission. O. Reg. 486/69, s. 4.

5. No person shall make an ascent in a balloon, aeroplane or other kind of aircraft from the Parks, or land thereon from a balloon, parachute, aeroplane or other kind of aircraft, without written permission from the Commission. O. Reg. 486/69, s. 5.

6. No person shall, within the Parks,

(*a*) play any instrument;

(*b*) carry or display any flag or other emblem;

(*c*) in military formation or in a band or procession, parade, march, drill or perform any evolution, movement or ceremony; or

(*d*) perform any other act that congregates or is likely to congregate persons,

without the written permission of the Commission. O. Reg. 486/69, s. 6.

7. No person shall make any excavation in the Parks for any purpose without the written permission of the Commission. O. Reg. 486/69, s. 7.

8. No person shall move, within the Parks, any building, machine or structure that may interfere with the use of roadways, without the written permission of the Commission. O. Reg. 486/69, s. 8.

ADVERTISING PROHIBITED

9. No person shall erect, post up or otherwise display any notice, sign, signboard or other advertising device within three hundred feet,

(*a*) from the westerly boundary of the Parks between the northerly limit of the Town of Fort Erie and the southerly limit of the Village of Chippawa;

(*b*) from the westerly boundary of the Parks between that part of the King's Highway known as No. 8A and the southerly limit of the ordnance lands forming part of the Military Reserve at Niagara-on-the-Lake; and

(*c*) from the easterly boundary of the Parks between that part of the King's Highway known as No. 8A and the easterly production of the division line between lots 9 and 10 in the former Township of Niagara. O. Reg. 486/69, s. 9.

GUIDE LICENCES

10.—(1) No person shall guide visitors through the Parks for compensation without a guide licence from the Commission.

(2) No person shall operate or permit the operation of a sight-seeing vehicle, other than a sight-seeing vehicle, Class 5, unless the operator thereof is the holder of a guide licence issued by the Commission.

(3) A guide licence may be issued upon completion by the applicant in a satisfactory manner of a sight-seeing information examination set by the Commission, and upon filing proof that within the two years immediately preceding his application he has not been convicted of any offence punishable by imprisonment for two years or more and has not previously contravened any of the provisions of any regulation passed under the Act. O. Reg. 486/69, s. 10.

SIGHT-SEEING VEHICLE LICENCES

11.—(1) No person shall operate or permit to be operated within the Parks any sight-seeing vehicle without a sight-seeing vehicle licence from the Commission.

(2) Each sight-seeing vehicle licence, other than for a Class 5 sight-seeing vehicle, expires with the 31st day of December of the year in which it is issued.

(3) No sight-seeing vehicle licence is transferable by the licensee to any other person or to any other sight-seeing vehicle without the written consent of the Commission.

(4) No sight-seeing vehicle licence shall be granted to any person for a sight-seeing vehicle of Class 2, Class 3 or Class 4 until there is filed with the Commission a list of the routes of trips and stops thereon, which shall be subject to the approval of the Commission.

(5) An applicant for a sight-seeing vehicle licence, other than for a Class 5 vehicle, shall, with his application, file with the Commission the tariff of rates and charges to be payable by passengers using the sight-seeing vehicle, which shall be subject to the approval of the Commission.

(6) There shall be clearly displayed in each sight-seeing vehicle for which a licence has been granted, particulars of the licence held from the Commission and a copy of the tariff of rates and charges payable by passengers using the vehicle. O. Reg. 486/69, s. 11.

TRAFFIC RULES

12.—(1) Except as otherwise provided in this Regulation, no person shall,

(*a*) park a vehicle within fifty feet of a bridge, or in a place that prevents or is likely to prevent the convenient movement of other vehicles, or in any prohibited area;

(*b*) park a vehicle for a longer period than two hours in any area in which the Commission has designated by the erection of signs a maximum period of parking of two hours; or

(*c*) park a sight-seeing vehicle in a place other than an area designated by the Commission for the parking of the particular class of sight-seeing vehicle.

(2) Where a vehicle is parked or left in contravention of subsection 1 or clauses *g*, *h* or *i* of subsection 9 of section 2, a constable employed by the Commission or an officer appointed to enforce this Regulation, may cause the vehicle to be moved or taken to or placed or stored in a suitable place.

(3) No person shall operate a motor vehicle at a greater rate of speed than,

(*a*) 25 miles an hour in Queen Victoria Park or Queenston Heights Park; or

(*b*) 40 miles an hour on any other highway, road, boulevard or parkway of the Commission.

(4) No person shall drive a motor vehicle or ride a bicycle within the Parks except on the portions of highways of the Commission provided for vehicular traffic.

(5) No person shall, within the Parks, drive a motorized snow vehicle as defined in *The Motorized Snow Vehicles Act*, except in areas specifically designated for the purpose by the Commission.

(6) Where proper signs have been erected indicating one-way traffic on any highway, no person shall drive a vehicle on the highway except in the direction indicated by the signs.

(7) An officer may direct traffic and in cases of fire, accident, traffic congestion or other emergency may direct it into such channels as are necessary to prevent or relieve congestion.

(8) No person shall operate or drive within the Parks a public commercial vehicle as defined in *The Public Commercial Vehicles Act*.

(9) Subsection 8 does not apply to a public commercial vehicle when making deliveries within the Parks or to an owner or tenant of property abutting the Parks. O. Reg. 486/69, s. 12.

CONTROLLED ACCESS HIGHWAYS

13.—(1) The operator of a vehicle shall bring the vehicle to a full stop immediately before crossing or entering the travelled portion of a highway designated as a controlled access highway under subsection 2.

(2) The parts of the highways of the Commission described in column 2 of the Schedule and known by the names set opposite thereto in column 1 are designated as controlled access highways.

(3) Any highway of the Commission that intersects or enters a controlled access highway shall be marked with signs erected and maintained by the Commission that bear the word "stop".

(4) Any speed limit sign, stop sign or yield right of way sign erected by the Commission shall comply with the regulations under *The Highway Traffic Act* respecting the location, size, design and colour of such signs. O. Reg. 486/69, s. 13.

INSURANCE

14.—(1) No licence for a sight-seeing vehicle shall be issued unless the sight-seeing vehicle is covered by insurance with limits of at least $100,000, exclusive of interest and costs, for loss or damage resulting from bodily injury to, or the death of, one or more persons and for loss or damage to property, regardless of the number of claims resulting from any one accident.

(2) The owner of every sight-seeing vehicle shall deposit with the Commission prior to the issuance of a licence for a sight-seeing vehicle, an original or certified copy of the policy of insurance endorsed by the policy issuer to the effect that any cancellation thereof shall forthwith be communicated to the Commission.

(3) Where an insurance policy deposited with the Commission under this section is cancelled, the licencee shall forthwith surrender his licence to the Commission. O. Reg. 486/69, s. 14.

GENERAL

15. Every sight-seeing vehicle for which a licence has been issued shall have painted on both sides thereof in a clearly visible position the name and address of the owner. O. Reg. 486/69, s. 15.

16. No person shall display any advertising sign or device on the outside of a sight-seeing vehicle without the written approval of the Commission. O. Reg. 486/69, s. 16.

17. No person shall operate a public address system, loud speaker or any device that amplifies sound from or in a sight-seeing vehicle other than a system or device limited to communication to the passengers in the sight-seeing vehicle. O. Reg. 486/69, s. 17.

18. No person shall permit a child of ten years of age or less to be within the Parks unless accompanied by an adult. O. Reg. 486/69, s. 18.

FEES

19. The following fees shall be payable for licences:

i.	Guide Licence	$ 5
ii.	Sight-seeing vehicle Class 1	$ 10
iii.	Sight-seeing vehicle Class 2	$ 25
iv.	Sight-seeing vehicle Class 3	$ 50
v.	Sight-seeing vehicle Class 4	One-fifth of one cent per passenger seat mile.
vi.	Sight-seeing vehicle Class 5	Upon each entry into the Park, $2.

O. Reg. 486/69, s. 19.

20. The fee payable for a licence for a sight-seeing vehicle, other than a Class 4 vehicle, shall be payable with the application therefor and the fees payable for a licence for a sight-seeing vehicle, Class 4 shall be remitted by the holder thereof to the Commission in respect of each month's operation on or before the 15th day of the month next following. O. Reg. 486/69, s. 20.

21. Fees, tolls and admissions for enjoyment of facilities of the Parks may be charged by the Commission as posted or published from time to time. O. Reg. 486/69, s. 21.

PENALTIES

22. The Commission may at any time cancel any licence or permit issued under this Regulation for a breach of the Act or this Regulation or where any false statement has been made in the application for such licence or permit. O. Reg. 486/69, s. 22.

23. Every person who contravenes any provision of this Regulation is guilty of an offence and on summary conviction is liable to a fine of not more than $100. O. Reg. 486/69, s. 23.

Schedule

Item	Column 1	Column 2	
	Name of Highway	Parts of Highways	
		From	To
1	Lake Shore Road	The production of the southerly limit of Lot 6, registered plan 328 Fort Erie	The southerly limit of Garrison Road in Fort Erie
2	Niagara Boulevard	(1) The southerly limit of Garrison Road in Fort Erie	The southerly limit of Queen Street in Fort Erie
		(2) The southerly limit of Bertie Street in Fort Erie	The southwesterly limit of Main Street in Chippawa
		(3) A distance of 250 feet northerly from Mechanic Street in the former Village of Chippawa	The northerly limit of Clifton Hill in Niagara Falls
		(4) The northerly limit of Bender Street in Niagara Falls	The southeasterly limit of Portage Road in Niagara Township at the entrance to Queenston Heights Park
		(5) The intersection of the southwesterly limit of Niagara Boulevard produced with Portage Road at the entrance to Queenston Heights Park	The southerly limit of that portion of the King's Highway known as Highway No. 8A
		(6) The southerly limit of that portion of the King's Highway known as Highway No. 8A	The intersection of the northerly limit of John Street in the Town of Niagara-on-the-Lake
		(7) The northerly limit of John Street in the Town of Niagara-on-the-Lake.	The northwesterly limit of Wellington Street in the Town of Niagara-on-the-Lake.

O. Reg. 486/69, Sched.

REGULATION 620

under The Notaries Act

FEES

1.—(1) The fee for a commission appointing a barrister or solicitor as a notary public for Ontario is $15.

(2) The fee for a commission appointing a person other than a barrister or solicitor as a notary public for Ontario is $40.

(3) The fee for a commission re-appointing a person other than a barrister or solicitor as a notary public for Ontario is $20.

(4) This section does not apply to a commission appointing as a notary public for Ontario a person who is an employee of,

(*a*) the Government of Canada;

(*b*) the Government of Ontario; or

(*c*) a municipality in Ontario where the application for the commission is made upon the request of the head of the municipality. O. Reg. 288/63, s. 1.

2. Every person examined or re-examined under section 2 of the Act shall pay the judge or other person making the examination or re-examination a fee of $5. O. Reg. 288/63, s. 2.

REGULATION 621

under The Nurses Act

UNDER THE NURSES ACT

GENERAL

COUNCIL

1. The council shall hold an election of its elected members upon a date determined by the Council but not more than three years after the previous election, and shall conduct the election. O. Reg. 342/62, s. 1.

2.—(1) Ontario is divided into twelve electoral regions as set out in Schedule 1.

(2) For the purposes of elections, each registered nurse shall be deemed to reside in the place shown on the register as her residence.

(3) The registered nurses residing in each electoral region shall elect one member of the Council for each 5,000 registered nurses, or part thereof, residing in the electoral region. O. Reg. 342/62, s. 2.

3.—(1) Ten registered nurses residing in the same electoral region may nominate a registered nurse who resides in the electoral region as a candidate for election as a member from the region, and the nomination shall be in writing and submitted to the Council at least ninety days before the date set for the election.

(2) Any person nominated under subsection 1 is a candidate for election if she submits to the Council a written consent to her candidacy at least sixty days before the date set for the election. O. Reg. 342/62, s. 3 (2, 3).

(3) If the registered nurses residing in an electoral region have not nominated a representative or representatives to which the electoral region is entitled under subsection 3 of section 2, who has or have consented in writing to candidacy, the new Council may appoint a representative or representatives residing in the electoral region, with her or their written consent, to fill the vacancy or vacancies until the next election of Council. O. Reg. 465/69, s. 1.

4.—(1) The voting shall be by secret ballot which shall contain the name of each candidate in the electoral region.

(2) Each registered nurse is eligible to cast one vote each for the number of candidates to be elected from her electoral region. O. Reg. 342/62, s. 4.

5. Where an elected member of the Council,

(*a*) ceases to reside in the electoral region that elected her;

(*b*) resigns; or

(*c*) dies or becomes otherwise without capacity,

the Council may appoint a registered nurse residing in the same electoral region to fill the vacancy until the next election. O. Reg. 342/62, s. 5.

6.—(1) The Registered Nurses Association of Ontario shall appoint four members of the Council each of whom shall hold office until the election following her appointment or until a successor is appointed, whichever occurs first.

(2) The Association of Certified Nursing Assistants of Ontario shall appoint one member of the Council who shall hold office until the election following her appointment or until her successor is appointed, whichever occurs first. O. Reg. 342/62, s. 6.

7.—(1) A majority of the members of the Council constitutes a quorum. O. Reg. 342/62, s. 7.

(2) Subject to subsection 4, all decisions of the Council shall be by a majority of the members present at a duly convened meeting or, where a mail ballot is taken, by a majority of the members. O. Reg. 211/63, s. 1, O. Reg. 125/69, s. 1 (1).

(3) The Council shall elect from its members a president and a vice-president who shall hold office until the next election of the Council. O. Reg. 211/63, s. 1.

(4) The president may be removed from office by a two-thirds vote of the Council and the Council may elect a new president from its members to hold office until the next election of the Council. O. Reg. 125/69, s. 1 (2).

(5) In the event the president resigns, dies or otherwise ceases to act, the Council may elect a new president from its members to hold office until the next election of the Council. O. Reg. 125/69, s. 1 (2).

EXAMINATIONS

8.—(1) The Council shall conduct or cause to be conducted examinations for registration as a nurse and for registration as a nursing assistant at least once a year at such times and places as the Council deems necessary.

(2) Where an applicant for registration as a nurse or as a nursing assistant does not pass one or more of the examinations, she may re-write such additional examinations and under such conditions as the Council directs. O. Reg. 342/62, s. 8.

9.—(1) Every applicant for registration by examination as a nurse or as a nursing assistant shall file an application with the Council at least ninety days before the time set for examination and shall submit,

(*a*) subject to subsections 2 and 3, a certificate of qualification from the director of a school of nursing or a training centre; and

(*b*) the examination fee prescribed,

(i) by subsection 1 of section 17 in the case of an applicant for registration as a nurse, or

(ii) by subsection 1 of section 18 in the case of an applicant for registration as a nursing assistant. O. Reg. 342/62, s. 9 (1); O. Reg. 125/69, s. 2 (1).

(2) Any person may write the examinations for registration as a nursing assistant who,

(*a*) has successfully completed the program in a training centre prior to the date fixed for the examination; or

(*b*) has had a course of clinical and theoretical training and experience in nursing equivalent to the courses of training referred to in clause *a* as determined by the Council. O. Reg. 342/62, s. 9 (2); O. Reg. 285/70, s. 1.

(3) Any person may write the examinations for registration as a nurse,

(*a*) who has successfully completed a program in nursing outside Ontario approved by the Council; and

(*b*) who,

(i) is eligible for admission to the registration examinations in the original jurisdiction without further preparation,

(ii) is unable to register in the original jurisdiction because of citizenship or because of other restrictions peculiar to the jurisdiction, or

(iii) is unable to register in the original jurisdiction because there is no registration in the jurisdiction. O. Reg. 125/69, s. 2 (2).

REGISTRATION

10. The Council shall register as a nurse any person who,

(*a*) has successfully completed the course of instruction at a school of nursing in Ontario;

(*b*) has passed the examinations for nurses held under section 8; and

(*c*) pays the registration fee prescribed in subsection 3 of section 17. O. Reg. 342/62, s. 10; O. Reg. 280/67, s. 1.

11.—(1) The Council shall register as a nurse any person,

(*a*) who has successfully completed a programme in nursing outside Ontario approved by the Council;

(*b*) who,

(i) is registered or entitled to renewal of registration outside Ontario under regulations similar to this Regulation,

(ii) has registered outside Canada under regulations similar to this Regulation but whose registration has been cancelled because of being a Canadian citizen, or

(iii) is unable to register in the place of graduation because of citizenship, because of other restrictions peculiar to the jurisdiction or because there is no registration in the jurisdiction within which the nursing program was completed;

(*c*) who is fluent in either English or French;

(*d*) who pays the registration fee prescribed by subsection 4 of section 17, and

(*e*) if required by the Council, passes the examination for nurses held under section 8. O. Reg. 342/62, s. 11 (1); O. Reg. 125/69, s. 3.

(2) The Council may accept in lieu of the requirements in clause *a* of subsection 1 such qualifications as it deems equivalent thereto. O. Reg. 342/62, s. 11 (2).

12. The Council shall register as a nursing assistant any person,

(*a*) who,

(i) has passed the examinations for nursing assistants held under section 8,

(ii) has completed the Ontario demonstration course of instruction for practical nurses conducted by the Registered Nurses Association of Ontario at the cities of Hamilton, London and Toronto during the years of 1941 to 1944, both inclusive, or

(iii) is a discharged member of Her Majesty's Forces and has completed the course for practical nurses under Canadian Vocational Training in Ontario; and

(*b*) who pays the registration fee prescribed in subsection 3 of section 18. O. Reg. 342/62, s. 12.

13. The Council shall register as a nursing assistant any person who,

(*a*) has successfully completed a course for nursing assistants outside Ontario approved by the Council;

(*b*) has been,

(i) registered as a nursing assistant outside Ontario under requirements satisfactory to the Council; or

(ii) registered as a nurse outside Ontario but is unable to be registered in Ontario because of lack of qualifications; and

(*c*) pays the registration fee prescribed in subsection 3 of section 18. O. Reg. 342/62, s. 13; O. Reg. 280/67, s. 3.

14. The Council shall issue a certificate to every nurse and to every nursing assistant who is registered. O. Reg. 342/62, s. 15.

15.—(1) Every registration expires with the 31st day of December next following the date of registration unless it is renewed in accordance with subsection 2.

(2) A registration may be renewed by paying the prescribed renewal fee before the registration expires.

(3) Upon each renewal of registration the Council shall issue a certificate of the renewal. O. Reg. 342/62, s. 16.

16. Any person who fails to renew a registration shall be reinstated upon payment of the reinstatement fee prescribed in subsection 6 of section 17 in the case of a registered nurse or the reinstatement fee prescribed in subsection 5 of section 18 in the case of a registered nursing assistant. O. Reg. 342/62, s. 17.

FEES

17.—(1) The examination fee for an applicant for registration as a nurse is $7 for each examination paper to be written by the applicant. O. Reg. 280/67, s. 4 (2), *amended*.

(2) The examination fee referred to in subsection 1 shall not be refunded unless,

(*a*) not later than six weeks before the date set for the examination; or

(*b*) within such time as the Council in its discretion decides,

the Council receives from the applicant written notice that the examination will not be written. O. Reg. 280/67, s. 4 (2), *amended*.

(3) The fee for a registration made under section 10 is,

(*a*) where the registration is made within one year of the date of the examinations, $10.00; and

(*b*) where the registration is made one year or more after the date of the examinations, $15.00. O. Reg. 342/62, s. 18 (2).

(4) The fee for a registration made under section 11 is $10. O. Reg. 280/67, s. 4 (4), *amended*.

(5) The fee for renewal of a registration as a nurse is $5.00. O. Reg. 342/62, s. 18 (4).

(6) The reinstatement fee for a registered nurse is $10.00. O. Reg. 342/62, s. 18 (5).

(7) The fee for evaluation of the documents of an applicant for registration as a nurse under section 11 is $15 and the fee is not refundable. O. Reg. 280/67, s. 4 (4), *amended*.

18.—(1) The examination fee for an applicant for registration as a nursing assistant is $7. O. Reg. 280/67, s. 5 (2).

(2) The examination fee referred to in subsection 1 shall not be refunded unless,

(*a*) not later than six weeks before the date set for the examination; or

(*b*) within such time as the Council in its discretion decides,

the Council receives from the applicant written notice that the examination will not be written. O. Reg. 280/67, s. 5 (2), *amended*.

(3) The fee for registration as a nursing assistant under section 12 or 13 is $7. O. Reg. 280/67, s. 5 (3), *amended*.

(4) The fee for renewal of a registration as a nursing assistant is $3. O. Reg. 280/67, s. 5 (3), *amended*.

(5) The reinstatement fee for a nursing assistant is $6. O. Reg. 280/67, s. 5 (3), *amended*.

(6) The fee for evaluation of the documents of an applicant for registration as a nursing assistant under section 13 is $15 and the fee is not refundable. O. Reg. 280/67, s. 5 (4), *amended*.

DISCIPLINE

19.—(1) The Council shall appoint eight of its members to comprise a committee to exercise the disciplinary powers of the Council prescribed by subsections 2 and 3, one of whom shall be a registered nursing assistant. O. Reg. 465/69, s. 3.

(2) The committee may, after a hearing, suspend or cancel a registration of a registered nurse or a registered nursing assistant when it has been shown to the satisfaction of the committee that the person registered,

(*a*) has procured registration by misrepresentation or fraud;

(*b*) has been guilty of malpractice;

(*c*) has been convicted of any offence for conduct which demonstrates that it is not in the public interest for her to continue to practise as a registered nurse or a registered nursing assistant;

(*d*) is incapable of practising as a registered nurse or a registered nursing assistant because of,

(i) mental or physical illness, or

(ii) the use of alcohol or drugs; or

(*e*) has demonstrated by one or more negligent acts or omissions that she is incompetent to practise as a registered nurse or a registered nursing assistant. O. Reg. 342/62, s. 20 (2).

(3) The committee may, after a hearing, refuse to make or renew a registration for any reason that the registration or renewal, if granted, could be suspended or cancelled. O. Reg. 342/62, s. 20 (3); O. Reg. 208/64, s. 2 (2).

(4) Five members of the committee constitute a quorum. O. Reg. 208/64, s. 2 (3).

20.—(1) In this section, "Committee" means the Educational Advisory Committee.

(2) The Council shall appoint the members of the Committee which shall be composed of,

(*a*) two members of Council;

(*b*) two members nominated by the Registered Nurses' Association of Ontario;

(*c*) one member nominated by the Hospital Services Commission of Ontario;

(*d*) two members nominated by the Ontario Hospital Association;

(*e*) one member nominated by the Department of Education;

(*f*) one member to represent University undergraduate medical teaching; and

(*g*) one member to represent schools of nursing.

(3) The members of the Committee shall be appointed for a term of two years.

(4) The Committee shall elect from among its members a chairman and a secretary.

(5) The Council shall refer to the Committee any matters pertaining to schools of nursing and training centres.

(6) Subject to subsection 7, the Committee shall meet at such times as the chairman determines.

(7) Where the chairman is so requested in writing by three members of the Committee, he shall call a meeting of the Committee.

(8) The secretary shall record the minutes of each meeting and shall include in the minutes any dissenting opinion or recommendation of any member of the Committee.

(9) The secretary shall send one copy of the minutes of each meeting to each of the Minister and the Council. O. Reg. 132/63, s. 1.

21. A member of the Council, including the provisional council, shall be paid,

(*a*) $25 for each day on which she attends a meeting of the Council or is engaged in the business of the Council; and

(*b*) travelling and maintenance expenses necessarily incurred while attending meetings or while engaged in the business of the Council. O. Reg. 211/63, s. 2.

22. In sections 25 to 27,

(*a*) "board" means the governing body of a school of nursing or a training centre;

(*b*) "director" means the director of a school of nursing or a training centre. O. Reg. 211/63, s. 2.

23. A school of nursing shall not be approved unless,

(*a*) subject to clause *b*, the director is a registered nurse who,

(i) has successfully completed a course in nursing of at least one year at a university acceptable to the Council and has at least five years experience in nursing, or

(ii) has the equivalent of the requirements of subclause i as determined by the Council;

(*b*) the director has,

(i) a university degree from a university acceptable to the Council and at least five years experience in nursing, or

(ii) the equivalent of the requirements of subclause i as determined by the Council;

(*c*) the director,

(i) is present at all meetings of the board when matters pertaining to the school of nursing are under consideration, and

(ii) submits through the board an annual report concerning the school of nursing to the Council and furnishes the Council with such other information as the Council from time to time requires;

(*d*) every instructor of nurses at the school of nursing is a registered nurse who has,

(i) at least two years experience in nursing and has successfully completed a course in nursing of at least one year at a university acceptable to the Council, or

(ii) the equivalent of the requirements of subclause i as determined by the Council;

(*e*) the school of nursing provides,

(i) instruction in each of the subjects in column 1 of Schedule 2 for at least the time set opposite each subject in column 3, and

(ii) experience in the subject in column 1 of Schedule 3 for at least the time set opposite the subject in column 3;

(*f*) the instruction and experience prescribed by clause *e* are provided by the school of nursing over at least a two-year period of which no week contains more than thirty-five hours of instruction and experience, but a school of nursing that provides instruction and experience over a period of more than two years shall not reduce the period without the approval of the Council;

(*g*) every student at the school of nursing is given an annual vacation of not less than four weeks;

(*h*) every student at the school of nursing obtains only such experience in caring for persons as is,

(i) derived from the instruction and experience prescribed in clause *e*, and

(ii) planned, supervised and evaluated by the staff of the school of nursing; and

(*i*) the school of nursing keeps a record of every student at the school. O. Reg. 211/63, s. 2; O. Reg. 465/69, s. 4, *amended*.

24. A training centre shall not be approved unless,

(*a*) the director is a registered nurse;

(*b*) the director,

(i) is present at all meetings of the board when matters pertaining to the training centre are under consideration, and

(ii) submits through the board an annual report concerning the training centre to the Council and furnishes the Council with such other information as the Council requires from time to time;

(*c*) the training centre provides,

(i) instruction in each of the subjects in column 1 of Schedule 4 for at least the time set opposite each subject in column 3, and

(ii) experience in each of the subjects in column 1 of Schedule 5 for at least the time set opposite each subject in column 2;

(*d*) the instruction and experience prescribed by clause *c* are provided by the training centre over a period of thirty-five weeks of which no week contains more than thirty-five hours of instruction and experience;

(*e*) every student at the training centre obtains only such experience in caring for persons as is,

(i) derived from the instruction and experience prescribed in clause *c*, and

(ii) planned, supervised and evaluated by the staff at the training centre; and

(*f*) the training centre keeps a record of every student at the training centre. O. Reg. 211/63, s. 2; O. Reg. 280/67, s. 6; O. Reg. 285/70, s. 2.

25. The approval of a school of nursing or a training centre shall not be cancelled unless,

(*a*) the Council notifies the board in writing of its intention to cancel the approval and gives its reasons therefor;

(*b*) the board is permitted to file with the Council, within thirty days of receipt of a notice referred to in clause *a*, a request to appear before the Council to show cause why the Council should not cancel the approval;

(*c*) the Council, upon receiving a request referred to in clause *b*, gives the board at least thirty days notice by registered mail of the time and place for a hearing;

(*d*) a hearing referred to in clause *c* is recorded verbatim;

(*e*) the boards at a hearing referred to in clause *c* is permitted to hear the evidence, to cross-examine thereon, to call witnesses in its behalf, to present its argument and to be represented by counsel or by agent; and

(*f*) the Council, within thirty days of the hearing, notifies the board by registered mail of its decision, giving its reasons therefor. O. Reg. 211/63, s. 2.

ADMISSION TO SCHOOLS OF NURSING

26. An applicant for admission to a school of nursing shall,

(*a*) hold the minimum educational requirement in section 27 or 28; and

(*b*) submit to the director of the school of nursing his or her birth certificate. O. Reg. 211/63, s. 2; O. Reg. 285/70, s. 2.

27.—(1) Subject to subsections 2 and 3, the minimum requirement for admission to a school of nursing shall be,

(*a*) evidence that the requirements for a Secondary School Graduation Diploma have been met, including evidence of successful completion of one full year of study in each of two different credit courses in science; or

(*b*) standing equivalent to that mentioned in clause *a* as determined by the Minister of Education.

(2) The minimum requirement for admission to a school of nursing for an applicant who has reached his or her twenty-first birthday shall be,

(*a*) evidence that the requirements for a Secondary School Graduation Diploma have been met; or

(*b*) standing equivalent to that mentioned in clause *a* as determined by the Minister of Education.

(3) For an applicant to a school of nursing who holds a degree from a university acceptable to the Council, the science courses mentioned in subsection 1 shall not be required. O. Reg. 285/70, s. 3.

28. An applicant for admission to a training centres hall,

(*a*) hold the minimum educational requirement mentioned in section 29; and

(*b*) submit to the director of the training centre his or her birth certificate. O. Reg. 285/70, s. 3.

29.—(1) Subject to subsection 2, the minimum requirement for admission to a training centre shall be,

(*a*) evidence of successful completion of Grade 10; or

(*b*) standing equivalent to that mentioned in clause *a* as determined by the Minister of Education.

(2) The minimum requirement for admission to a training centre for an applicant who has reached his or her twenty-fifth birthday shall be,

(*a*) evidence of successful completion of Grade 8; or

(*b*) standing equivalent to that mentioned in clause *a* as determined by the Minister of Education. O. Reg. 285/70, s. 3.

INSPECTION

30.—(1) The Council shall appoint inspectors of schools of nursing and training centres.

(2) An inspector shall,

(*a*) be a registered nurse;

(*b*) hold a minimum qualification of a baccalaureate degree; and

(*c*) have experience in nursing.

(3) Every school of nursing and every training centre shall be subject to inspection at the direction of the Council.

(4) An inspector shall submit a report of her inspection to the Council and to the school of nursing or training centre. O. Reg. 211/63, s. 2.

Schedule 1

ELECTORAL REGIONS

The areas of the electoral regions shall be:

Region 1: Counties of Essex, Kent, Elgin, Lambton and Middlesex;

Region 2: Counties of Huron, Perth, Oxford, Brant and Norfolk;

Region 3: Counties of Bruce, Grey, Dufferin, Wellington and Waterloo;

Region 4: Counties of Haldimand, Wentworth and Halton and The Regional Municipality of Niagara;

Region 5: Counties of Peel, Ontario, The Regional Municipality of York and The Municipality of Metropolitan Toronto;

Region 6: Counties of Victoria, Peterborough, Durham, Northumberland, Prince Edward, Hastings and Haliburton;

Region 7: Counties of Frontenac, Leeds, Grenville, Lanark, Lennox and Addington;

Region 8: Counties of Russell, Prescott, Glengarry, Stormont, Dundas and Renfrew and The Regional Municipality of Ottawa-Carleton;

Region 9: Manitoulin Island, and the Districts of Algoma, Sudbury, Nipissing, and of Parry Sound north of the southern border of Georgian Bay Provincial Forest and the road through Dunchurch and Sundridge;

Region 10: Districts of Kenora, Rainy River, Thunder Bay and Patricia;

Region 11: Simcoe County and the Districts of Muskoka and of Parry Sound south of the southern border of Georgian Bay Provincial Forest and the road through Dunchurch and Sundridge;

Region 12: Districts of Timiskaming and Cochrane. O. Reg. 342/62, Sched. 1, *amended*.

Schedule 2

Item	Column 1	Column 2	Column 3
	Subject	Description	Time in hours
1	The nurse as a member of the profession	Professional development and trends. Relationship with allied groups.	50
2	The individual—his growth and development as a member of society	Ability to adapt to changes in his external and internal environment. Fundamental requirements and how they are utilized to maintain health throughout life. Relationship with people in the family and the community.	300
3	The nurse's role in promoting, maintaining and restoring the health of an individual	Analysis of nurse-patient relationships. Meeting needs of children in, (*a*) Health; (*b*) Illness. Meeting needs of adults in, (*a*) Health, including maternal health; (*b*) Illness. Applying preventive therapeutic and rehabilitative measures in co-operation with other health workers.	400

O. Reg. 211/63, s. 3.

Schedule 3

Item	Column 1	Column 2	Column 3
	Subject	Description	Time in hours
1	Nursing	Meeting needs of children in health and illness Meeting needs of adults in health including maternal health and illness	1200

O. Reg. 465/69, s. 7.

Schedule 4

Item	Column 1 Subject	Column 2 Description	Column 3 Time in hours
1	The Individual	In Health Basic human needs Body function, physical growth and emotional development throughout life, including the maternity cycle. In Illness The effect of illness on the needs of the individual including physical and emotional aspects.	80 50
2	The Family and the Community	In relation to the Individual in Health Stages of family development The influence of the family and the community on the maintenance of health and the prevention of illness. In relation to the Individual in Illness The contribution of the family and the community in relation to the individual who is ill. This would include the resources available to promote a suitable physical and social environment.	30 15
3	Elementary Nursing	Nursing as a service to the community. The development of nursing. Role of the registered nursing assistant as a member of the health team. Knowledge basic to the development of the following general skills and abilities: Collecting information concerning the patient, through observation and communication. Reporting information to the registered nurse. Recording information. Recognizing one's limitations in giving nursing care. Organizing assigned activities. Participating in group work with other personnel. Adjusting the social and physical aspects of the environment to promote safety and comfort. Knowledge basic to the development of the following specific skills and abilities: Bathing the patient (including the infant). Care of skin, nails, mouth and teeth. Assisting the patient to dress. Bedmaking. Care of equipment. Body mechanics—positioning, turning, lifting. Assisting individuals in meeting nutritional needs.	125

Item	Column 1	Column 2	Column 3
	Subject	Description	Time in hours
		Measuring and recording food and fluid intake. Giving bedpan and urinal. Urine—collecting, measuring, testing (sugar and actone). Simple measures to encourage voiding. Collecting stool specimens. Enemata. Inserting a rectal tube. Care of the incontinent patient. Colostomy dressing. Sitz baths, tepid sponge baths, special medicated baths. Application of linseed poultice, hot water bottle, unsterile compresses, heat cradle, heat lamps, ice bag. Precautions when oxygen is in use. Temperature, pulse, respiration. Postural drainage. Collection of sputum. Passive exercises. Weighing patients. Simple first aid measures including artificial respiration. Assisting patients in the use of crutches, wheel-chairs, walkers. Assisting with care after death. Prevention and care of decubiti. The techniques of preparing and giving of medications in situations in which judgment is not required, using the following routes: Oral Hypodermic Rectal Topical (nose, throat, skin) but not including calculation of dosage or giving narcotics.	

O. Reg. 280/67, s. 8.

Schedule 5

CLINICAL PRACTICE

Item	Column 1	Column 2
	Subject	Time in hours
1	Children and young adults up to 25 years.	100
2	Adults 25 years to 65 years.	200
3	Adults over 65 years.	100
	Total not less than	600

O. Reg. 280/67, s. 8.

REGULATION 622

under The Nursing Homes Act

GENERAL

INTERPRETATION

1. In this Regulation,

(*a*) "administrator" means a person in charge of a nursing home;

(*b*) "dentist" means a person who holds a licence to practise dentistry under *The Dentistry Act*;

(*c*) "infirm person" means a person who,

(i) has impairment of bodily function by reason of inherent causes or induced by disease or injury, and

(ii) requires nursing care and supervision for his well-being;

(*d*) "medical officer of health" means a medical officer of health as defined in *The Public Health Act*;

(*e*) "nursing care" means the personal care of an infirm person by or under the supervision of a registered nurse or registered nursing assistant upon the direction of a physician;

(*f*) "physician" means a legally qualified medical practitioner;

(*g*) "registered nurse" means a person who is registered as a nurse under *The Nurses Act*;

(*h*) "registered nursing assistant" means a person who is registered as a nursing assistant under *The Nurses Act*. O. Reg. 37/67, s. 1.

PLANS AND SPECIFICATIONS

2. No person shall construct, alter or renovate a nursing home unless he has submitted the plans and specifications therefor to the Department for approval. O. Reg. 37/67, s. 2.

LICENCES

3.—(1) A licence to establish or maintain and operate a nursing home shall be in Form 1.

(2) An application for a licence in Form 1 or a renewal thereof shall be in Form 2. O. Reg. 37/67, s. 3 (1, 2).

(3) A licence in Form 1 or a renewal thereof expires one year after the date on which it is issued. O. Reg. 44/68, s. 1 (1).

(4) The fee for a licence in Form 1 or a renewal thereof is $10.

(5) An application in Form 2 shall be accompanied by a certificate of the medical officer of health certifying that he has inspected the nursing home or caused it to be inspected within three months of the date of the application and in his opinion it complies with this Regulation and is suitable for use as a nursing home. O. Reg. 37/67, s. 3 (4, 5).

(6) An application in Form 2, other than for a renewal of a licence, shall be accompanied by a certificate from the Inspection Department of The Hydro Electric Power Commission of Ontario certifying that all electrical installations and wiring in the nursing home conform to the Ontario Electrical Code. O. Reg. 37/67, s. 3 (6); O. Reg. 44/68, s. 1 (2).

(7) The administrator of a licensed nursing home shall post the licence in a conspicuous place in the main hallway of the home. O. Reg. 37/67, s. 3 (7).

ADMINISTRATION

4.—(1) Medical officers of health are designated inspectors for the purpose of the Act and the regulations.

(2) A medical officer of health shall inspect or cause to be inspected every licensed nursing home within his jurisdiction at least once every three months. O. Reg. 37/67, s. 4.

5. No person shall be the administrator of more than one nursing home. O. Reg. 37/67, s. 5.

6.—(1) Every person employed in a nursing home shall be physically and mentally fit to perform his duties.

(2) The medical officer of health may require that any person employed in a nursing home undergo such examination or test as may be required to show evidence of physical and mental fitness. O. Reg. 37/67, s. 6.

7.—(1) A nursing home shall be so constructed and maintained that,

(*a*) the sleeping accommodation,

(i) provides a minimum of 400 cubic feet of air space and fifty square feet of

floor space for each resident under sixteen years of age,

(ii) provides a minimum of 600 cubic feet of air space and seventy-five square feet of floor space for each resident sixteen years of age and over,

(iii) is furnished with beds at least three feet apart at the head and at the foot and no part of any bed overlaps an unprotected radiator and each resident's bed is sheltered from draughts,

(iv) is not located in a lobby, hallway, closet, bathroom, stairway, basement, attic, kitchen, storage room, boiler room or laundry room, and

(v) has at least one window in each room capable of being opened directly to the outside and the area of the window shall not be less than 10 per cent of the floor area of the room and shall be capable of being opened to the extent of not less than 5 per cent of the floor area, except where other means of ventilation are provided;

(*b*) utility rooms, toilet rooms, bathrooms, kitchen, laundry and furnace rooms are provided with ventilation and adequate methods of disposal of infected wastes;

(*c*) all windows, doors and openings to the outside are screened from the 31st day of May to the 30th day of September and shall be equipped with draught deflectors where necessary;

(*d*) a sitting room or other space suitable for the purpose is provided on each floor used for the accommodation of residents;

(*e*) lighting of not less than 20 foot candles is provided and residents are provided with individual lighting of acceptable intensity;

(*f*) a call system is provided from each bed and in other areas where required; and

(*g*) no toilet room opens directly into any kitchen, pantry, food preparation room or storage room, or is so located that a resident must pass through such areas to enter or leave a toilet room.

(2) Nursing homes or special units within nursing homes established to care for children sixteen years of age and under shall be exclusively for children. O. Reg. 37/67, s. 7.

8.—(1) Every nursing home shall be provided with the toilet facilities prescribed in subsection 2 on each floor where residents are accommodated.

(2) The toilet facilities shall comprise,

(*a*) one washbasin and one flush toilet for every eight residents; and

(*b*) one bathtub or shower with an outside temperature control for every twelve residents.

(3) One urinal is deemed to be equivalent to one flush toilet but urinals shall not exceed 20 per cent of the total flush toilet facilities. O. Reg. 37/67, s. 8.

TEMPERATURE

9. A minimum temperature of 72 degrees Fahrenheit shall be maintained at all times in a nursing home. O. Reg. 37/67, s. 9.

GENERAL SAFETY

10. The administrator shall insure that the nursing home is free from hazards to the safety of the residents, staff and visitors, and is provided with,

(*a*) handrails in corridors, stairwells and ramps;

(*b*) continuous and adequate lighting in all hallways and stairways;

(*c*) at least one grab bar or similar device for each bath tub and each toilet;

(*d*) safety side rails for installation on beds when required;

(*e*) non-skid finishes and coverings on floors and stairways; and

(*f*) protective guards around heaters, hot air vents and other sources of heat. O. Reg. 37/67, s. 10.

FIRE SAFETY

11.—(1) Every floor of a nursing home shall be provided with two well separated means of egress at least thirty-six inches wide and constructed and maintained in accordance with subsection 2.

(2) Every means of egress in a nursing home shall be so constructed and maintained that,

(*a*) the distance of travel to an exit from the door of any room or suite of rooms opening on to a corridor does not exceed 100 feet;

(*b*) no stairway is steeper than 40° to the horizontal;

(*c*) no tread of a winding stairway is less than nine inches wide at its narrowest point;

(*d*) every flight of stairs in a stairwell is provided with continuous handrails on both sides;

(*e*) all exit doors open in the direction of exit travel;

(*f*) no door opens immediately to a flight of stairs but opens to a landing that has a length not less than the width of the door;

(*g*) no exit door is equipped with hardware that permits the door to be locked in a manner that prevents egress;

(*h*) it is provided with illumination as prescribed by this Regulation;

(*i*) it is provided with,

(i) an exterior passageway,

(ii) an exterior ramp,

(iii) an enclosed interior stairway leading directly to the outside, or

(iv) subject to subsection 7 of section 13, an exterior stairway; and

(*j*) it is provided with a door to the outside at ground level.

(3) Where the length of a corridor in a nursing home exceeds seventy-five feet internally illuminated exit signs on independent electrical circuits shall be provided at each exit and each sign shall display the word "EXIT" in letters at least 4½ inches high with strokes at least three-quarters of an inch wide and coloured red on an opaque background.

(4) Where in the opinion of an inspector an exit sign is not visible for an adequate distance, a directional exit sign shall be installed at a location designated by him and shall be similar in design to an exit sign, but shall have a red arrow, at least eight inches long and three-quarters of an inch wide, pointing in the direction of the exit. O. Reg. 37/67, s. 11.

STAIRWAYS

12. In sections 13, 14, 15 and 21,

(*a*) "combustible building" means a building that is not a non-combustible building;

(*b*) "non-combustible building" means a building in which all load-bearing walls, columns, partitions, floors and roofs are constructed of concrete, brick, tile, gypsum or steel or other non-combustible material or a combination of such material. O. Reg. 37/67, s. 12.

13.—(1) In this section and in sections 14 and 15, "fire resistance rating" means the rating assigned to any element or assembly of materials of construction as published by the National Research Council of Canada, the Underwriters' Laboratories of Canada, the Joint Fire Research Organization of the United Kingdom, the Underwriters' Laboratories Inc., or the Factory Mutual Engineering Division.

(2) Every interior stairway forming part of a means of egress in a nursing home shall be enclosed with walls having a fire resistance rating of not less than forty-five minutes in combustible buildings and not less than one hour in non-combustible buildings.

(3) A stairway that does not form part of a means of egress shall be enclosed in such a manner that the enclosure provides not less than a forty-five minute fire separation between floors in non-combustible buildings.

(4) Every door and every door frame in a stairway enclosure shall have a fire resistance rating of not less than forty-five minutes.

(5) Every door to a stairway enclosure shall be self-closing.

(6) No exterior stairway shall serve as a means of egress for residents above the second floor of a nursing home.

(7) Every exterior stairway installed on a nursing home after March 1st, 1967 shall,

(*a*) be constructed in a strong, substantial manner;

(*b*) be securely fastened to the building;

(*c*) have a tread width of not less than forty-four inches; and

(*d*) have a maximum riser height of 7¾ inches and a slope not more than 40° to the horizontal. O. Reg. 37/67, s. 13.

ENCLOSURE OF HAZARDOUS AREAS

14.—(1) Every kitchen, furnace room and boiler room in a nursing home shall be enclosed with material having a fire resistance rating of not less than,

(*a*) 1½ hours in combustible buildings; and

(*b*) two hours in non-combustible buildings.

(2) Every door and every door frame in a kitchen, furnace room and boiler room shall have a fire resistance rating of not less than 1½ hours.

(3) Every boiler room and furnace room shall be supplied with an adequate supply of combustion air from the outside. O. Reg. 37/67, s. 14.

VERTICAL SHAFTS

15. Every dumb waiter shaft, laundry chute, rubbish chute and every other shaft in a nursing home shall be enclosed with material having a fire resistance rating of not less than forty-five minutes in combustible buildings and one hour in non-combustible buildings. O. Reg. 37/67, s. 15.

INTERIOR FINISHES

16.—(1) No wood or vegetable fibreboard shall be used as an interior finish in a nursing home.

(2) All combustible finishes on walls and ceilings in a nursing home shall be treated with a fire retardant surface coating listed by the Underwriters' Laboratories of Canada. O. Reg. 37/67, s. 16.

SEPARATION OF BEDROOMS

17.—(1) Doors of rooms used for sleeping accommodation in a nursing home shall be of solid wood core construction of 1¾ inches thickness or equivalent fire resistance and no such door shall be undercut more than three-eighths of an inch.

(2) No transom or grille shall be installed in or over any door mentioned in subsection 1.

(3) No grille or louvre shall be installed in such manner that a direct opening is provided between any room and a corridor or between rooms mentioned in subsection 1. O. Reg. 37/67, s. 17.

AUTOMATIC FIRE ALARM SYSTEMS

18.—(1) Every nursing home shall be provided with a fire alarm system.

(2) Every fire alarm system in a nursing home shall be a closed circuit electrically supervised system the components of which have been tested and listed by the Underwriters' Laboratories of Canada or the Canadian Standards Association Testing Laboratories.

(3) Fire alarm stations shall be installed on every floor in a nursing home,

(*a*) at every stairwell; and

(*b*) at every exit to the outdoors,

(i) from a corridor or lobby, and

(ii) from a room that has accommodation for more than sixty persons.

(4) Notwithstanding subsection 3, no manual fire alarm is required to be closer than thirty feet to any other manual fire alarm station on the same floor.

(5) Heat actuated detectors shall be installed according to their listing in all areas in a nursing home except corridors and washrooms, and for the purpose of this Regulation, sprinkler heads are deemed to be heat actuated detectors.

(6) Fire alarm sounding devices shall have a sound that is readily distinguishable from the sound produced by any other sounding device used in the nursing home, and shall be installed in locations that enable them to be easily heard throughout the nursing home.

(7) Every fire alarm system in a nursing home shall be provided with two independent sources of power, and where batteries are used as a secondary source of power, the batteries shall be rechargeable batteries that are recharged by means of a trickle charger connected to the hydro electric supply.

(8) Power for the fire alarm system in a nursing home shall be taken directly from the line side of the service after transformation and no power for the system shall be taken from secondary distribution panels or lighting panels.

(9) The fire alarm electrical supply system in a nursing home shall be equipped with separate circuit breakers or fused switches that serve only the fire alarm system.

(10) Every fire alarm panel in a nursing home shall be equipped with a glowing light that ceases to glow when the system is shut off and shall be conspicuously marked to indicate that the system is inactive when the light is not glowing.

(11) Every sprinkler system installed in a nursing home shall be supervised by the fire alarm system. O. Reg. 37/67, s. 18.

FIRE PROTECTION EQUIPMENT

19.—(1) Every nursing home shall be provided with water type fire extinguishers, having a capacity of two Imperial gallons each and installed so that not less than one extinguisher,

(*a*) is provided for each 2500 square feet of floor area or fraction thereof; and

(*b*) is located within 100 feet of travel from any point in the nursing home.

(2) There shall be not less than one fire extinguisher rated at least 8-B, C by the Underwriters' Laboratories of Canada in each,

(*a*) boiler room, or furnace room, except where solid fuel-fired appliances are used;

(*b*) kitchen;

(*c*) maintenance shop;

(*d*) laundry;

(*e*) mechanical room; and

(*f*) electrical room,

in the nursing home.

(3) No vaporizing liquid fire extinguisher shall be installed in a nursing home.

(4) Every kitchen in a nursing home shall be provided with not less than one fire blanket. O. Reg. 37/67, s. 19.

FIRE PREVENTION MAINTENANCE AND SAFETY

20. The administrator of a nursing home shall,

(*a*) establish a procedure to be followed in the event of fire, including the duties of the staff;

(*b*) instruct the staff in the procedure established under clause *a* and post the procedure in conspicuous places in the home;

(*c*) instruct the staff, and so far as possible, the residents, in the method of sounding the fire alarm;

(*d*) ensure that the procedure established under clause *a* is practised at least once a month using the fire alarm to initiate the fire drill;

(*e*) cause the fire alarm system to be inspected and tested at least once a year by qualified fire alarm maintenance personnel;

(*f*) ensure that at least once each year the heating equipment is serviced by qualified personnel and that the chimneys are inspected, and cleaned if necessary;

(*g*) have fire extinguishers visually inspected at least once a month and serviced once a year by qualified personnel;

(*h*) keep a written record of inspections and tests of the fire equipment, the fire alarm system and the heating system and chimneys;

(*i*) have an inspection of the buildings made each night to ensure that there is no danger of fire;

(*j*) ensure that all doors to stairwells and all fire doors are kept closed;

(*k*) ensure that the nursing home is kept clean and free from combustible rubbish;

(*l*) ensure that all exits are clear and unobstructed at all times;

(*m*) have combustible draperies, curtains, decorations and similar materials suitably treated to render them resistant to the spread of flame and have them re-treated when necessary;

(*n*) ensure that receptacles into which electrical irons are plugged are equipped with pilot lights;

(*o*) ensure that lint traps in laundry equipment are cleaned out after each use of the equipment;

(*p*) ensure that flammable liquids used in the nursing home are stored in suitable containers in non-combustible cabinets;

(*q*) ensure that safety matches only are issued to the staff and residents;

(*r*) ensure that large non-combustible ash trays are provided where smoking is allowed;

(*s*) ensure that fire alarm heat detectors and sprinkler heads are not covered with paint or any other material that is likely to prevent their proper operation; and

(*t*) ensure that the sprinkler system required under section 21 is tested annually and that the performance requirements of subsection 3 of section 21 are met. O. Reg. 37/67, s. 20.

21.—(1) Every nursing home that is a combustible building and is located in a municipality that does not have public fire protection shall be provided with a complete automatic sprinkler system.

(2) The sprinkler system shall be installed so that the distance between each sprinkler head does not exceed fifteen feet measured along and at right angles to the pipes of the system, the distance between a sprinkler head and a wall or partition does not exceed seven feet six inches, and the area of protection for each sprinkler head does not exceed 200 square feet.

(3) The water supply to the sprinkler system shall be sufficient to provide a minimum pressure of ten pounds per square inch at the uppermost sprinkler head while water is discharged through an open main drain valve of not less than three quarters of an inch internal diameter.

(4) The water supply to the sprinkler system shall provide not less than fifty gallons per minute at the base of every sprinkler riser and shall be sufficient to maintain this flow for a minimum period of thirty minutes. O. Reg. 37/67, s. 21.

RESIDENTS

Admission

22.—(1) No person shall be admitted to or remain as a resident in a nursing home whose physical or mental condition, in the opinion of his personal physician, is such that he cannot be properly cared for in the nursing home.

(2) Not more than the number of residents authorized by its licence shall be lodged in the nursing home at any one time. O. Reg. 37/67, s. 22.

Nursing Care

23.—(1) Every nursing home shall have on duty at all times sufficient nursing staff to provide such nursing care to every resident in the nursing home as is required for the resident's care and maintenance.

(2) Nursing care to residents shall be provided by or under the supervision of a registered nurse or registered nursing assistant, and,

(*a*) a registered nurse shall be on duty not less than twelve hours during each period of one week and on call at all other times; and

(*b*) a registered nursing assistant shall be on duty not less than twenty-four hours during each period of one week.

(3) Where a registered nurse or registered nursing assistant is not on duty in the nursing home as prescribed by this Regulation, the administrator shall designate a member of the nursing staff to supervise the other nursing staff.

(4) Where due to special circumstances the nursing staff is insufficient to provide adequate nursing care, the medical officer of health may require that additional nursing staff be employed. O. Reg. 37/67, s. 23.

Medical Care

24.—(1) Each nursing home shall have an advisory physician who shall advise the administrator concerning the organization of medical and nursing services in the nursing home.

(2) Each resident shall be under the regular medical supervision of a physician in accordance with his need.

(3) Where a resident requires medical services and his personal physician is not available, the administrator shall be responsible for obtaining medical service for the resident. O. Reg. 37/67, s. 24.

Dental Care

25. The administrator shall secure the services of a dentist for a resident whenever such services are required. O. Reg. 37/67, s. 25.

RECORDS

26.—(1) No medical records shall be removed from a nursing home.

(2) The administrator shall keep a written record and file for each resident and shall ensure that the records mentioned in subsections 3, 4 and 5 are kept up to date and made available to an inspector for inspection.

(3) The medical records for each resident shall include,

(*a*) his medical history, physical examinations, diagnoses, treatment orders, including medication and follow-up notes signed by the physician;

(*b*) telephone orders from a physician, endorsed and signed by the nurse in charge and countersigned by the physician on his next visit to the nursing home; and

(*c*) daily nursing notes signed by the nurse in charge;

(4) Personnel records shall include,

(*a*) the occupation and qualifications of each employee; and

(*b*) the daily work hours of each employee.

(5) General records shall include,

(*a*) the general daily menus for each succeeding four-week period;

(*b*) particulars of the admission, transfer, discharge, death of and accidents to each resident; and

(*c*) date of inspections made by persons authorized under this Regulation and any recommendations made pursuant to such inspection. O. Reg. 37/67, s. 26.

27. Where,

(*a*) a fire has occurred in a nursing home; or

(*b*) a resident has been assaulted or injured,

the administrator shall forthwith submit to the Department a written report containing full details of the fire, assault or injury, as the case may be. O. Reg. 396/68, s. 1.

MEDICATIONS

28. The administrator shall provide separate locked cupboards for prescription drugs and non-prescription drugs and keys to such cupboards shall be in his custody. O. Reg. 37/67, s. 27.

TRUST ACCOUNTS

29.—(1) The administrator shall establish and maintain a trust account in a bank in which monies deposited with the administrator by residents shall be held in safekeeping until required by the resident.

(2) The administrator shall provide the resident with a written receipt for all monies received for deposit in the trust account, and the resident shall provide the administrator with a receipt for all monies withdrawn from the account by the administrator for the resident. O. Reg. 37/67, s. 28.

DEATHS

30. A report of the time, date and circumstances of the death of a resident, the name and address of the person, if any, who claims the body and the date that notice of death is given to the coroner shall be attached to the resident's records. O. Reg. 37/67, s. 29.

CLOSING OF A NURSING HOME

31.—(1) The operation of a nursing home shall not be discontinued unless the administrator gives at least four weeks' written notice of his intention so to do, to,

(*a*) the medical officer of health;

(*b*) the Department; and

(*c*) each resident, or a friend or relative who is acting on his behalf.

(2) Where notice is given under subsection 1 and a resident in the home,

(*a*) requires nursing care and supervision for his well being and is unable to make arrangements for such care and supervision on his own behalf; and

(*b*) has no friend or relative who is acting on his behalf,

the administrator shall so notify the medical officer of health and the Department in his notice. O. Reg. 37/67, s. 30.

PROVISIONAL LICENCE

32.—(1) Where,

(*a*) a nursing home does not comply with all of the provisions of this Regulation;

(*b*) the medical officer of health recommends that a provisional licence be issued to a nursing home; and

(*c*) the applicant for the licence pays the fee prescribed by subsection 4 of section 3,

a provisional licence may be issued to the applicant. O. Reg. 37/67, s. 31 (1), *amended*.

(2) A provisional licence expires six months after the date on which it is issued unless it is renewed.

(3) Where,

(*a*) a nursing home does not comply with all the provisions of this Regulation and, in the opinion of the Minister, the nursing home is making all reasonable efforts to so comply;

(*b*) the medical officer of health recommends that the provisional licence be renewed; and

(*c*) the applicant pays a licence fee of $5 for each renewal,

a provisional licence may be renewed for a period not exceeding six months and thereafter may be renewed from time to time for further periods not exceeding six months until the expiration of three years from the date on which the provisional licence was first issued and such licence shall not be renewed thereafter. O. Reg. 44/68, s. 2.

Form 1

Licence Number.....

The Nursing Homes Act

NURSING HOME LICENCE

Under *The Nursing Homes Act* and the regulations and subject to the limitations thereof,

this ☐ provisional
☐ regular licence is issued to .....
(name and

.....
address of licensee)

to maintain and operate a nursing home at .....

.....
(address of nursing home)

Number of residents authorized to be lodged in the nursing home at one time .....

This licence expires with the ..... day of ....., 19....

.....
(signature of issuer)

Dated at Toronto, this .... day of ....., 19....

O. Reg. 37/67, Form 1.

Form 2

The Nursing Homes Act

APPLICATION FOR A LICENCE TO ESTABLISH
OR MAINTAIN AND OPERATE A NURSING HOME

GENERAL INFORMATION:

1. Name of Nursing Home.....

   Telephone No.....

   Address.....

2. Name and address of owner(s) of nursing home. (If incorporated give name of company and list of names of directors. Use separate sheet if necessary.)

   Name..... telephone No.....

   Address.....

   Name..... telephone No.....

   Address.....

   Name..... telephone No.....

   Address.....

3. Name of Operator..... telephone No.....

   Personal Address.....

   Are you the owner or part owner of the premises? Yes ☐ No ☐

   If not, are you a tenant? Yes ☐ No ☐

4. Name of Administrator..... telephone No.....

   Personal Address.....

5. Name of Advisory Physician..... telephone No.....

   Address.....

   Name of Emergency Physician..... telephone No.....

   Address.....

6. Present Licence No..... Date of Issue.....

7. If a licence to establish, maintain or operate a nursing home issued to an owner, director or operator listed in this application has ever been revoked, or an application by such person for a licence has been refused, please give details in space below:

   .....

   .....

   .....

   .....

8. What date was the first resident admitted to your nursing home?

Day..... Month..... Year.....

9. Please state any or all of the following changes which may have taken place since the last licence was issued (otherwise mark "No Change").

i. Any change in licensed bed capacity of the nursing home:

From ..... beds to ..... beds.

ii. Date of change in licensed bed capacity: .....

iii. Any change in the name of the nursing home:

From ..... To .....

iv. Date of change in name: ....

v. Any change in the ownership of the nursing home:

From ..... To .....

vi. Date of change in owners or directors: ....

Name of new owners or directors to be noted under paragraph 2.

10. What is the average age of residents now present in the nursing home? .....Yrs.

SPECIAL INFORMATION:

11. Number of beds:

i. Total licensed bed capacity.....

ii. Present number of residents in the nursing home.....

	Yes	No	Number of Beds	Current Rates Per Day
iii. Has the nursing home been approved by the Ontario Hospital Services Commission?	☐	☐	.....	.....
iv. Do you admit as residents,				
(*a*) persons eligible for admission to a licensed nursing home under *The Homes for Special Care Act* and the regulations made thereunder;	☐	☐	.....	.....
(*b*) persons whose charges for nursing home care or a part thereof will be paid by a municipality or the Province of Ontario;	☐	☐	.....	.....
(*c*) mentally retarded children;	☐	☐	.....	.....
(*d*) private pay residents.	☐	☐	.....	.....

12. STAFF:	Name	Registration number if applicable	Hours worked per week
i. Registered Nurses	.....	.....	.....
	.....	.....	.....
ii. Registered Nursing Assistants	.....	.....	.....
	.....	.....	.....
iii. Physio-therapists	.....	.....	.....
iv. Occupational Therapists	.....	.....	.....
v. Speech Therapists	.....	.....	.....
		No. of Persons	Total hours of work per week
vi. Nursing Aides	Female.....	.....	.....
	Male.....	.....	.....
vii. Cook(s)		.....	.....
viii. Kitchen helpers		.....	.....
ix. Housekeeping (maintenance, laundry, cleaning, etc.).....		.....	.....
x. Other		.....	.....

13. SERVICES:

Are the following services available?

	Yes	No
i. Room, board and laundry	☐	☐
ii. Personal assistance (e.g. help with personal hygiene, grooming, dressing, ambulation)....	☐	☐
iii. Professional Nursing Care (e.g. sterile dressings, injections, dispensing controlled or toxic drugs, p.r.n. orders).....	☐	☐
iv. Organized programme of,		
Recreation	☐	☐
Crafts.....	☐	☐
Physiotherapy	☐	☐

	Yes	No
Occupational Therapy	☐	☐
Speech Therapy	☐	☐
Counselling	☐	☐
Individual Guidance	☐	☐

14. RESIDENTS:

How many residents at present in the nursing home are,

	Number
i. Able to be out of bed each day	
ii. Able to be dressed each day	
iii. Able to go out unattended each day	
iv. Mentally infirm and need constant advice and supervision	
v. Physically infirm and need help with bathing, feeding, ambulation, etc.	
vi. Physically handicapped, paralyzed limbs, amputations, fused joints (arthritis or injury)	
vii. Mentally retarded from birth or as a result of injury	
viii. In need of total care in bed	
ix. In need of sterile dressing, injections, etc., p.r.n. orders	

15. FACILITIES:

Is there an area in the nursing home equipped for,

	Yes	No
i. A dining room	☐	☐
ii. A sitting room	☐	☐
iii. A recreation room	☐	☐
iv. A craft and occupational therapy room	☐	☐
v. A physiotherapy room	☐	☐

Signature(s) of applicant(s) .....

.....

Date: ....., 19....

.....
Nursing Home Inspector

Certified essentially correct.

O. Reg. 44/68, s. 3.

REGULATION 623

under The Official Notices Publication Act

RATES

1.—(1) The rates payable for publication of matters in *The Ontario Gazette* are,

(*a*) on the first insertion, for a double-column insertion of,

(i) a notice of the sale of land for arrears of taxes, $5, plus $2 for each quarter-inch of columnar space or fraction thereof for a list of land liable to be sold for arrears of taxes, and

(ii) all other matter where the matter does not exceed one inch of columnar space, $8, and where the matter exceeds one inch of columnar space, $8 plus $2 for each quarter-inch or fraction thereof of columnar space in excess of one inch;

(*b*) on each additional insertion of a matter referred to in clause *a*, one-half of the rate payable under subclause i or ii of clause *a*, as the case may be;

(*c*) on the first insertion, for a single-column insertion of all other matter,

(i) where the matter does not exceed one inch of columnar space, $4, and

(ii) where the matter exceeds one inch of columnar space, $4 plus $1 for each quarter-inch or fraction thereof of columnar space in excess of one inch; and

(*d*) on each additional insertion of a matter referred to in clause *c*, one-half of the rate payable under subclause i or ii of clause *c*, as the case may be.

(2) The rates in subsection 1 shall be paid as follows:

1. Upon submitting the copy of a matter for publication,

(*a*) $5 for the first insertion of a matter referred to in subclause i of clause *a* of subsection 1;

(*b*) $8 for the first insertion of a matter referred to in subclause ii of clause *a* of subsection 1; and

(*c*) $4 for the first insertion of a matter referred to in clause *c* of subsection 1.

2. The balance upon receipt of an account from the Queen's Printer and Publisher. O. Reg. 205/66, s. 1, *revised*.

2.—(1) The rates payable for copies of *The Ontario Gazette* are,

(*a*) by subscribers for a subscription of 52 weekly issues, $6; and

(*b*) by others for a single copy, 15 cents.

(2) The rates in subsection 1 shall be paid in advance. O. Reg. 205/66, s. 2.

REGULATION 624

under The Old Age Assistance Act

GENERAL

1.—(1) Application for assistance shall be made in writing to the Director in Form 1.

(2) The application shall be supported by a statutory declaration of the applicant or person making application on behalf of the applicant in the form endorsed on Form 1.

(3) The application shall be accompanied by,

(*a*) a statutory declaration in Form 2 made by a reliable and disinterested person, other than the applicant, as regards residence in Canada of the applicant; and

(*b*) a consent to inspect assets in Form 3. R.R.O. 1960, Reg. 457, s. 1.

2. Every district welfare administrator, district welfare supervisor and field worker of the Department of Social and Family Services is designated as an investigator. R.R.O. 1960, Reg. 457, s. 2.

POWERS AND DUTIES OF INVESTIGATORS

3. An investigator shall, at the request of the Director, investigate and report in writing to the Director upon,

(*a*) the persons and their circumstances in relation to the conditions specified in any agreement made under section 2 of the Act; and

(*b*) any matter in respect of assistance. R.R.O. 1960, Reg. 457, s. 3.

4. A local authority shall without charge to the applicant,

(*a*) obtain the necessary information for and complete Form 1 and Form 2; and

(*b*) attend upon the execution of the forms and send the executed forms to the Director. R.R.O. 1960, Reg. 457, s. 4.

5. A recipient, other than a recipient who is an Indian and eligible for medical services under the *Indian Act* (Canada), is entitled without cost to receive medical services provided under any agreement in writing in force from time to time between the Crown in right of Ontario and the Ontario Medical Association. R.R.O. 1960, Reg. 457, s. 5.

Form 1

The Old Age Assistance Act

APPLICATION FOR ASSISTANCE

1. NAME OF APPLICANT

Surname Given Name(s)

ADDRESS

Number, Street or Rural Route City, Town, Village or P.O., Township County.

If Married Woman—Give Maiden Name Has Name been changed other than by marriage?

Yes ☐ No ☐ Former Name: .....

2. MARITAL STATUS

SINGLE ☐			WIDOWED ☐	Date	Place
MARRIED ☐	Date	Place	DIVORCED ☐		
Is Applicant living with spouse? Yes ☐ No ☐			SEPARATED ☐		
Previous Marriages? Applicant Yes ☐ No ☐ Spouse Yes ☐ No ☐			DESERTED ☐		

3. PERSONAL DATA

Given Name(s)	Place of Birth	Birthdate	Proof	Sex	Occupation
A. APPLICANT					
B. SPOUSE					

4. FAMILY — especially parents, and all living sons and daughters

Relationship	Full Name	Address	Living	Deceased
MOTHER	Maiden Name			
FATHER				

			Age	Contributions	
				Yes	No

5. RESIDENCE

Province or Country	Municipality	Postal Address	Dates	
			From	To

Address in August, 1940:

If born outside Canada, state date of arrival in Canada:

6. REAL PROPERTY

A. Property and Location:	A. S.	O. LL.	R. V. O.	Assessed Value	MORTGAGES Full Amount	Principal Payment	Interest	TAXES Year	Arrears	Paid By	Fire Insurance Yearly	Paid By
				$	$	$	%	$	$		$	
1.												
2.												
3.												

Give details of mortgages below:

B. Transfer of property

1. Have any properties—real or personal—been transferred within 5 years, by gift, sale, quitclaim or foreclosure? Applicant Yes ☐ No ☐ Spouse Yes ☐ No ☐

2. Is maintenance of any kind being received as a result of any such transfer? Yes ☐ No ☐

7. LIVING CONDITIONS AND EXPENSES

A. Where maintaining own quarters, describe, give number of rooms and complete expenses.
Type | Rooms

Monthly living expenses

Cost of	Monthly Amount	Paid By	Cost of	Monthly Amount	Paid By
Rent or Taxes —on occupied property			Coal Oil		
Mortgage Interest—on occupied property			Fuel		
Fire Insurance —on occupied property			Telephone		
Water			Other		
Electricity					
Gas					

B.	Applicant Yes	Applicant No	Spouse Yes	Spouse No	Monthly Amount App. $	Monthly Amount Sp. $	
i. Boarding?							With whom, and relationship?
ii. Is board free?							If yes, reason:
iii. If allowance granted, will board be paid?					App. $	Sp. $	If no, why?
iv. If no fixed board paid, any other contribution?					App. $	Sp. $	If yes, in what way?

C. In Hospital, Nursing Home or other Institution?	Yes	No	Yes	No	App. $	Sp. $	Paid by, relationship, and from what date?

Name of Institution: Type:

Details Full Amount charged to patient $

8. EMPLOYMENT

A. Work	Applicant	Spouse
i. Working? If yes, state rate	Yes ☐ No ☐ $	Yes ☐ No ☐ $
ii. Total earnings last 12 months. State if full, part-time or seasonal	$	$
iii. If working at odd jobs, is there more than one employer?	Yes ☐ No ☐	Yes ☐ No ☐
iv. Will earnings ii continue at same rate? If no, estimate.	Yes ☐ No ☐ $	Yes ☐ No ☐ $
v. If estimate shows an increase or decrease, state reason.		
vi. If applicant or spouse NOT working, state reason and date work ceased.		
vii. If work became available would applicant or spouse accept it?	Yes ☐ No ☐	Yes ☐ No ☐
B. Unemployment Insurance	**Applicant**	**Spouse**
Has applicant or spouse ever contributed to unemployment insurance?	Yes ☐ No ☐	Yes ☐ No ☐
If yes, show Unemployment Insurance Number	No.	No.

9. PUBLIC ASSISTANCE

List assistance currently received or previously applied for, including Old Age Assistance, Blind Persons' Allowance, Disabled Persons' Allowance:

Check for each item below:	Type	A. or S.	Date began or applied for	Amount
Unemployment Relief Yes ☐ No ☐				$
O.A.A., O.A.S., B.P.A.,				
D.P.A., Rehab., M.A.,				
Family Allowances,				
Workmen's Compensation,				
Indian Relief, Post San Care,				
U.S. Social Security				

10. MILITARY SERVICE AND ALLOWANCES

	Applicant	Spouse
i. Service in the armed forces?	Yes ☐ No ☐	Yes ☐ No ☐
ii. If yes, give service number Also—was such service in a theatre of war?	Yes ☐ No ☐	Yes ☐ No ☐
iii. Does applicant or spouse receive: (*a*) a pension under the *Pension Act* (Canada)?	Yes ☐ No ☐ $	Yes ☐ No ☐ $
(*b*) an allowance under the *War Veterans' Allowance Act* (Canada)?	Yes ☐ No ☐ $	Yes ☐ No ☐ $
iv. Does applicant or spouse expect any pension under either of these Acts?	Yes ☐ No ☐	Yes ☐ No ☐
v. Does applicant or spouse receive any assigned service pay?	Yes ☐ No ☐	Yes ☐ No ☐

11. OTHER INCOME

A. Roomers, Boarders, Rentals	Name	A.S.	Amount	Weekly	Monthly

B. Check for each item below	Type and Details	A.S.	Amount	Weekly	Monthly
Annuities, Superannuation, Contributions, Sick Benefits, Maintenance Agreement, Business Profits, Farm Revenue, et cetera					

C. The means of subsistence of the applicant and spouse is:

D. Is any future income expected from any source? Yes ☐ No ☐

12. ESTATE OF DECEASED SPOUSE

i. Was there any estate? Yes ☐ No ☐

ii. Was there a Will? Yes ☐ No ☐

iii. Was probate or letters of administration applied for? Yes ☐ No ☐

iv. Name and address of executor or administrator, or reason none appointed:

v. Attach copy of surrogate court record, executor's statement or explain:

13. ASSETS

Check for each item shown and give full description of any held by applicant or spouse

Type	Yes	No	Description	A.S.	Value
1. Cash on hand					
2. Bank Accounts					
3. Postal Savings					
4. Credit Union					
5. Safety Deposit Box					
6. Bonds, Stocks, Shares					
7. Securities					
8. Mortgage Receivable					
9. Loans, Notes					
10. Accounts Collectable					
11. Money in Trust					
12. Money held for Children					
13. Automobile or Truck					
14. Interest in Business					
15. Other					
16. Other					

Are any future assets (such as unadjusted claims, insurance, an inheritance or lawsuit pending) expected? Yes ☐ No ☐

INSURANCE

Policy No.	A.S.	Premiums paid by	Name and Address of Company	Beneficiary	Relationship	Value

14. DEBTS

Name of Creditor	Details	Verified Yes	Verified No	Amount

15. DISABILITY

Date applicant first considered himself to be— A. Permanently and totally disabled? B. Blind?

A. Nature of disability.
Applicant's occupation prior to becoming disabled, if any?

B. Cause of blindness or impaired vision.

C. Is spouse sighted ☐ or blind ☐

16. TRUSTEE

Is applicant capable of handling the allowance? Yes ☐ No ☐

ADDITIONAL EXPLANATIONS REGARDING ITEMS 1 TO 16:

STATUTORY DECLARATION SUPPORTING APPLICATION FOR ASSISTANCE OR AN ALLOWANCE

CANADA
PROVINCE OF ONTARIO
TO WIT:

IN THE MATTER OF *The Old Age Assistance Act*

I, ..., solemnly declare:

1. I am the applicant named in the foregoing application for assistance or an allowance (or the person making application on behalf of the applicant).
2. All the statements in the foregoing application are true to the best of my knowledge and belief and no information required to be given has been concealed or omitted.

And I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath.

Declared before me at the.....of.....,

this.....day of....., 19....

.....
Signature

.....
A Commissioner, etc.

The following forms, documents and certificates are attached:

FIELD WORKER'S VERIFICATION

I certify that I have verified, to the best of my ability, the following information given by the applicant in completing this application:

1. Residence, as shown in item 5.
2. Real property, as shown in item 6.
3. Living expenses, as shown in item 7.
4. Income, as shown in items 8, 9, 10 and 11.
5. Personal property, as shown in item 13.

....
Date Field Worker's Signature District Office No.

R.R.O. 1960, Reg. 457, Form 1.

Form 2

The Old Age Assistance Act

DECLARATION AS TO RESIDENCE OF APPLICANT

CANADA
ONTARIO
TO WIT:

IN THE MATTER OF THE OLD AGE ASSISTANCE ACT

and

In the matter of the application of

.....

for assistance or an allowance.

I,....., of.....
(address)
in the Province of.....solemnly declare:

1. THAT I have resided in Canada for.....years and in.....since.....
(Province)

2. THAT I am acquainted with the above-named applicant and he (she) has, to my personal knowledge, resided at the places listed for the periods of time as follows:

Province or Country	Municipality	Postal Address	Dates	
			From D. M. Y.	To D. M. Y.

3. THAT I.....a relative of the applicant, and I am a disinterested person.
(am or am not)

If a relative, state relationship.....

4. THAT for the following reasons I know the above-mentioned applicant has resided in the places and for the periods listed above:

.....

.....

AND I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath.

Declared before me at the.....
of.....this.....
day of....., 19....

....
A Commissioner, etc. (signature)

R.R.O. 1960, Reg. 457, Form 2.

Form 3

The Old Age Assistance Act

CONSENT TO INSPECT ASSETS

I, ..., an applicant for assistance under *The Old Age Assistance Act*, and I, ...
(complete only where applicable)
, spouse of the above-named applicant, consent that:

1. Any person authorized under the Act may inspect and have access to any account held by me alone or jointly in any bank, trust company or other financial institution or to any assets held in trust for me by any person, or any records relating to any of them.

2. Any person authorized under the Act may secure information in respect of any life or accident insurance policy on my late spouse, ...
(complete only where applicable)

Dated at....., this ..... day of ....., 19.....

.....
(Signature of Applicant)

.....
(Witness)

.....
(Address)

Dated at....., this ..... day of ....., 19.....

.....
(Signature of spouse where applicable)

.....
(Witness)

.....
(Address, if different)

R.R.O. 1960, Reg. 457, Form 3.

Form 4

The Old Age Assistance Act

CONSENT

To the Dominion Bureau of Statistics,
Ottawa, Ontario.

I am an applicant for Old Age Assistance under *The Old Age Assistance Act*, and I consent to the Director of Old Age Assistance obtaining information as to my age and I state:

Name in full.....

Maiden name.....

Date and place of birth.....

Full name of father.....
(full given name or names)

Full name of mother.....
(full given name or names)

Names of brothers and sisters when I was living with my parents.....

.....

.....

Name of husband or wife.....

Date and place of marriage.....

Names of children.....

Specific locality of my residence in Canada as below:.....

Census Date	City, Town, Village, Township or rural municipality	If in City, Street Address and Ward	County	Province	With whom living
Apr. 5, 1891					
Mar. 31, 1901					
June 1, 1911					
June 1, 1921					

Dated at....., this.....day of....., 19....

Name.....
(signature of applicant)

Address.....

.....

R.R.O. 1960, Reg. 457, Form 4.

REGULATION 625

under The Oleomargarine Act

GENERAL

INTERPRETATION

1. In this Regulation,

(*a*) "analyst" means an analyst appointed under the Act;

(*b*) "inspector" means an inspector appointed under the Act;

(*c*) "milk solids" means the solids consisting of butter fat, casein, albumen, sugar and ash in milk;

(*d*) "refined oils" means fats or oils or any combination of fats and oils that have been refined or hydrogenated and that do not contain more than 1 per cent of substances other than fatty acids and fat. R.R.O. 1960, Reg. 458, s. 1.

LICENCES

2.—(1) Every person who manufactures oleomargarine is required to be the holder of a licence in Form 2 in respect of each location at which he manufactures oleomargarine.

(2) An application for a licence to manufacture oleomargarine shall be in Form 1.

(3) A licence to manufacture oleomargarine shall be in Form 2.

(4) The fee for a licence in Form 2 is $500 in respect of each location at which oleomargarine is manufactured and shall accompany the application for the licence. O. Reg. 85/68, s. 1.

3.—(1) An application for a licence to sell oleomargarine by wholesale shall be in Form 3.

(2) A licence to sell oleomargarine by wholesale shall be in Form 4.

(3) The fee for a licence to sell oleomargarine by wholesale is $5 and shall be forwarded with the application for the licence. R.R.O. 1960, Reg. 458, s. 3.

4.—(1) Licences are valid from and including the 1st day of January in the year of issue to and including the 31st day of December in the same year.

(2) Licences are not transferable. R.R.O. 1960, Reg. 458, s. 4.

5. The Minister may, after a hearing, suspend or cancel a licence for any violation of the Act or of this Regulation. R.R.O. 1960, Reg. 458, s. 5.

STANDARDS OF QUALITY

6.—(1) Oleomargarine shall contain refined oils of animal, fish, marine-animal, marine or vegetable origin, or any combination thereof.

(2) The refined oils mentioned in subsection 1 shall,

(*a*) be fit for human consumption; and

(*b*) comprise,

(i) not more than 40 per cent, or

(ii) not less than 80 per cent,

by weight of the oleomargarine. O. Reg. 9/68, s. 1.

7.—(1) Where the refined oils mentioned in subsection 1 of section 6 comprise not less than 80 per cent by weight of the oleomargarine, and the oleomargarine contains,

(*a*) water, the water shall not exceed 16 per cent by weight of the oleomargarine; or

(*b*) milk solids, the milk solids shall not exceed 1.4 per cent by weight of the oleomargarine.

(2) Where the refined oils mentioned in subsection 1 of section 6 comprise not more than 40 per cent by weight of the oleomargarine, and the oleomargarine contains milk solids, the milk solids shall not exceed 2.8 per cent by weight of the oleomargarine. O. Reg. 9/68, s. 2.

8. Each holder of a manufacturer's licence shall make, and keep for a period of at least one year, a record in respect of the oleomargarine that he manufactures showing,

(*a*) the name or trade name under which the oleomargarine is sold in Ontario;

(*b*) the quantity of oleomargarine manufactured; and

(*c*) the names and addresses of the persons within Ontario to whom the oleomargarine is sold or delivered and the quantity sold or delivered to each person. O. Reg. 320/63, s. 1, *part*.

9. Each holder of a wholesaler's licence shall make, and keep for a period of at least one year, a record in respect of the oleomargarine that he buys showing,

(*a*) the name or trade name under which the oleomargarine is sold in Ontario;

(*b*) the quantities of oleomargarine that are bought and sold by the wholesaler; and

(*c*) the names and addresses of the persons from whom the oleomargarine was obtained. O. Reg. 320/63, s. 1, *part*.

10.—(1) The marking under section 5 of the Act of,

(*a*) the word "olemargarine" or the trade name of the contents of every package containing oleomargarine shall be on the main panel of the package in letters at least one-half of an inch high;

(*b*) a list of the ingredients in the oleomargarine and the percentage of each such ingredient shall be on the package in letters at least one-sixteenth of an inch high; and

(*c*) the kinds of refined oil forming an ingredient in the oleomargarine and the percentage that each kind is of the total refined oil shall be on,

(i) the main panel of the package, and

(ii) any panel of the package that is similar in appearance to the main panel,

in letters at least one-eighth of an inch high. O. Reg. 320/63, s. 1, *part*.

(2) Where the trade name of the contents of a package containing oleomargarine does not include "oleomargarine" or "margarine" on the main panel of the package, the trade name shall be followed by "oleomargarine" or "margarine" in letters at least three-eighths of an inch high. O. Reg. 320/63, s. 1, *part*.

(3) Where the refined oils mentioned in subsection 1 of section 6 comprise not more than 40 per cent by weight of the oleomargarine, the word "diet" shall precede the word "oleomargarine" or "margarine" wherever it appears on the package containing oleomargarine in letters not smaller than those in the word "oleomargarine" or "margarine" which the word "diet" precedes. O. Reg. 9/68, s. 3.

(4) Every package containing oleomargarine shall have legibly marked thereon in letters at least one-eighth of an inch high, the name and address of the manufacturer or wholesaler thereof. O. Reg. 320/63, s. 1.

POWERS AND DUTIES OF INSPECTORS

11.—(1) For the purpose of making an inspection an inspector may, at all reasonable hours, enter,

(*a*) premises where oleomargarine is manufactured, stored, held for transport or delivery, or sold;

(*b*) public eating-places; and

(*c*) conveyances used for transport or delivery of oleomargarine or products used in the manufacturing of oleomargarine. R.R.O. 1960, Reg. 458, s. 8 (1).

(2) In making an inspection an inspector may examine,

(*a*) apparatus and equipment used in the manufacturing of oleomargarine;

(*b*) materials or substances used in the manufacturing and packaging of oleomargarine; and

(*c*) records of the manufacture, sale and delivery of oleomargarine. R.R.O. 1960, Reg. 458, s. 8 (2); O. Reg. 320/63, s. 2.

(3) For the purposes of making an analysis of oleomargarine or materials or substances that in his opinion contain oleomargarine, an inspector may obtain samples in sufficient quantity for making an analysis.

(4) Where an inspector obtains a sample of oleomargarine or materials or substances that in his opinion contain oleomargarine he shall,

(*a*) make a written report in Form 5 showing the time and place of obtaining the sample, the name of the person in charge of the premises, a description of the oleomargarine or materials or substances, the approximate quantity obtained and the price paid therefor; and

(*b*) deliver a copy of the report to the person in charge of the premises or conveyance.

(5) Where an analyst makes an analysis of a sample of oleomargarine or materials or substances, he shall make a report to the Minister in Form 6 stating the component parts and the percentages thereof and the colour of the sample and the name of the manufacturer or trade name carried on the package, if any. R.R.O. 1960, Reg. 458, s. 8 (3-5).

DETENTION OF OLEOMARGARINE

12.—(1) Where an inspector finds oleomargarine that he has reasonable grounds to suspect does not comply with the provisions of the Act and this

Regulation, he may place the oleomargarine under detention for such period of time as is required for analysis,

(*a*) under the supervision of the inspector by an analytical chemist who ordinarily makes examinations and analyses for the manufacturer of the oleomargarine; or

(*b*) by an analyst, including the time required for the issuance of his report.

(2) Where, after analysis, an inspector finds oleomargarine that does not comply with the provisions of the Act and this Regulation, he may place the oleomargarine under detention. R.R.O. 1960, Reg. 458, s. 9.

13. Where an inspector has placed oleomargarine under detention, he shall attach to the package or any container of packages a numbered tag having in bold type the words "oleomargarine under detention", in Form 7, and no person shall sell, offer for sale, move, allow or cause to be moved the oleomargarine, package or container of packages or remove the detention tag without the written authority of an inspector or of the Minister. R.R.O. 1960, Reg. 458, s. 10.

14. Where an inspector is satisfied that any oleomargarine, oleomargarine package or container of packages that has been placed under detention complies with the Act and this Regulation, he may release from detention the oleomargarine, oleomargarine package or container of packages by removing the detention tag. R.R.O. 1960, Reg. 458, s. 11.

CONFISCATION OF OLEOMARGARINE

15.—(1) Where oleomargarine does not comply with the Act and this Regulation, and

(*a*) the oleomargarine was placed under detention;

(*b*) the inspector delivered or sent by registered mail a copy of his report in Form 5 to the person in charge of the premises where the oleomargarine is under detention and to the manufacturer whose name appears on the package or container; and

(*c*) a period of not less than thirty days has elapsed from the delivery or sending of the inspector's report in Form 5,

the oleomargarine is confiscated and becomes the property of the Crown in right of Ontario.

(2) Where oleomargarine has been confiscated, it may be sold or otherwise disposed of as the Minister directs, and the money, if any, derived therefrom shall be paid to Her Majesty in right of Ontario. R.R.O. 1960, Reg. 458, s. 12.

Form 1

The Oleomargarine Act

APPLICATION FOR LICENCE TO MANUFACTURE OLEOMARGARINE

To The Minister of Agriculture and Food,
Parliament Buildings,
Toronto.

.....
(name of applicant)

.....
(address)

applies for a licence to manufacture oleomargarine under *The Oleomargarine Act*, and in support of this application the following facts are stated:

(1) Name.....
(Give name of person, partnership or corporation, and if partnership, give names of all partners)

(2) Business address.....

(3) Name of plant operated.....

(4) Address of plant.....

(5) Name of manager.....

.....
(signature of applicant)

By.....
(title of official signing)

NOTE: Application to be accompanied by a fee of $500.

R.R.O. 1960, Reg. 458, Form 1; O. Reg. 85/68, s. 2, *revised*.

Form 2

The Oleomargarine Act

Year..... No.....

MANUFACTURER'S LICENCE

Under *The Oleomargarine Act* and the regulations, and subject to the limitations thereof, this licence is issued to:

Name.....

Address.....County of.....

to manufacture oleomargarine at.....
(location)

This licence expires with the 31st day of December, 19....

.....
Minister of Agriculture and Food

R.R.O. 1960, Reg. 458, Form 2; O. Reg. 85/68, s. 3.

Form 3

The Oleomargarine Act

APPLICATION FOR LICENCE TO SELL OLEOMARGARINE BY WHOLESALE

To the Minister of Agriculture and Food,
Parliament Buildings,
Toronto.

.....
(name of applicant)

.....
(address)

applies for a licence to sell oleomargarine by wholesale under *The Oleomargarine Act*, and in support of this application, the following facts are stated:

(1) Name.....
(Give name of person, partnership or corporation, and if partnership, give names of partners)

(2) Address of head office.....

(3) Name of manager.....

(4) Business address.....

.....
(signature of applicant)

By.....
(title of official signing)

NOTE: Application to be accompanied by a fee of $5.

R.R.O. 1960, Reg. 458, Form 3, *revised*.

Form 4

The Oleomargarine Act

Year..... No.....

WHOLESALER'S LICENCE

Under *The Oleomargarine Act* and the regulations, and subject to the limitations thereof, this licence is issued to:

Name.....

Address.....

to sell oleomargarine by wholesale.

This licence expires with the 31st day of December, 19....

.....
Minister of Agriculture and Food

R.R.O. 1960, Reg. 458, Form 4, *revised*.

Form 5

The Oleomargarine Act

REPORT OF INSPECTOR

Date of inspection.....

Premises or conveyance.....

Location.....
(address)

Person in charge.....
(name and position)

Description of oleomargarine or materials or substances

.....

.....

Quantity in sample.....

Identification of sample.....

Price paid for sample.....

Manufacturer or trade name.....

Was detention effected?.....If so, amount under detention.....Tag No.....

Date..... .....
(signature of inspector)

R.R.O. 1960, Reg. 458, Form 5.

Form 6

The Oleomargarine Act

REPORT OF ANALYST

Date and time of receipt of sample.....

Condition of sample when received.....

If in package, name of manufacturer or trade name on package.....

Quantity in sample.....

From whom received.....
(name and address)

Date of making examination or analysis of sample:

.....

RESULTS OF EXAMINATION AND ANALYSIS

1. I found the sample has the following component parts and percentages thereof: (*a*) refined oils of animal, fish, marine-animal, marine or vegetable origin or any combination thereof,....per cent, (*b*) water....per cent, (*c*) milk solids....per cent, (*d*) salt....per cent, and (*e*) other parts and percentages:.....

.....

2. I found by analysis of the refined oils in the sample the following values: (*a*) iodine value..... (*b*) index of refraction...., (*c*) saponification value ...., (*d*) Reichert-Meissl value...., (*e*) Polenske value ...., (*f*) Kirschner value...., and (*g*) acid value....

3. I found the colour of the sample contains.... Lovibond units of red and yellow.

I certify that the sample is.....
(fit or unfit)

for human consumption.

Date..... .....
(signature of analyst)

R.R.O. 1960, Reg. 458, Form 6; O. Reg. 56/64, s. 2.

Form 7

The Oleomargarine Act

OLEOMARGARINE UNDER DETENTION

TAG NO.....

Under *The Oleomargarine Act* and the regulations, I have placed under detention* the oleomargarine in the package or container of packages to which this tag is attached.

Date..... .....
(signature of inspector)

*Section 13 of Regulation 625 of Revised Regulations of Ontario, 1970 reads as follows:

Where an inspector has placed oleomargarine under detention, he shall attach to the package or any container of packages a numbered tag having in bold type the words "oleomargarine under detention", in Form 7, and no person shall sell, offer for sale, move, allow or cause to be moved the oleomargarine, package or container of packages or remove the detention tag without the written authority of an inspector or of the Minister.

R.R.O. 1960, Reg. 458, Form 7.

REGULATION 626

under The Ontario Energy Board Act

GENERAL

FEES

1.—(1) The fee payable on filing an application in a proceeding before the Board under the Act or any other Act is $25, but where the application is made under section 41 of the Act and is withdrawn before the hearing of such application the applicant is entitled to a refund of $15. O. Reg. 323/64, s. 1 (1).

(2) The fees payable for copies of any document, including an office consolidation of statutes and regulations, are,

(*a*) when copies are available for distribution and the copy is,

(i) ten pages or less, 50 cents per copy,

(ii) more than ten pages but less than fifty pages, $1 per copy, and

(iii) fifty pages or more, $2 per copy; and

(*b*) when copies are not available for distribution, 25 cents per page. O. Reg. 325/69, s. 1, *part*.

(3) The fee payable for certifying a document is $1. O. Reg. 325/69, s. 1, *part*.

FREE GAS OR REDUCED CHARGE

2.—(1) No person shall furnish or supply any gas without charge or at a reduced rate under any agreement for which the supplying of gas without charge or at a reduced rate is a consideration.

(2) Subsection 1 does not apply to any agreement or renewal thereof made before the 1st day of January, 1955. O. Reg. 323/64, s. 2.

3.—(1) The board of arbitration referred to in subsection 3 of section 21 of the Act shall consist of not fewer than three and not more than five members as the Lieutenant Governor in Council may from time to time determine.

(2) The members of the board of arbitration shall be appointed by the Lieutenant Governor in Council and one of them shall be designated chairman.

(3) Vacancies in the membership of the board of arbitration caused by death, resignation or otherwise may be filled by the Lieutenant Governor in Council.

(4) Two members of the board of arbitration form a quorum and are sufficient for the exercise of all the jurisdiction and powers of the board of arbitration whether or not a vacancy in the membership of the board of arbitration exists.

(5) The board of arbitration shall proceed in a summary manner and the rules of procedure of the Ontario Energy Board apply to an arbitration under section 21 of the Act. O. Reg. 323/64, s. 3.

EXEMPTIONS

4. Any person who sells, transmits, distributes or stores liquefied petroleum gas is exempt from section 19 of the Act in respect of such sale, transmission, distribution or storage. O. Reg. 323/64, s. 4.

5. The Petrol Oil & Gas Company, Limited is exempted from the operation of or compliance with section 26 of the Act in respect of any disposition of any of its properties that are located on the Six Nations Indian Reserve or are connected with the distribution system of the said company that is located on the said Reserve. O. Reg. 344/70, s. 1.

GAS STORAGE AREAS

6. The areas described in the Schedule are designated as gas storage areas. R.R.O. 1960, Reg. 459, s. 4.

FORMS

7.—(1) The authorization of the chairman of the Board required by section 52 of the Act shall be in Form 1.

(2) The permission of the Minister to lay an information under section 35 or 55 of the Act shall be in Form 2. O. Reg. 323/64, s. 5.

Schedule

1. In the Township of Dawn, in the County of Lambton, being,

(*a*) the north half and the southwest quarter of Lot 18 in the 1st Concession;

(*b*) all of Lot 19 in the 1st Concession;

(*c*) all the east three-quarters of the south half of Lot 20 in the 1st Concession;

(*d*) all of lots 24 and 25 in the 2nd Concession;

(*e*) the west quarter of Lot 25 in the 3rd Concession;

(*f*) all of lots 23, 24, 25 and 26 in the 7th Concession;

(*g*) the southwest quarter and the north half of Lot 23 in the 8th Concession;

(*h*) all of lots 24 and 25 in the 8th Concession;

(*i*) the south half and the northeast quarter of Lot 26 in the 8th Concession;

(*j*) all of lots 23, 24, 25 and 26 in the 9th Concession; and

(*k*) all of lots 23, 24, 25 and 26 in the 10th Concession.

2. In the Township of Sombra, in the County of Lambton, being the north half of Lot 30 in the 8th Concession.

3. In the Township of Moore, in the County of Lambton, being,

(*a*) the east half of Lot 9 in the 2nd Concession;

(*b*) the west half of Lot 9 in the 2nd Concession, save and except the easterly 40 feet thereof and the southerly 40 feet thereof conveyed to The Corporation of the Township of Moore as an allowance for road;

(*c*) that part of the original allowance for side road lying between lots 9 and 10, in the 2nd Concession, extending north from Blind Line to the southerly limit of the 2nd Concession Road and having a width of one chain by a depth of 66 chains and 66 links;

(*d*) all that part of the east half of Lot 10, in the 2nd Concession lying north of Bear Creek, save and except thereout and therefrom a strip of land 2 rods wide lying along the westerly side thereof and running north from the north limit of Bear Creek, a distance of 29 rods;

(*e*) that part of the east half of Lot 10, in the 2nd Concession lying north of Bear Creek being a strip of land along the westerly side of the east half of the lot, 2 rods wide and running north from the north limit of Bear Creek a distance of 29 rods;

(*f*) all that part of the east half of Lot 10, in the 2nd Concession lying south of Bear Creek;

(*g*) the west half of Lot 10, in the 2nd Concession;

(*h*) the south half of the southeast quarter of Lot 9, in the 3rd Concession;

(*i*) all those parts of lots 9 and 10, in the 3rd Concession, described as follows:
Beginning at the southeast corner of the west half of Lot 9 and proceeding thence north along the line between the east and west halves of said Lot 9, a distance of 17 chains and 28 links; thence west parallel with the north limit of the allowance for road between the 2nd and 3rd concessions, a distance of 30 chains more or less to the centre of Bear Creek; thence in a southerly direction along the centre of Bear Creek to the north limit of the allowance for concession road above-mentioned; thence east along the last-mentioned north limit, a distance of 25 chains more or less to the place of beginning;

(*j*) all that part of the original allowance for road between lots 9 and 10, in the 3rd Concession lying between the north limit of the allowance for road between the 2nd and 3rd concessions and a point distant northerly at right angles from such concession road allowance, 17 chains and 28 links;

(*k*) all of the south quarter of Lot 10 in the 3rd Concession that lies west of the centre line of Bear Creek;

(*l*) all that part of the unopened allowance for road between the 2nd and 3rd concessions extending east and west from the line between lots 9 and 10 to the opened portions of such concession road allowance;

(*m*) all the lands in the east half of Lot 10 in the 2nd Concession covered by the waters of Bear Creek;

(*n*) the north half of lots 21 and 22 in the 6th Concession;

(*o*) the westerly 500 feet of even perpendicular width throughout from front to rear of Lot 20 in the 7th Concession;

(*p*) all of lots 21 and 22 in the 7th Concession; and

(*q*) the south quarter of lots 21 and 22 in the 8th Concession.

4. In the townships of Enniskillen and Dawn in the County of Lambton, described as follows:

Beginning in the said Township of Enniskillen at the intersection of the centre line of the first concession of such Township with the easterly limit of the allowance for road between such

Township and the Township of Moore; thence easterly along the above mentioned centre line to and thence along the production of such centre line in a straight line easterly across the allowance for road between lots 3 and 4 in the first concession of the Township of Enniskillen and continuing thence easterly along such centre line to its intersection with the line between lots 5 and 6 in the first concession of the Township of Enniskillen; thence southerly along the lastly mentioned lot line to and thence along the production of such lot line in a straight line southerly across the allowance for road between the townships of Enniskillen and Dawn to its intersection with the northerly limit of Lot 34 in the third concession of the Township of Dawn; thence easterly in the Township of Dawn along the lastly mentioned limit to its intersection with the line dividing the westerly 100 acres of Lot 34 in the third concession of the Township of Dawn from the remainder of such lot; thence southerly along the lastly mentioned dividing line to its intersection with the southerly limit of Lot 34 in the third concession of the Township of Dawn; thence westerly along the lastly mentioned limit to its intersection with the centre line of the third concession of the Township of Dawn; thence southerly along the last mentioned centre line to its intersection with the southerly limit of Lot 32 in the third concession of the Township of Dawn; thence westerly along the lastly mentioned limit to and thence along the production of such limit in a straight line westerly across the allowance for road between the second and third concessions of the Township of Dawn to its intersection with the westerly limit of such allowance for concession road; thence southerly along the westerly limit of the allowance for road between the second and third concessions of the Township of Dawn to and thence along the production of such westerly limit in a straight line southerly across the allowance for road between lots 31 and 30 in the second concession of the Township of Dawn and continuing thence southerly along the westerly limit of the allowance for road between the second and third concessions of the Township of Dawn to its intersection with the southerly limit of Lot 30 in the second concession of the Township of Dawn; thence westerly along the lastly mentioned limit to and thence along the production of such limit in a straight line westerly across the allowance for road between the first and second concessions of the Township of Dawn to and continuing thence westerly along the southerly limit of Lot 30 in the first concession of the Township of Dawn to its intersection with the easterly limit of the allowance for road between the townships of Dawn and Sombra; thence northerly along the lastly mentioned limit to and thence along the production of such limit in a straight line northerly across the allowance for road between lots 30 and 31 in the first concession of the Township of Dawn to and continuing thence northerly along the easterly limit of the allowance for road between the townships of Dawn and Sombra to and thence along the production of such limit in a straight line northerly across the allowance for road between the townships of Dawn and Enniskillen to the easterly limit of the allowance for road between the townships of Enniskillen and Moore; thence northerly in the Township of Enniskillen and along the last-mentioned limit to the place of beginning.

5. In the townships of Moore and Sombra in the County of Lambton, Province of Ontario, described as follows:

(*a*) In the Township of Moore:

Beginning at the intersection of the limit between concessions 3 and 4 and the east limit of the road allowance between lots 18 and 19; thence easterly along the limit between concessions 3 and 4 to the line between the east half and the west half of Lot 13, Concession 4; thence northerly along the last-mentioned line and the line between the east half and the west half of Lot 13, Concession 5 to the line between the north half and the south half of Lot 13, Concession 5; thence westerly along the last-mentioned line and the line between the north half and the south half of Lot 14, Concession 5 to the limit between lots 14 and 15; thence northerly along the last-mentioned limit to the line between the south three-quarters and the north one-quarter of Lot 15, Concession 5; thence westerly along the last-mentioned line to the westerly limit of the road allowance between lots 15 and 16, Concession 5; thence northerly along the last-mentioned limit to the limit between concessions 5 and 6; thence westerly along the last-mentioned limit to the line between the west one-quarter and the east three-quarters of Lot 16, Concession 6; thence northerly along the last-mentioned line to the north limit of the road allowance between concessions 6 and 7; thence easterly along the last-mentioned limit to the westerly limit of the road allowance between lots 16 and 15, Concession 7; thence northerly along the last-mentioned limit to the limit between concessions 7 and 8; thence easterly along the last-mentioned limit to the easterly limit of the road allowance between lots 16 and 15, Concession 8; thence northerly along the last-mentioned limit and the easterly limit of the road allowance between lots 15 and 16, Concession 9 to the line between the north half and the south half of Lot 15, Concession 9; thence westerly along the westerly extension of the last-mentioned line across the road allowance between lots 15 and 16, Concession 9, along the line between the north half and the south half of Lot 16, Concession 9 and the line between the north half and the south half of Lot 17, Concession 9 to the limit between lots 17 and 18, Concession 9; thence southerly along the last-mentioned limit

and the limit between lots 17 and 18, Concession 8 to the line between the north three-tenths and the south seven-tenths of Lot 18, Concession 8; thence westerly along the last-mentioned line to the westerly limit of the road allowance between lots 18 and 19, Concession 8; thence southerly along the last-mentioned limit and the westerly limit of the road allowance between lots 18 and 19, Concession 7 to the line between the south half and the north half of Lot 19, Concession 7; thence westerly along the last-mentioned line to the line between the west half and the east half of Lot 19, Concession 7; thence southerly along the last-mentioned line to the northerly limit of the road allowance between concessions 6 and 7; thence westerly along the last-mentioned limit to the limit between lots 20 and 21, Concession 7; thence southerly following the last-mentioned limit and the limit between lots 20 and 21, Concession 6 and the limit between lots 20 and 21, Concession 5 to the northerly limit of the road allowance between concessions 5 and 4; thence easterly following the last-mentioned limit in Lot 20 and the extension thereof in Lot 19 to the easterly limit of the road allowance between lots 19 and 18, Concession 5; thence southerly along the last-mentioned limit and the easterly limit of the road allowance between lots 19 and 18, Concession 4 to the place of beginning.

(*b*) In the Township of Moore:
Beginning at the intersection of the limit between concessions 9 and 10 and the line between the west half and the east half of Lot 19, Concession 9; thence southerly along the line between the west half and the east half of Lot 19, Concession 9 and the line between the west half and the east half of Lot 19, Concession 8 to the line between the south three-quarters and the north quarter of the west half of Lot 19, Concession 8; thence westerly along the last-mentioned line to the limit between lots 19 and 20, Concession 8; thence southerly along the last-mentioned limit to the line between the north three-quarters and the south one-quarter of Lot 20, Concession 8; thence westerly along the last-mentioned line, the line between the north three-quarters and south one-quarter of Lot 21, Concession 8 and the line between the north three-quarters and south one-quarter of Lot 22, Concession 8 to the line between the west five-eighths and the east three-eighths of Lot 22, Concession 8; thence northerly along the last-mentioned line, the line between the east three-eighths and the west five-eighths of Lot 22, Concession 9 and the line between the east three-eighths and the west five-eighths of Lot 22, Concession 10 to the line between the south three-quarters and the north one-quarter of Lot 22, Concession 10; thence easterly along the last-mentioned line and the line between the south three-quarters and the north one-quarter of Lot 21, Concession 10 to the limit between lots 21 and 20, Concession 10; thence southerly along the last-mentioned limit to the line between the north three-fifths and the south two-fifths of Lot 20, Concession 10; thence easterly along the last-mentioned line to the line between the east half and the west half of Lot 20, Concession 10; thence southerly along the last-mentioned line to the limit between concessions 10 and 9; thence easterly along the last-mentioned limit to the place of beginning.

(*c*) In the Township of Moore:
Beginning at the intersection of the limit between concessions 9 and 10 and the line between the west half and the east half of Lot 19, Concession 10; thence northerly along the last-mentioned line to the line between the north thirteen-twentieths and the south seven-twentieths of Lot 19, Concession 10; thence easterly along the last-mentioned line and the line between the north thirteen-twentieths and the south seven-twentieths of Lot 18, Concession 10 to the line between the east half and the west half of Lot 18, Concession 10; thence northerly along the last-mentioned line and the line between the east half and the west half of Lot 18, Concession 11 to the line between the south one-quarter and the north three-quarters of Lot 18, Concession 11; thence westerly along the last-mentioned line, the line between the south one-quarter and the north three-quarters of Lot 19, Concession 11 and the line between the south one-quarter and the north three-quarters of Lot 20, Concession 11 to the limit between lots 20 and 21, Concession 11; thence southerly along the last-mentioned limit and the limit between lots 20 and 21, Concession 10 to the line between the north three-fifths and the south two-fifths of Lot 20, Concession 10; thence easterly along the last-mentioned line to the line between the east half and the west half of Lot 20, Concession 10; thence southerly along the last-mentioned line to the limit between concessions 9 and 10; thence easterly along the last-mentioned limit to the place of beginning.

(*d*) In the Township of Sombra:
Beginning at the intersection of the north limit of the road allowance between concessions 8 and 9 and the limit between lots A and B, Concession 9; thence easterly along the north limit of the said road allowance to the limit between lots 1 and 2, Concession 9; thence northerly along the last-mentioned limit to the line between the north half and the south half of Lot 2, Concession 9; thence easterly along the last-mentioned line to the limit between lots 2 and 3, Concession 9; thence northerly along the last-mentioned limit and the limit between lots 2 and 3, Concession 10 to the line between the north half and the south

half of Lot 2, Concession 10; thence westerly along the last-mentioned line and the line between the north half and the south half of Lot 1, Concession 10, to the limit between Lot 1 and Lot A, Concession 10; thence southerly along the last-mentioned limit to the line between the north three-quarters and the south one-quarter of Lot A, Concession 10; thence westerly along the last-mentioned line to the limit between lots A and B, Concession 10; thence southerly along the last-mentioned limit and the limit between lots A and B, Concession 9 to the place of beginning.

(*e*) In the Township of Sombra:
Beginning at the intersection of the north limit of the road allowance between concessions 10 and 11 and the limit between lots 3 and 4; thence easterly along the north limit of the said road allowance to the line between the east half and the west half of Lot 7, Concession 11; thence northerly along the last-mentioned line to the line between the north half and the south half of Lot 7, Concession 11; thence easterly along the last-mentioned line and the line between the north half and the south half of Lot 8, Concession 11 to the limit between lots 8 and 9, Concession 11; thence northerly along the last-mentioned limit, the limit between lots 8 and 9, Concession 12 and the limit between lots 8 and 9, Concession 13 to the line between the north half and the south half of Lot 8, Concession 13; thence westerly along the last-mentioned line, the line between the north half and the south half of Lot 7, the line between the north half and the south half of Lot 6 and the line between the north half and the south half of Lot 5, all in Concession 13, to the limit between lots 4 and 5, Concession 13; thence southerly along the last-mentioned limit and the limit between lots 4 and 5, Concession 12 to the line between the north half and the south half of Lot 4, Concession 12; thence westerly along the last-mentioned line and the line between the north half and the south half of Lot 3, Concession 12 to the limit between lots 2 and 3, Concession 12; thence southerly along the last-mentioned limit and the limit between lots 2 and 3, Concession 11 to the line between the north half and the south half of Lot 3, Concession 11; thence easterly along the last-mentioned line to the limit between lots 3 and 4, Concession 11; thence southerly along the last-mentioned limit to the place of beginning.

6. All and singular that certain parcel or tract of lands and premises situate, lying and being partly in the Township of Zone and partly in the Town of Bothwell, in the County of Kent and being more particularly described as follows:
Beginning at a point where the centre line of the Fifth Concession in the said Township of Zone intersects the southerly limit of the allowance for road between the townships of Zone and Euphemia; thence easterly in the above-mentioned southerly limit of the allowance for road between the townships of Zone and Euphemia to and thence along the production of such southerly limit of the allowance for road in a straight line easterly across the allowance for road between the Fifth and Sixth Concessions of the said Township of Zone; thence continuing easterly in the said southerly limit of the allowance for road between the townships of Zone and Euphemia to its intersection with the westerly limit of the allowance for road between the Sixth and Seventh Concessions of the said Township of Zone; thence southerly in the said westerly limit of the allowance for road between the Sixth and Seventh Concessions of the Township of Zone to its intersection with the dividing line between lots 14 and 15 in the Sixth Concession of the Township of Zone; thence along the production of such dividing line in a straight line easterly across the allowance for road between the Sixth and Seventh Concessions of the Township of Zone and continuing thence easterly along the dividing line between lots 14 and 15 in the Seventh Concession of the Township of Zone to its intersection with the southwesterly limit of County Road No. 22 and continuing thence along the production of such dividing line in a straight line easterly across County Road No. 22 and continuing thence easterly in the said dividing line between lots 14 and 15 to and thence along the production of such dividing line in a straight line easterly across Highway No. 79 and continuing thence along the production of such dividing line in a straight line easterly across the allowance for road between the Seventh and Eight Concessions of the said Township of Zone to the easterly limit of the allowance for road between the Seventh and Eight Concessions of the Township of Zone; thence northerly in the easterly limit of the allowance for road between the Seventh and Eight Concessions of the Township of Zone to its intersection with the easterly limit of Highway No. 79; thence northerly in the easterly limit of Highway No. 79 (as widened) to its intersection with the southerly limit of the allowance for road between the townships of Zone and Euphemia; thence easterly in the above-mentioned southerly limit of the allowance for road between the townships of Zone and Euphemia to and thence along the production of such southerly limit of such allowance for road in a straight line easterly across the lands of the Canadian Pacific Railway Company; thence continuing easterly in the southerly limit of the allowance for road between the townships of Zone and Euphemia to and thence along the production of such southerly limit of the allowance for road in a straight line easterly across the allowance for road between the Eighth and Ninth Concessions of the Township of Zone; thence continuing easterly in the said southerly limit of the allowance for road between the townships of Zone and Euphemia to its intersection with the westerly limit of the allowance for road between the Ninth and Tenth Concessions of the Township of Zone; thence southerly in the

said westerly limit of the allowance for road between the Ninth and Tenth Concessions of the Township of Zone to its intersection with the northerly limit of the Town of Bothwell; thence westerly in the said northerly limit of the Town of Bothwell to its intersection with the centre line of Ninth Concession of the Township of Zone; thence southerly in the above-mentioned centre line to its intersection with the northwesterly limit of Cherry Street in the Town of Bothwell; thence southwesterly in the northwesterly limit of the said Cherry Street to and thence along the production of such northwesterly limit of Cherry Street in a straight line southwesterly across Main Street in the Town of Bothwell to the southwesterly limit of said Main Street; thence southeasterly along the southwesterly limit of Main Street (crossing Cherry, Birch, Walnut, Chestnut, Elm, Oak and George Streets in the said Town of Bothwell in a straight line production southeasterly of the southwesterly limit of said Main Street) to its intersection with the southeasterly limit of George Street in the said Town of Bothwell; thence northeasterly in the said southeasterly limit of George Street to its intersection with the southwesterly limit of Peter Street in the said Town of Bothwell; thence southeasterly in the said southwesterly limit of Peter Street to its intersection with the easterly limit of the Town of Bothwell; thence southerly in the easterly limit of the Town of Bothwell to its intersection with the southerly limit of the Town of Bothwell; thence continuing southerly in the westerly limit of the allowance for road between lots 10 and 11 North Longwoods Road to its intersection with the northerly limit of Highway No. 2 as widened; thence southwesterly in the northwesterly limit of Highway No. 2 (as widened) to and thence along the production of the northwesterly limit of Highway No. 2 as widened in a straight line southwesterly across the allowance of Highway No. 79 and continuing thence southwesterly in the northwesterly limit of Highway No. 2 (as widened) to its intersection with the westerly limit of Lot 19 North Longwoods Road in the Township of Zone; thence northerly in the lastly-mentioned limit to its intersection with the dividing line between lots 6 and 7 in the Eighth Concession of the Township of Zone; thence westerly along the lastly-mentioned dividing line to and thence along the production of such dividing line in a straight line westerly across the allowance for road between the Seventh and Eighth Concessions of the Township of Zone to and continuing thence westerly along the dividing line between lots 6 and 7 of the Seventh Concession of the Township of Zone to and thence westerly along the production of such dividing line in a straight line westerly across the lands of the Canadian National Railways and continuing thence westerly along the dividing line between lots 6 and 7 of the Seventh Concession of the Township of Zone to and thence along the production of such dividing line in a straight line westerly across the allowance for road between the Sixth and Seventh Concessions of the Township of Zone to and continuing thence westerly along the dividing line between lots 6 and 7 of the Sixth Concession of the Township of Zone to and thence westerly along the production of such dividing line in a straight line westerly across the allowance for road between the Fifth and Sixth Concessions of the Township of Zone to and continuing westerly along the dividing line between lots 6 and 7 of the Fifth Concession of the Township of Zone to its intersection with the centre line of the Fifth Concession of the Township of Zone; thence northerly in the said centre line of the Fifth Concession of the Township of Zone to its intersection with the dividing line between lots 7 and 8; thence westerly along the lastly-mentioned dividing line to its intersection with the easterly limit of the allowance for road between the Fourth and Fifth Concessions of the Township of Zone; thence northerly along the lastly-mentioned limit to and thence along the production of such limit in a straight line northerly across the lands of the Canadian Pacific Railway Company to and continuing thence northerly in the easterly limit of the allowance for road between the Fourth and Fifth Concessions of the Township of Zone to its intersection with the line dividing the north one-half and the south one-half of Lot 8 in the Fifth Concession of the Township of Zone; thence along the production of such dividing line in a straight line westerly across the allowance for road between the Fourth and Fifth Concessions of the Township of Zone to and continuing thence westerly in the line dividing the north one-half and the south one-half of Lot 8 in the Fourth Concession of the Township of Zone to and thence along the production of such dividing line in a straight line westerly across the allowance for road between the Third and Fourth Concessions of the Township of Zone to and continuing thence westerly in the line dividing the north one-half and the south one-half of Lot 8 in the Third Concession of the Township of Zone to its intersection with the centre of the Third Concession of the Township of Zone; thence northerly in the said centre line of the Third Concession of the Township of Zone to its intersection with the dividing line between lots 9 and 10; thence westerly along the lastly-mentioned dividing line to and thence along the production of such dividing line in a straight line westerly across the allowance for road between the Second and Third Concessions of the Township of Zone to and continuing thence westerly in the line dividing lots 9 and 10 in the Second Concession of the Township of Zone to its intersection with the centre line of the Second Concession of the Township of Zone; thence northerly in the said centre line of the Second Concession of the Township of Zone to and thence along the production of such centre line in a straight line northerly across the allowance for road between lots 10 and 11 in the Second Concession of the Township of Zone to and continuing thence northerly in the centre line of the Second Concession of the Township of Zone to its intersection with the dividing line between lots 12 and 13; thence easterly along the dividing line between lots 12 and 13 in the Second Concession of the Township of Zone to a

point, which point is distant 1,930.5′ when measured westerly in the said dividing line from its point of intersection with the westerly limit of the allowance for road between the Second and Third Concessions of the Township of Zone and is also the southwesterly angle of that part of Lot 13 in the Second Concession of the Township of Zone heretofore conveyed to one Peter Pavlinich by Registered Instrument No. 9122, Zone; thence northerly in a straight line and parallel with the westerly limit of the allowance for road between the Second and Third Concessions of the Township of Zone and along the westerly limit of the lands so conveyed by said Registered Instrument No. 9122, Zone, a distance of 1,089′ to a point being the northwesterly angle of the lands conveyed by said Registered Instrument No. 9122, Zone; thence easterly and parallel with the dividing line between lots 12 and 13 and along the northerly limit of the lands so conveyed by said Registered Instrument No. 9122, Zone, to its intersection with the westerly limit of the allowance for road between the Second and Third Concessions of the Township of Zone; thence southerly in the westerly limit of the allowance for road between the Second and Third Concessions of the Township of Zone be the distance of what it may to its point of intersection with the production westerly in a straight line of the dividing line between north one-half and the south one-half of Lot 13 in the Third Concession of the Township of Zone across the allowance for road between the Second and Third Concessions of the Township of Zone; thence easterly in the above-mentioned production of such dividing line across the allowance for road between the Second and Third Concessions of the Township of Zone and continuing thence easterly in the dividing line between the north one-half and the south one-half of Lot 13 in the Third Concession of the Township of Zone to and thence along the production of such dividing line in a straight line easterly across the allowance for road between the Third and Fourth Concessions in the Township of Zone; thence continuing easterly in the dividing line between the north one-half and the south one-half of Lot 13 in the Fourth Concession of the Township of Zone to and thence along the production of such dividing line in a straight line easterly across the allowance for road between the Fourth and Fifth Concessions of the Township of Zone to and continuing thence easterly in the dividing line between the north one-half and the south one-half of Lot 13 in the Fifth Concession in the Township of Zone to its intersection with the centre line of the Fifth Concession of the Township of Zone; thence northerly along the lastly-mentioned centre line to the place of beginning.

7. All and singular those certain parcels or tracts of lands and premises situate in the Township of Humberstone in the County of Welland: Beginning at the northeasterly corner of Lot 8, Concession 5; thence westerly along the northerly limit of lots 8, 9, 10, 11, 12, 13 and 14 to the northwesterly corner of Lot 14, in Concession 5; thence southerly along the westerly limit of Lot 14 to the southwesterly corner of Lot 14; thence easterly along the southerly limit of Lot 14, 1380 feet more or less to a point, which point is the intersection of the southerly limit of Lot 14 with the northerly production of the westerly limit of Lot 16, Concession 4 across the road allowance dividing concessions 4 and 5; thence southerly along the aforementioned production of the westerly limit of Lot 16, Concession 4 and the westerly limit of Lot 16, Concession 4 to a point 1650 feet south of the northwesterly corner of Lot 16, Concession 4; thence easterly parallel with the northerly limit of Lot 16 to a point in the easterly limit of Lot 16; thence southerly along the easterly limit of Lot 16, 361 feet; thence easterly parallel to the northerly limit of lots 15, 14 and 13 to a point in the westerly limit of Lot 12, Concession 4; thence northerly along the westerly limit of Lot 12, 361 feet; thence easterly parallel to the northerly limit of lots 12, 11 and 10 to a point in the easterly limit of Lot 10, Concession 4; thence northerly along the easterly limit of Lot 10 and the northerly production of the said easterly limit to a point in the southerly limit of Lot 8, Concession 5; thence easterly along the southerly limit of Lot 8, Concession 5 to the southeasterly corner of Lot 8; thence northerly along the easterly limit of Lot 8, Concession 5 to the place of beginning.

8. All and singular those certain parcels or tracts of lands and premises situate in the Township of Dawn, in the County of Lambton, and being more particularly described as the west quarter of Lot 24, in the 3rd Concession in the said Township of Dawn, containing fifty acres more or less, and that portion of the allowance for road between the 2nd and 3rd Concessions in the said Township of Dawn, bounded on the north by the southerly limit of the allowance for road between lots 25 and 26, and bounded on the south by the line between lots 23 and 24, containing by admeasurement six acres, more or less.

9. All and singular those certain parcels or tracts of lands and premises situate in the Township of Dawn, in the County of Lambton, and being more particularly described as follows:

1. The southeast quarter of Lot 18, in the 1st Concession, in the Township of Dawn, containing 50 acres, more or less.

2. The north half of Lot 20, in the 1st Concession, in the Township of Dawn, and the west quarter of the south half of the said lot, containing together 125 acres, more or less.

10. All and singular those certain parcels or tracts of lands and premises situate in the Township of Sombra, in the County of Lambton, and being more particularly described as follows:

1. The south half of Lot 30, in the 9th Concession, in the Township of Sombra, containing 100 acres, more or less.

2. That part of the allowance for concession road in the Township of Sombra lying between the 8th and 9th Concessions bounded on the west by the production of the line between lots 29 and 30 and bounded on the east by the production of the east limit of Lot 30, containing by admeasurement 3 acres, more or less.

11. That part of the allowance for Townline Road partly in the Township of Sombra and partly in the Township of Dawn, in the County of Lambton, bounded on the south by the easterly production of the line between the north and south halves of Lot 30 in the 8th Concession of the said Township of Sombra and bounded on the north by the easterly production of the line between the north and south halves of Lot 30, in the 9th Concession of the said Township of Sombra, containing by the admeasurement 6.8 acres, more or less.

12. ALL AND SINGULAR those certain parcels or tracts of lands and premises situate, lying and being in the Township of Moore in the County of Lambton and being.

(*a*) the west half of Lot 8, in the 2nd Concession, containing 100 acres, more or less;

(*b*) the south half of the southwest one-quarter of Lot 8, in the 3rd Concession, containing 25 acres, more or less;

(*c*) all that part of the allowance for Concession Road between the 2nd and 3rd concessions described as follows: Beginning at the intersection of the southerly limit of the said allowance for Concession Road with the line between lots 10 and 11, in the 2nd Concession; thence easterly and along the southerly limit of the said allowance for Concession Road to and continuing in a straight line across the allowance for road in the west half of Lot 9, in the 2nd Concession and thence continuing along the southerly limit of the said allowance for Concession Road to the intersection thereof with the line between the east and west halves of Lot 8, in the 2nd Concession; thence northerly in a straight line to the intersection of the northerly limit of the said allowance for Concession Road with the line between the east and west halves of Lot 8, in the 3rd Concession; thence westerly and along the northerly limit of the said allowance for Concession Road to and continuing in a straight line across the allowance for road in the west half of Lot 9, in the 3rd Concession and thence continuing along the northerly limit of the said allowance for Concession Road to the intersection thereof with the line between lots 10 and 11, in the 3rd Concession; thence southerly in a straight line to the place of beginning, containing 7.50 acres, more or less;

(*d*) all that part of the allowance for road in the west half of Lot 9, in the 3rd Concession, described as follows: Beginning at the intersection of the line between the east and west halves of said Lot 9, in the 3rd Concession, with the northerly limit of the allowance for Concession Road between the 2nd and 3rd concessions; thence westerly along the northerly limit of the allowance for Concession Road between the 2nd and 3rd concessions, a distance of 40 feet to a point; thence northerly and parallel with the line between the east and west halves of Lot 9, in the 3rd Concession a distance of 17 chains and 28 links to a point; thence easterly in a straight line to a point on the line between the east and west halves of Lot 9, in the 3rd Concession where such line is intersected by the line between the south and north halves of the southeast one-quarter of Lot 9, in the 3rd Concession; thence southerly along the line between the east and west halves of Lot 9, in the 3rd Concession to the place of beginning, containing 1.05 acres, more or less; and

(*e*) all that part of the allowance for road in the west half of Lot 9, in the 2nd Concession described as follows: Beginning at the intersection of the line between the east and west halves of said Lot 9 with the southerly limit of the allowance for Concession Road between the 2nd and 3rd concessions; thence southerly along the line between the east and west halves of said Lot 9 to a point thereon distant 40 feet northerly from the intersection thereof with the Blind Line between the 2nd and 1st concessions; thence westerly and parallel with the southerly limit of said Lot 9 a distance of 40 feet to a point; thence northerly and parallel with the line between the east and west halves of said Lot 9 to the intersection of such parallel line with the southerly limit of the allowance for Concession Road between the 2nd and 3rd concessions; thence easterly along the last mentioned limit a distance of 40 feet to the place of beginning, containing 4 acres, more or less. O. Reg. 88/62; O. Reg. 330/62; O. Reg. 7/63; O. Reg. 150/63; O. Reg. 299/64; O. Reg. 328/66; O. Reg. 70/69; O. Reg. 287/69; *revised*.

Form 1

The Ontario Energy Board Act

1. I, ..., Chairman of the Ontario Energy Board, hereby give to .....the authority required under section 52 of *The Ontario Energy*

Board Act in respect of.....

.....

.....

2. This authorization expires with the.....

day of....., 19....

Dated at Toronto, this.....day of.....,

19....

.....
Chairman
Ontario Energy Board

O. Reg. 323/64, Form 1.

Form 2

The Ontario Energy Board Act

IN THE MATTER OF PROPOSED SUMMARY PROCEEDINGS

AGAINST.....

1. I,....., Minister of Mines and Northern Affairs, hereby give permission to.....

to lay an information against.....

under section.....of *The Ontario Energy Board Act.*

2. I give this permission under subsection.....of section.....of the Act.

Dated at Toronto, this.....day of.....,

19....

.....
Minister of Mines and
Northern Affairs

O. Reg. 323/64, Form 2, *revised.*

REGULATION 627

under The Ontario Energy Board Act

RULES OF PROCEDURE

1. In this Regulation,

(*a*) "file" means file with the Board;

(*b*) "respondent" means a person, other than the applicant, named in an application and such other person as the Board directs to be served with a copy of the application. O. Reg. 324/64, s. 1.

2.—(1) A proceeding commenced by the Board shall be commenced by notice by the Board to any transmitter, distributor or storage company affected and to such other persons as the Board considers interested.

(2) Where a transmitter, distributor or storage company seeks to obtain,

(*a*) an exemption from the requirements of subsection 1 of section 38 of the Act; or

(*b*) an approval, consent or determination provided for in a system of accounts prescribed under the Act and the regulations,

a proceeding may be commenced by the transmitter, distributor or storage company without the filing of an application by mailing or delivering to the Board a letter, signed in the case of a corporation by an officer thereof, setting forth the exemption, approval, consent or determination requested, and in such case sections 3, 4 and 5 do not apply.

(3) Except as provided in subsections 1 and 2, a proceeding before the Board under the Act or any other Act, other than a reference by the Minister or by requirement of the Lieutenant Governor in Council, shall be commenced by filing an application.

(4) Where the Board requires the preparation of information and material as evidence incidental to a proceeding, such information and material shall be filed with the Board in accordance with the directions and requirements of the Board, but shall not be served on the respondents, if any, unless otherwise directed by the Board. O. Reg. 99/67, s. 1.

3.—(1) An application shall,

(*a*) be filed in duplicate;

(*b*) contain a clear and concise statement of the facts, the grounds of application, the provisions of the Act under which it is made, the nature of the order applied for and the relief or remedy to which the applicant claims to be entitled;

(*c*) be divided into paragraphs numbered consecutively, each of which is confined as nearly as possible to a distinct portion of the subject;

(*d*) where the application affects any other person, contain the name and address of that person, but, on an application to fix rates, it is not necessary to name each of the consumers affected; and

(*e*) be endorsed with the name and address of the applicant and of his solicitor if documents are to be served on his solicitor.

(2) The applicant shall serve a true copy of the application upon each respondent in accordance with the direction of the Board. O. Reg. 324/64, s. 3.

4.—(1) A respondent who intends to oppose an application shall file an answer to the application within fourteen days after the day on which the application is served upon him.

(2) The answer to an application shall,

(*a*) be filed in duplicate;

(*b*) contain a clear and concise statement of the grounds upon which the application is opposed; and

(*c*) be endorsed with the name and address of the respondent and of his solicitor if documents are to be served on his solicitor.

(3) The respondent shall serve his answer upon the applicant or his solicitor where a solicitor is named in the application on or before the day on which the answer is filed. O. Reg. 324/64, s. 4.

5.—(1) The applicant may file a reply to the answer of a respondent within ten days after the day on which the answer is filed.

(2) The reply shall,

(*a*) be filed in duplicate; and

(*b*) be endorsed with the name and address of the applicant and of his solicitor if documents are to be served on his solicitor.

(3) The applicant shall serve his reply to the answer of a respondent upon the respondent or his solicitor where a solicitor is named in the answer on or before the day on which the reply is filed. O. Reg. 324/64, s. 5.

6. Sections 4 and 5 do not apply to applications made under sections 38, 39 or 41 of the Act. O. Reg. 324/64, s. 6.

7. Where a hearing is to be held, the Board shall served upon the parties or direct a party to the proceeding to serve upon the other parties a notice of the hearing. O. Reg. 324/64, s. 7.

8.—(1) Service of any notice, document or paper may be personal or by registered mail and service may be on the party to the proceeding or on his solicitor where a solicitor is named in the application, answer or reply.

(2) Filing of any notice, document or paper may be by registered mail.

(3) Service or filing by registered mail is deemed to be effected on the day after the date of mailing.

(4) The Board, where in its opinion special circumstances so require, may direct service of any notice, document or paper by publication in a newspaper named in the direction and any such service shall be deemed to be effected on the date of publication.

(5) Where the Board so directs, a notice of hearing shall be published as well as served in the manner set out in the direction of the Board. O. Reg. 324/64, s. 8.

9. No proceeding is invalid by reason only of a defect or other irregularity in form. O. Reg. 324/64, s. 9.

10.—(1) The Board may, upon such terms as it considers proper, enlarge the time prescribed by this Regulation for doing any act, serving or filing any notice, document or paper or taking any proceeding and may exercise the power although application therefor is not made until after the expiration of the time prescribed.

(2) Where the Board is satisfied that it is necessary or convenient in the public interest, it may, upon such terms and conditions as it considers proper, abridge the time prescribed by this Regulation for doing any act, serving or filing any notice, document or paper or taking any proceeding. O. Reg. 324/64, s. 10.

11. A summons to a witness shall be in Form 1. O. Reg. 324/64, s. 11.

Form 1

The Ontario Energy Board Act

SUMMONS TO A WITNESS

Before the Ontario Energy Board

IN THE MATTER OF.....

To:

You are summoned and required to attend before the Ontario Energy Board at a hearing to be held at..... in the..... of.....on..... day, the..... day of....., 19....at the hour of.... o'clock in the.....noon, and so from day to day until the hearing is concluded, to give evidence on oath touching the matters in question in the proceedings and to bring with you and produce at the time and place.....

.....

.....

Dated this....day of....., 19....

ONTARIO ENERGY BOARD:

.....

.....

.....

.....

O. Reg. 324/64, Form 1.

REGULATION 628

under The Ontario Energy Board Act

UNIFORM SYSTEM OF ACCOUNTS FOR GAS UTILITIES CLASS A

1. In this Regulation, "Class 'A' gas utility" means a gas transmitter, distributor or storage company that has annual revenues of more than $250,000 from rates and other charges that are approved or fixed by orders of the Board. O. Reg. 245/66, s. 1.

2.—(1) The uniform system of accounts set out in the Schedule is prescribed for use by Class 'A' gas utilities and every Class 'A' gas utility shall, on and after the effective date specified in subsection 2 or subsection 3, as the case may be, keep its accounts in accordance with such uniform system of accounts and with the approvals, consents or determinations of the Board required in the system.

(2) Except as provided in subsection 3, the system of accounts hereby prescribed is effective immediately for all Class 'A' gas utilities in existence when this Regulation comes into force, but where in the opinion of the Board any utility requires more time to complete the reclassification of its plant accounts the Board upon being satisfied that the utility is diligently proceeding with such reclassification, may extend from time to time the date on which the reclassification shall be completed.

(3) In the case of a gas utility that became or becomes a Class 'A' gas utility after a date three months prior to the date this Regulation comes into force, the effective date on which the utility shall commence to keep its accounts in accordance with the prescribed uniform system of accounts shall be the first day of the next fiscal year of the utility that commences at least three months after the utility became or becomes a Class 'A' gas utility, but where in the opinion of the Board any utility requires more time to complete reclassification of its accounts the Board, upon being satisfied that the utility is diligently proceeding with such reclassification, may extend from time to time the date on which the reclassification shall be completed. O. Reg. 245/66, s. 2, *amended*.

Schedule

PART I

ONTARIO ENERGY BOARD

UNIFORM SYSTEM OF ACCOUNTS FOR CLASS "A" GAS UTILITIES

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1. INTRODUCTION

This system is in substantial conformity with the Classification of Accounts prepared by the Canadian Gas Association and with the systems prescribed for use by gas companies elsewhere in Canada.

Inclusion of any item or account in this prescribed system of accounts does not necessarily imply the Board's acceptance of any expenditure or procedure suggested by the use of such an account.

2. RECORDS

The books to be used in recording transactions shall conform to accepted accounting procedure and every account in the general ledger, in which transactions are assembled for balance sheet purposes, shall bear reference to the account number and title under which it is classified. However, each gas company may, in addition, use a different system of account numbers, provided the account numbers herein described appear in the descriptive headings of the ledger accounts.

The records shall be kept in such form as to permit determination of the correctness of the accounting, and with sufficient particularity to show fully the facts pertaining to all entries made in the accounts.

Where full information is not recorded in the general books, the entries therein shall be supported by other records in which full details shall be shown. The general book entries shall contain sufficient reference to the detailed records to permit ready identification, and the detailed records shall be filed in such manner as to be readily accessible for examination by representatives of the Board. Companies are at liberty to subdivide or, with the consent of the Board, condense the general and primary accounts here given.

3. PURPOSE OF ACCOUNT GROUPING

The accounts of this classification are grouped so as to show the results of the group of which they form a part. The plant accounts are classified according to the various types of plant included therein. The operating and maintenance accounts are classified according to the function which benefited from the expense and may be further subdivided by responsibility.

Balance sheet accounts (account No. series 100 and 200)

The balance sheet and related accounts are designed to disclose the company's financial condition at the balance sheet date, by showing the assets, liabilities, capital stock and related items and the balance of retained earnings (or deficit).

Income accounts (account Nos. 300 to 349 inclusive)

The accounts in this grouping summarize revenues and expenses and are designed to show for each fiscal year the total amount of money that the company has earned for services, the cost of rendering services, the accrued return on investments, and the amount of accrued taxes and accrued charges for the use of money or property of others. Revenues and expenses of non-gas operations shall be included in the accounts provided for this type of revenue and expense. The net balance of income (or loss) shall be transferred to retained earnings.

Retained earnings accounts (account Nos. 350 to 399 inclusive)

The accounts in this grouping form a connecting link between the income accounts and retained earnings (or deficit) as stated on the balance sheet and provide an analysis of changes in retained earnings (or deficit) balance during the year.

In addition to this final summarization of regular financial results, the group also provides accounts to disclose the results of unusual items which in aggregate are so material in relation to net income of the year that inclusion therein would impair its significance and be misleading, and which are of a nature not clearly identifiable with the company's typical business transactions.

Plant accounts (account No. series 400)

The accounts in this grouping are designed to classify the company's plant used in gas operations.

The physical plant not used in gas operations is provided for in a balance sheet account for other plant. The plant records shall be so maintained as to show separately expenditures for each addition and replacement project.

Operating revenue accounts (account No. series 500)

The accounts in this grouping are designed to classify all revenue which the company is entitled to receive from gas operations and from operations incident thereto.

Operating and maintenance accounts (account No. series 600, 700 and 800)

The accounts in these groupings are designed to classify the expenses of operating and maintaining plant, property and equipment in service and the cost of gas purchased and the cost of gas used in connection with gas operations.

Within the operating and maintenance accounts are separate groups of accounts for each function, such as Gas Supply, Transmission, Distribution, General and Administrative to facilitate the preparation of statements required for these operations.

Clearing accounts (account No. series 900)

The accounts in this group include expenditures relating to operations, maintenance and construction, which cannot be conveniently distributed directly to a particular expense or plant account. The Company may at its option use other clearing accounts in addition to those contained in this classification. Amounts charged to these accounts shall be accumulated and then charged out on an equitable basis. Balances in clearing accounts shall be substantially cleared not later than the end of the fiscal year unless balances held therein relate to a future period.

4. ACCOUNT DESCRIPTIONS

Lists of "examples" or "components" appearing in the text of the accounts or elsewhere herein are for the purpose of more clearly indicating the application of the prescribed accounting. The lists are intended to be representative, but not exhaustive. The appearance of an item in a list warrants the inclusion of the item only when the text also indicates inclusion, inasmuch as the same item frequently appears in more than one list. The proper entry in each instance must be determined by the texts of the accounts.

5. SUBMISSION OF QUESTIONS

Since uniformity of accounting by gas companies in Ontario is a basic reason for this system of accounts, companies shall submit all questions of doubtful interpretation of the accounting rules to the Board for determination.

6. PLANT ACQUIRED OR CONSTRUCTED

The primary plant accounts shall record the cost to acquire or construct gas plant, except as otherwise provided in these instructions. If consideration given for such plant is other than cash, the cash equivalent shall be charged to the applicable accounts and sufficient details of the actual consideration shall be retained to provide for identification.

Where the company purchases all or part of the existing facilities of a non-affiliated gas company, the cost to acquire gas plant shall be distributed to the accounts, unless the Board determines that a portion of the acquisition cost is not properly includible as gas plant. Such amounts shall then be included in account No. 104, "Gas Plant Acquisition Adjustments". If the facilities are purchased from an affiliated company, both the cost to the affiliated company and the accumulated depreciation to the date of acquisition shall be recorded in the company's books.

Where, at the time this system of accounts becomes applicable to a gas company, any part of the plant is recorded at redetermined values rather than at cost, the company may continue to so record such property until the Board directs that all or part of the difference between cost and redetermined value be transferred to account No. 107, "Other Gas Plant Adjustments". Whenever the Board excludes from the rate base any of the difference, such exclusion shall be a sufficient direction for a corresponding transfer from the Gas Plant Accounts to account No. 107, "Other Gas Plant Adjustments".

If the plant is constructed by or for the company, the cost to be recorded shall include the cost of labour, material and supplies, special machine and heavy work equipment service, transportation, contract work, insurance, injuries and damages, privileges, overhead charged to construction and interest during construction. These items of cost are defined below.

Cost of labour includes the amount paid for labour, (including fringe benefits) to the company's own employees. When employees are specifically assigned to construction work, their pay, while thus engaged, shall be included in the cost of the work. No charge shall be made to primary plant accounts for the pay of employees whose services in connection with construction are merely incidental, except as provided for in cost of overhead charged to construction.

The travelling and other incidental expenses of employees shall be distributed in accordance with distribution of the pay of such employees.

Cost of material and supplies includes the purchase price of material and supplies less trade discounts realized, and including cost of small tools, ad valorem taxes, inspection, transportation and loading; where appropriate, a suitable proportion of stores expenses.

In charging the plant accounts with material and supplies used, proper allowance shall be made for the value of unused portions and other salvage, the material recovered from temporary pipe scaffolding and other temporary structures used in construction, and small tools recovered and usable for other purposes.

Cost of special machine and heavy work equipment service includes the cost of labour, material and supplies, depreciation and other expenses incurred in maintaining and operating power shovels, scrapers, pile drivers, dredges, ditchers, material loaders and other labour-saving machines; also amounts paid to others for rent and maintenance of such machines. It does not include the cost of small tools and other individual items of small value or short life which are included in the cost of material and supplies.

When a construction project necessitates the purchase of equipment to be used exclusively therein until its work on the project is completed, the cost of such equipment shall be included in the accounts representing the cost of the work and no charge shall be made to expenses for depreciation on such equipment while the cost remains so charged. The amount realized from any subsequent sale, or the appraised value of equipment retained after the completion of the work for which it was purchased, shall be credited to the accounts charged with its cost. The appraised value of such equipment retained shall be debited to the appropriate primary account, and thereafter, for the purposes of accounting, such appraised value shall be considered as the cost of the equipment.

Cost of transportation includes the cost of transporting men, materials and supplies, special machine outfits and appliances and tools for construction purposes. The cost of the transportation of construction material to the point where material is received by the company shall be included, so far as practicable, as a part of the cost of such material.

Cost of contract work includes amounts paid for work performed under contract by other companies or individuals.

Cost of insurance, injuries and damages includes that portion of premiums incurred for insuring plant and personnel during construction, also the charges for protection against fire and wilful destruction and the cost of injuries to persons, damage to property of others and damages to plant incident to construction. Insurance recovered shall be credited to the accounts chargeable with the expenditures necessary to restore the damaged plant. The injuries and damages incident to the removal of the old structures or parts thereof shall be charged to the account recording retirement costs.

Cost of privileges includes compensation for temporary privileges such as the use of public property or streets, in connection with construction work.

Cost of overhead charged to construction includes engineering, supervision, administrative salaries and expenses, construction engineering and supervision, legal expenses, taxes and other similar items. The assignment of overhead costs to particular jobs or units shall be on the basis of a reasonable allocation of actual costs. The records supporting the entries for overhead charged to construction costs shall be maintained so as to show the total amount for each element of overhead for the year and the basis of distribution.

Cost of interest during construction may include the cost to the company for the use of funds for the purposes of construction, whether or not long term debt has been incurred. The basis of calculation of cost shall be as outlined in account No. 324, "Interest During Construction (Credit)".

Contributions or grants in cash, services or property from governments or government agencies, corporations, individuals, and others for contributions in aid of construction shall be applied as a reduction of the primary plant accounts to which they refer, if not recorded separately in account No. 299, "Contributions and Grants".

Date devoted to service

On the date the plant is devoted to service, the company shall cease to capitalize interest on such plant as is complete and in service and from that date it shall compute and charge to expenses or other appropriate accounts an amount representing depreciation as determined under section 10 of these instructions. Operating revenues received and operating expenses incurred after the date devoted to public service shall be included in the appropriate operating revenue and expense accounts.

Work order and property record system required

(A) Each utility shall record all construction and retirements of utility plant by means of work orders or job orders. Separate work orders may be opened for additions to and retirements of utility plant, or retirements may be included with the construction work order, provided, however, that all items relating to the retirements shall be kept separate from those relating to construction and provided further that any maintenance costs involved in the work shall likewise be segregated.

(B) Each utility shall keep its work order system so as to show the nature of additions to or retirements of utility plant, the total cost thereof, the source or sources of costs, and the utility plant account or accounts to which charged or credited. Work orders covering jobs of short duration may be cleared monthly.

(C) Each utility shall maintain records in which, for each plant account, the amounts of the annual additions and retirements are classified so as to show the number and cost of the various retirement units or other appropriate record units included therein.

7. ADDITIONS

Additions are increases in gas plant through purchase or construction of additional plant and/or replacement of existing plant. The cost of additions to or replacement of gas plant shall be charged to the appropriate plant account.

Description of typical elements of construction are referred to in General Instructions, Section 6, "Plant Acquired or Constructed". All expenditures relevant to new construction are capitalized. After the completion of initial construction, only the costs directly connected to additions or replacements of plant are capitalized.

For the purpose of avoiding undue refinement in accounting for additions and replacements of gas plant, all property charged within the plant accounts shall be considered as consisting of Plant Units and Minor Items of Plant.

Plant units—Each company shall use its own list of plant units, such lists to be filed with and subject to the approval of the Board. A plant unit is not necessarily a complete structure but may be part of a complete structure where such a part is a physically distinct part of the structure, and the amount of money involved is material. It is contemplated that the list of plant units will be revised and amended from time to time as experience and conditions warrant.

Plant units shall be accounted for in the following manner:

Additions—The cost of a plant unit shall be charged to the appropriate plant account.

Retirements—The ledger value of the plant unit shall be credited to the appropriate plant account.

Replacements—The ledger value of the original plant unit shall be credited to the appropriate plant account, and the cost of the replacement shall be charged to the appropriate plant account.

Minor items of plant are the associated parts or items composing a plant unit, and shall be accounted for in the following manner:

Additions—The cost of a minor item of plant which did not previously exist shall be charged to the appropriate plant account unless excluded therefrom by the minimum rule.

Retirements—The ledger value of a minor item of plant shall be credited to the appropriate plant account. If, however, the ledger value of the minor item retired and not replaced will be accounted for on the retirement of the plant unit with which it is associated, no adjustment shall be made to the plant accounts when such minor item is retired.

Replacements—The cost of a minor item of plant shall be charged to the appropriate expense account.

The minimum rule is intended for accounting convenience to provide a dollar limit on the charging of costs of minor items of plant to plant accounts. When costs of such items are less than selected minimum dollar amounts, such costs shall be charged to the expense accounts. No change is to be made in the selected minimum dollar amounts except by approval of the Board.

Repairs made during plant changes—see General Instructions, Section 9, "Maintenance".

Relocation of pipe line—see General Instructions, Section 8, " Retirements"

Second-hand plant—When second-hand plant acquired (not previously owned by the company) is in such physical condition that it is necessary to make extensive repairs to bring it up to the standard required by the company, the cost of such repairs shall be included in the appropriate plant account.

Major renewals and repairs—When the cost of renewals to parts of a plant unit, exclusive of the cost of dismantling and/or repairing old parts reused exceeds fifty per cent of the replacement cost of a new plant unit of the kind and class as rebuilt at the time of rebuilding, the plant unit shall be considered as rebuilt.

The rebuilt plant unit shall be accounted for as an addition and the old plant accounted for as retired from service. The term "cost of renewals" means the cost of material (other than second-hand parts remaining in the rebuilt plant unit) plus the cost of labour used in the rebuilding process, exclusive of the expense of dismantling and repairing old parts reused.

The charge to the appropriate plant account for the rebuilt plant unit shall be the sum of (1) the value of the second-hand parts remaining in the rebuilt plant unit, appropriately valued and (2) the cost of labour and additional material applied; both exclusive of the expense of dismantling and repairing second-hand parts reused.

8. RETIREMENTS

(A) *Depreciable plant*—When a plant unit is retired from gas operations the ledger value thereof shall be eliminated by crediting the appropriate plant accounts. When plant comprising less than a plant unit is removed from service, no adjustment shall be made to the plant accounts if its value will be retired upon the retirement of the plant unit with which it is associated. If the plant being retired is classified as depreciable, the ledger value less the net salvage value and/or insurance, if any, recovered shall be charged to accumulated depreciation.

Ledger value is the amount at which property is carried in the plant account. In case the value of any portion of plant is not shown separately, the ledger value of that portion shall be its proportionate share of the value of the entire group in which the particular plant is included.

Salvage value represents the value of material recovered from plant retired. If sold, this value shall be the selling price. If retained, for use by the company and charged to account No. 150, "Material and Supplies—Gas", or other accounts of this classification, this value shall be the ledger value of the material. Net salvage value means the salvage value less removal costs. In a case where the insurance recovery and salvage exceeds the ledger value, and the amount of the excess is material, the total credit to the accumulated depreciation account shall not exceed the ledger value. Any such excess, if material, shall be credited to account No. 351, "Profit from Sale of Plant".

Ordinary retirements result from causes reasonably assumed to have been contemplated in prior depreciation provisions, and normally may be expected to occur when plant reaches the end of its expected service life. In the case of such a retirement, accumulated depreciation shall be charged with the ledger value and the cost of removal and credited with amounts realized for salvage and insurance. There is no charge or credit to income for an ordinary retirement. (See General Instructions, Section 10 (B), "Depreciation".)

Extraordinary retirements result from causes not reasonably assumed to have been anticipated or contemplated in prior depreciation or amortization provisions. Such causes include unusual casualties (fire, storm, flood, etc.), sudden and complete obsolescence, or unexpected and permanent shutdown of an operating assembly or plant. An extraordinary retirement results in a loss (or gain) to the extent that the net charges (or credits) would unduly deplete (or inflate) the accumulated depreciation or amortization accounts. A loss (or gain) is comprised of the difference between the plant ledger value plus cost of removal less salvage and insurance recoveries and the related depreciation or amortization determined in an equitable manner.

Losses as a result of an extraordinary retirement may be charged to account No. 355, "Loss from Sale or Retirement of Plant", or to account No. 171, "Extraordinary Plant Losses". Gains, if any, as a result of an extraordinary retirement shall be credited to account No. 351, "Profit from Sale of Plant", subject to the prior approval of the Board; otherwise, they shall be credited to account No. 171 to offset other losses, resulting from extraordinary retirements. However, any proceeds in excess of original cost of plant retired shall be credited to account No. 351, "Profit from Sale of Plant".

(B) *Non-depreciable plant*—When non-depreciable plant is no longer required for gas purposes but is retained by the company, its ledger value shall be transferred to account No. 110, "Other Plant". When non-depreciable plant is sold, the ledger value thereof shall be credited to the applicable plant account and any profit or loss, if material, shall be recorded in account No. 351, "Profit from Sale of Plant", account No. 355, "Loss from Sale or Retirement of Plant", or account No. 171, "Extraordinary Plant Losses", as applicable.

If the profit or loss on disposal of non-depreciable plant is immaterial, such profit or loss shall be recorded in account No. 319, "Other Income" or account No. 329, "Other Income Deductions", as applicable.

(C) *Pipe relocations*—Where a pipe line is relocated the part of the line changed shall be considered plant retired and the ledger value thereof shall be credited to the appropriate plant account. The new line shall be considered an addition and its cost charged to the appropriate plant account. The cost of such pipe line changes which involve less than a plant unit of line pipe shall be charged to expense.

Where a company's pipe line or any part thereof is located in accordance with an agreement, the terms of which may require the company to relocate all or part of its pipe line and the circumstances are such that the company has no reasonable alternative but to relocate a plant unit or more of line pipe and such relocation would be a replacement (as defined in General Instructions, Section 7) unless otherwise provided, the company may, with the approval of the Board, charge the cost of relocation to expenses of the period in which the work was done. Where such relocation results from action by a governmental authority it may be accounted for in a similar manner.

(D) *Pipe replacements*—Where the retired pipe is replaced with other pipe in the same location, the cost of opening and back-filling the trench, together with the cost of hauling, laying and connecting the pipe, and other costs of pipe line construction, shall be charged to the appropriate plant account. The cost of removing the retired pipe from the trench shall be accounted for as cost of recovering the salvage. The cost of reconditioning the line pipe not removed shall be accounted for as maintenance and not as retirements and replacements.

If the retired line pipe is not replaced in the same location, the cost of opening and back filling the trench from which the pipe is removed, together with the cost of removing the pipe, shall be accounted for as cost of recovering the salvage.

9. MAINTENANCE

The cost of repairs to be included in the maintenance accounts shall include the cost of inspecting to determine what repairs are necessary; also the cost of adjusting, repairing, or replacing parts, and the cost of inspecting, testing and running of parts to determine that the repairs were properly made and that the repaired items are ready for service.

When repairs are made to existing plant concurrent with a plant addition or replacement, the cost of new repair material, plus the labour cost actually incurred, shall be charged to the appropriate plant account. If such repairs do not include a plant addition or replacement, then the cost shall be charged to the expense account appropriate for repairs to the plant being repaired.

There shall be included in the cost of repairs, incidental costs such as the construction and removal of false work in connection with maintenance; the cost of relocating pipe line plant when retirement accounting for units of plant is not involved; the cost of repairing fences, sidewalks, driveways and streets within or adjacent to such grounds.

The elements of maintenance shall include labour, materials and supplies, special machine and heavy work equipment service, transportation, contract work, privileges, protection from casualties and injuries and damages, (as outlined in General Instructions, Section 6) for similar elements of cost of plant acquired or constructed. Royalties paid for patent rights on mechanical appliances used in repairs shall be included in the cost of repairs.

Equalization of maintenance expenses—The cost of maintaining plant shall be included in the appropriate primary accounts in the month in which the expense is incurred. In case the company adopts a budget or estimate, for all or part of the fiscal year, of expenses includible in one or more primary maintenance accounts, an equitable monthly proportion of the difference between the budgeted or estimated expenses and the actual expenses chargeable each month may be debited or credited to the appropriate expense accounts with contra entries in account No. 275, "Gas Cost and Maintenance Equalization". If certain primary accounts only are budgeted, the company's records shall show, for amounts included in the equalization reserve account, the amount of the equalization assignable to each such primary account.

10. DEPRECIATION

(A) There shall be charged monthly to account No. 303, "Depreciation", or other appropriate accounts and credited to the account for accumulated depreciation amounts which will allocate the service value of the plant over its estimated service life in a systematic and rational manner. The service value of the assets, for depreciation purposes shall be their cost or redetermined value where this is recorded instead of cost with the approval of the Board, less their estimated net salvage value. Net salvage value means the salvage value less removal costs. The service life is the period of time between the installation or acquisition of the plant and its retirement for accounting purposes. In determining the amount of the allocation, consideration may properly be given to pertinent factors such as variations in use, increasing obsolescence or inadequacy.

(B) The charges for depreciation shall be computed in conformity with the group system under the straight-line method or other methods approved by the Board. The group system contemplates that some part of the investment in a group of assets probably will be recovered through salvage realizations, and that probably there will be variations in the service lives of the assets constituting the group, even among assets of the same class. The depreciation provision determined for the group is a weighted average of the various individual expectancies of life and salvage for the respective assets in the group. It is not the intention of the classification to require the company to keep records of the accumulated depreciation of each unit of plant. However, for purposes of reporting to the Board, summaries shall be maintained so that the accumulated depreciation can be subdivided to show separately the amount applicable to each primary account or to each group of primary accounts comprised of plant which performs similar functions.

When the retirement or disposal of any individual asset in a group occurs under circumstances reasonably provided for through accumulated depreciation, it may be assumed such provision has been made. Thus, whether the period of service is less or greater than average, accumulated depreciation attributable to an asset at the time of retirement under such circumstances is equal to the cost, except for that portion reasonably assumed recoverable through salvage realization. Assets remaining in use after reaching the average life expectancy are not regarded as fully depreciated until actual retirement. (See Section 8 (A) of these General Instructions.)

(C) All primary plant accounts (with the exception of accounts in the 400 series for "Land" and account No. 458, "Base Pressure Gas") are classed as accounts covering assets which are depreciable. In addition, to the extent that account Nos. 401, "Franchises and Consents", 402, "Other Intangible Plant", or other similar accounts such as "Land Rights" contain items which are subject to recognizable loss in value, such items shall be depreciable.

(D) Except as herein otherwise provided, monthly depreciation charges under the straight-line method shall be computed by applying the annual percentage rate to the depreciation base as of the first of each month and dividing the result by twelve, or if the company obtains prior approval of the Board, by applying the annual percentage rate to the depreciation base at the beginning of the company year and dividing that result by twelve. The company may, at its option where the amount is material, compute depreciation charges commencing on the date the plant was actually transferred to service rather than the first of the month following transfer to service. A company which, at the effective date of this System of Accounts, is using a year-end depreciation base shall continue to do so until revised rates of depreciation are established after the company's next comprehensive depreciation study.

(E) A separate rate for each group of primary accounts or each primary account shall be used in computing depreciation charges. The rate so established may itself be a composite rate due to the different types of assets in the primary account. The rate shall be such as has been approved by the Board except that where no rate for each group of primary accounts or each primary account has previously been approved an interim rate as estimated by the company shall be used until approved by the Board.

(F) As soon as the information can be assembled the company shall file with the Board rates estimated to be appropriate for each primary account or each group of primary accounts covering depreciable plant. Non-depreciable plant shall not be included in calculating the rates or in applying them. These rates shall be based on the estimated service values and estimated service lives of the plant developed by a study of the company's history and experience and such engineering and other information as may be available with respect to future conditions. Such rates shall, for each primary account or group of primary accounts comprised of more than one class of plant, produce a charge for depreciation equal to the sum of the amounts that would otherwise be chargeable as depreciation for each of the various classes of plant included in such account or such group of accounts. The rates when filed shall be accompanied by a statement showing the bases therefor and the methods employed in their computation, and may be developed by the company by the method deemed most appropriate in the light of the company's retirement experience.

(G) After the effective date of this System of Accounts, records shall be maintained so that when plant is retired, details will be available to show the service life, cost of removal, and the proceeds from salvage of each class of depreciable plant.

The company shall be prepared at any time, upon direction of the Board, to compute and submit for its approval revised rates in cases where existing rates are deemed inapplicable.

(H) In the event rates approved by the Board, in the judgment of the company, become no longer applicable, the company shall in like manner file revised rates which in its judgment should be established. Where plant is acquired for which no rates have been approved, the company shall upon such acquisition, compile and submit to the Board appropriate estimates developed in accordance with the provisions of sub-paragraph (F) of these instructions.

(I) When the company wishes to change from depreciation accounting to amortization accounting in view of probable abandonment of plant, the approval of the Board is required. (See account No. 106, "Accumulated Amortization—Gas Plant".)

11. INSURANCE

Insurance costs shall be charged to account No. 723, "Insurance" unless the costs are incurred in connection with construction, employee benefits or charged to clearing accounts. Insurance costs relative to construction of pipe line facilities shall be charged pro rata to the plant accounts. Insurance costs relative to employee benefits shall be charged to account No. 725, "Employee Benefits". Amounts recovered from such insurance shall be credited to the account or accounts charged with the related loss.

Account No. 723, "Insurance" shall also be charged with estimated amounts in lieu of commercial insurance premiums, if the company elects to create and maintain reserves for self-insurance. A schedule of risks covered by self-insurance shall be kept, showing the character of risk and the rates used to compute the estimated charges. Such rates shall be reasonable in the circumstances. Claims paid, damages suffered, repairs made, or loss because of plant retired, when covered by the self-insurance schedule, shall be charged to the insurance reserve. To the extent that the loss is not covered by the insurance reserve, such loss shall be charged to the appropriate expense account.

If the company reinsures self-carried risks with a commercial insurance company, premiums for such policies shall be debited to the insurance reserve and recoveries under the policies shall also be credited thereto.

12. FUNDS, RESERVES AND APPROPRIATIONS

When certain assets such as cash and securities have been set aside for a specific purpose, such assets shall be included in account No. 122, "Sinking Funds", or account No. 123, "Miscellaneous Special Funds", as applicable. The company's contributions to these funds shall be appropriated from retained earnings or charged to expense and shall be credited to account No. 290, "Insurance Reserves", account No. 291, "Welfare and Pension Reserves", or account No. 292, "Injuries and Damages Reserves", as applicable.

Income from assets held in account No. 122, "Sinking Funds", and account No. 123, "Miscellaneous Special Funds", shall be credited to account No. 316, "Income from Sinking and Other Funds". When it is required by the trust deed or other similar agreements that the income be retained in specific funds, cash and/or securities shall be transferred to the fund applicable. Where such income must be added to the fund, the company shall charge account No. 329, "Other Income Deductions", and credit the appropriate reserve account.

Profits and losses from the sale of assets held in account No. 122, "Sinking Funds", and account No. 123, "Miscellaneous Special Funds", shall be accounted for in the same manner as the income from assets held in these accounts and indicated in the preceding paragraphs.

13. SECURITIES OWNED

The investment in securities by the company shall be recorded in the respective accounts at cost at the time of acquisition, excluding amounts paid for accrued interest and dividends receivable.

Temporary cash investments—When temporary cash investments with a short term fixed maturity date are purchased at a discount or premium, such discount or premium may be amortized over the remaining life of the securities by periodical debits or credits to the account in which the cost of the securities is recorded with corresponding credits or debits to account No. 314, "Income from Investments". If the amount to be amortized is not material, the company may write off the total discount or premium at one time.

Profits and losses on sales, or amounts required to provide allowances for the decrease in market value of temporary cash investments shall be recorded in account No. 314, "Income from Investments", where minor and to account No. 352, "Profit from Sale of Investments" or account No. 356, "Loss from Sale of Investments", where material.

Other investments—When securities with a fixed maturity date, other than temporary cash investments are purchased at a discount or premium, such discount or premium may be amortized over the remaining life of the securities by periodical debits or credits to the account in which the cost of the securities is recorded with corresponding credits or debits to account No. 314, "Income from Investments". If the amount to be amortized is not material, the company may write off the total discount or premium at one time.

No amortization entries shall be recorded in respect of discount on securities held as investments unless there is reason to believe the securities will be disposed of at a sum equal to par, or par will be collected at maturity.

With respect to the company's investment in securities, the company shall be governed by recognized accounting principles in writing down their ledger value to reflect anticipated loss in value, and may write them off entirely if there is no reasonable prospect of realizing any amount therefrom. Fluctuations in market value should not be recorded. However, major decreases in market value should be provided for when they become apparent.

A company may provide for decrease in the value of securities owned and recorded in account No. 132, "Temporary Cash Investments", account No. 120, "Investments in Affiliated Companies", or account No. 121, "Other Long Term Investments". (See account No. 126, "Allowance for Loss in Value of Investments" and account No. 132, "Temporary Cash Investments".)

The amount of the adjustment to the investment in a controlled company (as defined under General Instructions, Section 18) shall be charged to account No. 315, "Income from Investments in Affiliated Companies" or if the amount of the adjustment is unusually large, the adjustment shall be charged to account No. 359, "Other Charges".

When losses have previously been provided for in the manner prescribed in the previous paragraph and such losses are subsequently reduced by profitable years, the company shall adjust the charges of previous years by taking into income the corresponding credits in respect of the profits earned. Such profit shall be credited to account No. 315, "Income from Investments in Affiliated Companies" or account No. 354, "Other Credits", as may be appropriate.

14. SECURITIES ISSUED

For purposes of this classification of accounts, premium is the excess value of the consideration received from the issue or resale of securities over the par or stated value of the company long term debt or similar obligations; discount is the excess of the par or stated value over the value of the consideration; expenses comprise amounts paid to underwriters, brokers, salesmen and agents for marketing securities. Interest or dividends accrued are not to be included as part of either premium or discount. Separate ledger accounts shall be maintained for each class or subclass of securities such as stocks, bonds, or notes, with respect to which the issue or resale is at a premium or discount. Except as otherwise provided under "Cost of Interest During Construction" (see Section 6, "Plant Acquired or Constructed"), no discount or expenses in respect of long term debt shall be charged to or included in any account as part of the cost of acquiring plant, tangible or intangible, or as part of the cost of operation. Premiums on capital stock shall be entered in account No. 210, "Contributed Surplus".

Discounts and premiums on long term debt, fees and expenses paid to underwriters and brokers for marketing, and other expenses of an issue, shall be netted in account No. 170, "Unamortized Debt Discount and Expense", or account No. 270, "Unamortized Debt Premium", as applicable. Separate sub-accounts shall be maintained for discount, premium and expense applicable to each issue. The cost of issuing other long term debt shall be charged to account No. 170, "Unamortized Debt Discount and Expense", or to account No. 359, "Other Charges". If such amount is not material in relation to net income, then such amount may be charged to account No. 329, "Other Income Deductions".

The unamortized debt discount, premium and expense shall be amortized on an equitable basis over the life of the issue by monthly charges to account No. 321, "Amortization of Debt Discount, Premium and Expense".

When part of an issue is redeemed, other than being refunded, the portion of unamortized debt discount, premium and expense applicable to the debt redeemed shall be removed from the asset account No. 170, "Unamortized Debt Discount and Expense", or account No. 270, "Unamortized Debt Premiums", by a charge or credit to account No. 321, "Amortization of Debt Discount, Premium and Expense". If the amount is so large that its inclusion would unduly distort the income results for the period, it shall be charged or credited to retained earnings accounts.

Where any long term debt is refunded by the company before the original maturity date of the issue, the unamortized debt discount, premium and expense applicable to the debt refunded shall be charged or credited to income accounts either in the year of refunding, or over a period not exceeding the remainder of the original life of the issue retired. If the amount is so large that its inclusion would unduly distort the income results for the period, it shall be charged or credited to retained earnings accounts.

15. CURRENT ASSETS AND LIABILITIES

The accounts for current assets and current liabilities are comprised of amounts available for payment of current liabilities and amounts chargeable against current resources. Although not available for payment of current liabilities, material and supplies are also to be included as current assets. Obsolete repair parts and supplies for which there is no foreseeable use are not current assets, unless carried at their scrap value.

Current assets shall include only amounts the collection of which is reasonably anticipated within one year in the normal course of business, and such other assets as may properly be classified as current assets in accordance with generally accepted accounting practice. Items of current character but of doubtful value, previously credited to revenue, expense, or income accounts, shall be written down or written off by debit to the account or accounts previously credited except that uncollectible accounts receivable shall be charged to account No. 145, "Allowance for Doubtful Accounts", or account No. 728, "Other Administrative and General Expense", as applicable.

16. ACCRUED ASSETS AND LIABILITIES

If the effect of any transaction upon income of the period in which it occurs cannot be determined before the accounts are closed, the estimated asset or liability resulting therefrom shall be credited or charged to the appropriate balance sheet, revenue, expense, or income account according to the nature of the transaction. Companies shall indicate to the Board any material change in the practice of accounting for year-end accruals. Companies are not required to anticipate items which would not appreciably affect the accounts.

When an accrued asset or liability is finally determined, the estimate shall be adjusted through the respective accounts originally credited or debited. At any time, if a substantial error is found in an initial estimate of this sort, it shall be adjusted currently through the same accounts.

Adjustments arising during the current year which are applicable to prior years, shall be included in the same account which would have been charged or credited if the item had been taken up or adjusted in the year to which it pertained. When the amount of the adjustment is so material that its inclusion in the appropriate account for the current year would seriously distort the income for the current year, the amount of the delayed item may be credited to account No. 354, "Other Credits", or charged to account No. 359, "Other Charges", as may be appropriate.

17. CONTINGENT ASSETS AND LIABILITIES

Contingent assets and liabilities shall not be included in the body of the balance sheet statement, but, if significant, shall be shown in detail in a supplementary statement. Contingent assets are those the value of which is dependent upon the fulfillment of conditions regarded as uncertain. Contingent liabilities are those which may under certain conditions become obligations of the company, but are neither direct nor assumed obligations on the date of the balance sheet.

18. AFFILIATED COMPANIES

The term "affiliated companies" used in this classification of accounts includes subsidiary companies and holding companies.

(1) For the purposes of this classification a company shall be deemed to be a subsidiary of another company if,

(*a*) it is controlled by,

(i) that other company, or

(ii) that other company and one or more companies each of which is controlled by that other company, or

(iii) two or more companies each of which is controlled by that other company; or

(*b*) it is a subsidiary of a company which is that other company's subsidiary.

(2) For the purposes of this classification, one company shall be deemed to be affiliated to another company if one of them is the subsidiary of the other or both are subsidiaries of the same company or each of them is controlled by the same person.

(3) For the purposes of this classification, a company shall be deemed to be another's holding company if that other is its subsidiary.

(4) For the purposes of this classification, a company shall be deemed to be controlled by another company or person or by two or more companies, if shares of the first-mentioned company carrying more than 50 per cent of the voting rights are held, otherwise than by way of security only, by or for the benefit of such other company or person or by or for the benefit of such other companies.

PART II

ONTARIO ENERGY BOARD

UNIFORM SYSTEM OF ACCOUNTS FOR CLASS "A" GAS UTILITIES

ACCOUNT STRUCTURE

General Accounts	100 — 199	Assets
	200 — 299	Capital, Surplus and Liabilities
	300 — 349	Income
	350 — 399	Retained Earnings
Detail Accounts	400 — 499	Gas Plant
	500 — 599	Operating Revenue
	600 — 799	Operating Expense
	800 — 899	Maintenance Expense
	900 — 999	Clearing

GENERAL ACCOUNTS—ASSETS

Account No.	PLANT
100	Gas Plant in Service
101	Gas Plant Leased to Others
102	Gas Plant Held for Future Use
103	Retirement Work in Progress
104	Gas Plant Acquisition Adjustments
105	Accumulated Depreciation—Gas Plant
106	Accumulated Amortization—Gas Plant
107	Other Gas Plant Adjustments
108	Accumulated Amortization—Acquisition Adjustments
110	Other Plant
111	Accumulated Depreciation—Other Plant
112	Accumulated Amortization—Other Plant
115	Gas Plant Under Construction
116	Other Plant Under Construction

LONG TERM INVESTMENTS

120	Investments in Affiliated Companies
121	Other Long Term Investments
122	Sinking Funds
123	Miscellaneous Special Funds
124	Company Long Term Debt Owned
125	Second Mortgages Receivable
126	Allowance for Loss in Value of Investments

CURRENT AND ACCRUED ASSETS

130	Cash
131	Special Deposits
132	Temporary Cash Investments
140	Accounts Receivable—Trade
141	Accounts Receivable—Other
142	Accounts Receivable—Affiliated Companies
145	Allowance for Doubtful Accounts
147	Interest and Dividends Receivable
150	Material and Supplies—Gas
151	Material and Supplies—Other
152	Gas Stored Underground—Available for Sale
153	Transmission Line Pack Gas
160	Prepayments
162	Other Current and Accrued Assets

DEFERRED CHARGES

170 Unamortized Debt Discount and Expense
171 Extraordinary Plant Losses
172 Preliminary Survey and Investigation Charges
173 Other Work in Progress
175 Unamortized Conversion Expense
176 Public Improvements
177 Capital Stock Expense
178 Organization Expense
179 Other Deferred Charges

GENERAL ACCOUNTS—CAPITAL, SURPLUS & LIABILITIES

CAPITAL STOCK AND SURPLUS

200 Preferred Stock
205 Common Stock
210 Contributed Surplus
212 Retained Earnings
215 Appropriations of Retained Earnings
216 Excess of Redetermined Value of Plant over Depreciated Cost

LONG TERM DEBT

220 Long Term Debt
248 Advances from Affiliated Companies
249 Other Long Term Debt

CURRENT AND ACCRUED LIABILITIES

250 Loans and Notes Payable
251 Accounts Payable and Accrued
252 Accounts Payable—Affiliated Companies
253 Dividends Payable
254 Customers' Security Deposits
255 Customers' Advances for Construction
256 Taxes Accrued
257 Interest Payable and Accrued
258 Long Term Debt Due Within One Year
259 Other Current and Accrued Liabilities

DEFERRED CREDITS

270 Unamortized Debt Premium
271 Unearned Finance Charges on Customers' Accounts Receivable (Credit)
275 Gas Cost and Maintenance Equalization
276 Accumulated Income Tax Reductions Applicable to Future Years
279 Other Deferred Credits

RESERVES

290 Insurance Reserves
291 Welfare and Pension Reserves
292 Injuries and Damages Reserves
293 Other Reserves

CONTRIBUTIONS AND GRANTS

299 Contributions and Grants

GENERAL ACCOUNTS—INCOME

300 Operating Revenue
301 Operating Expense
302 Maintenance Expense
303 Depreciation
304 Amortization
305 Municipal and Other Taxes
306 Income Taxes
307 Revenue from Gas Plant Leased to Others
308 Rent for Gas Plant Leased from Others
310 Revenue from Other Plant
311 Expense of Other Plant
312 Non-Operating Revenue

313 Non-Operating Expense
314 Income from Investments
315 Income from Investments in Affiliated Companies
316 Income from Sinking and Other Funds
317 Gain on Foreign Exchange
319 Other Income
320 Interest on Long Term Debt
321 Amortization of Debt Discount, Premium and Expense
322 Interest on Amounts Due Affiliated Companies
323 Other Interest Expense
324 Interest During Construction (Credit)
325 Loss on Foreign Exchange
329 Other Income Deductions
330 Appropriations of Net Income

GENERAL ACCOUNTS—RETAINED EARNINGS

CREDITS

350 Balance Transferred from Income
351 Profit from Sale of Plant
352 Profit from Sale of Investments
353 Contributions on Account of Operations
354 Other Credits

DEBITS

355 Loss from Sale or Retirement of Plant
356 Loss from Sale of Investments
357 Dividend Appropriations
358 Income Tax Applicable to Retained Earnings Adjustments
359 Other Charges

DETAIL ACCOUNTS—PLANT

INTANGIBLE PLANT

401 Franchises and Consents
402 Other Intangible Plant

NATURAL GAS PRODUCTION PLANT

403 Gas Lands
404 Gas Leaseholds
405 Gas Rights
406 Producing Gas Wells—Well Drilling
407 Producing Gas Wells—Well Equipment
408 Gas Well Structures
409 Other Natural Gas Production Equipment

NATURAL GAS GATHERING PLANT

410 Land
411 Land Rights
412 Compressor Structures and Improvements
413 Measuring and Regulating Structures and Improvements
414 Other Structures and Improvements
415 Gathering Lines
416 Compressor Equipment
417 Measuring and Regulating Equipment
418 Purification Equipment
419 Other Natural Gas Gathering Equipment

PRODUCTS EXTRACTION PLANT

420 Land
421 Land Rights
422 Structures and Improvements
423 Extraction Equipment
424 Products Storage Equipment
425 Pipe Lines
426 Compressor Equipment
427 Measuring and Regulating Equipment
428 Purification Equipment
429 Other Products Extraction Equipment

MANUFACTURED GAS PRODUCTION PLANT

430 Land
431 Land Rights
432 Structures and Improvements
433 Manufacturing Equipment
434 Gas Holders—Manufacturing
436 Compressor Equipment
437 Measuring and Regulating Equipment
438 Purification Equipment
439 Other Manufactured Gas Production Equipment

LOCAL STORAGE PLANT

440 Land
441 Land Rights
442 Structures and Improvements
443 Gas Holders—Storage
449 Other Local Storage Equipment

UNDERGROUND STORAGE PLANT

450 Land
451 Land Rights
452 Structures and Improvements
453 Wells
454 Well Equipment
455 Field Lines
456 Compressor Equipment
457 Measuring and Regulating Equipment
458 Base Pressure Gas
459 Other Underground Storage Equipment

TRANSMISSION PLANT

460 Land
461 Land Rights
462 Compressor Structures and Improvements
463 Measuring and Regulating Structures and Improvements
464 Other Structures and Improvements
465 Mains
466 Compressor Equipment
467 Measuring and Regulating Equipment
468 Communication Structures and Equipment
469 Other Transmission Equipment

DISTRIBUTION PLANT

470 Land
471 Land Rights
472 Structures and Improvements
473 Services
474 House Regulators and Meter Installations
475 Mains
476 Compressor Equipment
477 Measuring and Regulating Equipment
478 Meters
479 Other Distribution Equipment

GENERAL PLANT

480 Land
481 Land Rights
482 Structures and Improvements
483 Office Furniture and Equipment
484 Transportation Equipment
485 Heavy Work Equipment
486 Tools and Work Equipment
487 Equipment on Customers' Premises
488 Communication Structures and Equipment
489 Other General Equipment

UNDISTRIBUTED PLANT

496 Unclassified Plant

DETAIL ACCOUNTS—OPERATING REVENUE

SALES OF GAS

500 Canadian Sales
510 Foreign Sales
520 Residential Sales
521 Commercial Sales
522 Industrial Sales
524 Interdepartmental Sales
529 Other Sales

OTHER OPERATING REVENUE

550 Sales of Products Extracted from Gas
551 Revenue from Natural Gas Processed by Others
560 Forfeited Discounts—Penalties
561 Revenue from Service Work
570 Transportation and Storage of Gas of Others
575 Rent from Gas Plant
576 Rent from Company Equipment on Customers' Premises
579 Miscellaneous Operating Revenue

DETAIL ACCOUNTS—OPERATING EXPENSES

EXPLORATION AND DEVELOPMENT—OPERATION

600 Supervision
602 Delay Rentals
603 Non-productive Well Drilling
604 Abandoned Leases
609 Other Exploration and Development Operation

NATURAL GAS PRODUCTION AND GATHERING—OPERATION

610 Supervision
611 Royalties
612 Gathering of Gas by Others
614 Gas Wells
615 Pipe Lines
616 Compressor
617 Measuring and Regulating
618 Purification
619 Other Natural Gas Production and Gathering Operation

PRODUCTS EXTRACTION—OPERATION

620 Supervision
621 Extraction and Refining
622 Gas Processing by Others

GAS SUPPLY—OPERATION

623 Gas Purchases
626 Exchange Gas
627 Gas Withdrawn from Underground Storage
628 Gas Delivered to Underground Storage (Credit)
629 Gas Used (Credit)

MANUFACTURED GAS PRODUCTION—OPERATION

630 Supervision
631 Fuel and Fuel Handling
632 Manufacture
633 Manufacture—Liquified Petroleum Gas
634 Gas Holders—Manufacturing
638 Purification
639 Other Manufactured Gas Production Operation

LOCAL STORAGE—OPERATION

640 Supervision
644 Gas Holders—Storage
649 Other Local Storage Operation

UNDERGROUND STORAGE—OPERATION

650 Supervison
651 Exploration and Development
653 Wells
654 Gas Losses
655 Field Lines
656 Compressor
657 Measuring and Regulating
658 Purification
659 Other Underground Storage Operation

TRANSMISSION—OPERATION

660 Supervision
663 Transportation of Gas by Others
664 Communication
665 Pipe Lines
666 Compressor
667 Measuring and Regulating
669 Other Transmission Operation

DISTRIBUTION—OPERATION

670 Supervision
671 Load Dispatching
673 Removing and Resetting Meters and House Regulators
674 Service on Customers' Premises
675 Mains and Services
676 Compressor
677 Measuring and Regulating
679 Other Distribution Operation

GENERAL—OPERATION

684 Communication
685 System Operation and Engineering
688 Other General Operations
689 General Operations Transferred (Credit)

DISTRIBUTION SALES PROMOTION—OPERATION

700 Supervision
701 Advertising
702 Demonstration and Selling Expense
703 Revenue from Merchandising, Jobbing and Contract Work
704 Expense of Merchandising, Jobbing and Contract Work
709 Other Sales Promotion Operation

DISTRIBUTION CUSTOMER ACCOUNTING—OPERATION

710 Supervision
711 Customers' Contracts and Orders
712 Meter Reading and Bill Delivery
713 Customers' Billing and Accounting
714 Credit and Collection
718 Uncollectible Accounts
719 Other Customer Accounting Operation

ADMINISTRATIVE AND GENERAL—OPERATION

721 Administrative Expense
722 Special Services
723 Insurance
724 Injuries and Damages
725 Employee Benefits
728 Other Administrative and General Expenses
729 Administrative and General Expenses Transferred (Credit)

DETAIL ACCOUNTS—MAINTENANCE EXPENSES

NATURAL GAS PRODUCTION AND GATHERING—MAINTENANCE

810	Supervision
814	Gas Wells
815	Pipe Lines
816	Compressor
817	Measuring and Regulating
818	Purification
819	Other Natural Gas Production and Gathering Maintenance

PRODUCTS EXTRACTION—MAINTENANCE

820	Supervision
821	Extraction and Refining

MANUFACTURED GAS PRODUCTION—MAINTENANCE

830	Supervision
832	Structures and Improvements
834	Gas Holders—Manufacturing
838	Purification
839	Other Manufactured Gas Production Maintenance

LOCAL STORAGE—MAINTENANCE

840	Supervision
842	Structures and Improvements
844	Gas Holders—Storage
849	Other Local Storage Maintenance

UNDERGROUND STORAGE—MAINTENANCE

850	Supervision
853	Wells
855	Field Lines
856	Compressor
857	Measuring and Regulating
858	Purification
859	Other Underground Storage Maintenance

TRANSMISSION—MAINTENANCE

860	Supervision
864	Communication
865	Pipe Lines
866	Compressor
867	Measuring and Regulating
869	Other Transmission Maintenance

DISTRIBUTION—MAINTENANCE

870	Supervision
872	Structures and Improvements
874	Equipment on Customers' Premises
875	Mains and Services
876	Compressor
877	Measuring and Regulating
878	Meters
879	Other Distribution Maintenance

GENERAL MAINTENANCE

884	Communication
885	System Maintenance and Engineering
888	Other General Maintenance
889	General Maintenance Transferred (Credit)

CLEARING ACCOUNTS

900	Warehouse Expense
901	Transportation Equipment Expense
902	Heavy Work Equipment Expense
903	Aircraft Expense
904	Printing and Reproduction Expense

100. GAS PLANT IN SERVICE

This account shall include the cost of plant, property and equipment (including that held under contract for purchase) in service at the date of the balance sheet.

This account shall also include the cost of improvements made to leased facilities, where such improvements are used in gas service and the company is not to be reimbursed by the lessor for such improvements.

When plant (including leased facilities) is retired from service, this account shall be credited with the ledger value of the plant retired and a like amount shall be concurrently charged to account No. 103, "Retirement Work in Progress". (See General Instructions, Section 8.)

The plant included in this account shall be classified according to the detailed accounts for such plant. The cost of improvements to leased facilities shall be maintained in subdivisions separate from those relating to owned plant.

NOTE : Improvements to facilities leased on a short term basis shall be included in account No. 179, "Other Deferred Charges".

101. GAS PLANT LEASED TO OTHERS

This account shall include the cost of gas plant owned by the utility, but leased to others as operating units or systems, where the lessee has exclusive possession.

The plant included in this account shall be classified according to the detailed accounts prescribed for gas plant in service and this account shall be maintained in such detail as though the plant were used by the Company in its operations.

102. GAS PLANT HELD FOR FUTURE USE

This account shall include the cost of plant owned and held for future use in gas service. There shall be included herein plant acquired but never used by the utility in gas service, but held for such service in the future, and plant previously used by the utility in gas service, but retired from such service and held pending its re-use in the future in gas service. This includes land and land rights held to ensure a future supply of natural gas.

The plant included in this account shall be classified according to the detailed accounts prescribed for gas plant in service and the account shall be maintained in such detail as though the plant were in service. Separate sub-accounts shall be maintained hereunder for each department for which plant is held for future use.

NOTE : Include in this account natural gas wells shut in after construction which have not been connected with the line; also, natural gas wells which have been connected with the line but which are shut in for any reason excepting seasonal excess capacity or government proration requirements or for repairs.

103. RETIREMENT WORK IN PROGRESS

This account shall include amounts concurrently credited to account Nos. 100, "Gas Plant in Service", 101, "Gas Plant Leased to Others" and 102, "Gas Plant Held for Future Use" in respect of gas plant retired from service.

It shall also be charged with all costs incurred on removal, demolition and dismantling of gas plant during the course of its retirement. Amounts recovered for salvage and insurance on gas plant retired shall be credited hereto.

When final costs of each retirement are established, the ledger value and the cost of removal less amounts recovered shall be transferred to:

account No. 105, "Accumulated Depreciation—Gas Plant" or
account No. 106, "Accumulated Amortization—Gas Plant", as applicable.

104. GAS PLANT ACQUISITION ADJUSTMENTS

This account shall include the difference between the cost to the company of gas plant acquired by purchase, merger, amalgamation, consolidation, liquidation or otherwise, and the net amount approved by the Board to be properly includible in plant and accumulated depreciation accounts. (See General Instructions, Section 6.)

This account shall be subdivided to show the amounts applicable to gas plant in service, gas plant leased to others and gas plant held for future use.

The amounts recorded in this account with respect to each acquisition shall be amortized or otherwise disposed of as approved by the Board.

105. ACCUMULATED DEPRECIATION—GAS PLANT

This account shall be credited with the following:

(1) Amounts charged to account No. 303, "Depreciation", or to clearing accounts, for current depreciation expense.

(2) At the option of the Company, amounts charged to Retained Earnings for past accrued depreciation.

(3) At the option of the Company, subject to the determination by the Board that the amounts result from the recording of redetermined plant values, amounts for past accrued depreciation charged to account No. 216, "Excess of Redetermined Value of Plant over Depreciated Cost" instead of to Retained Earnings.

(4) Amounts of depreciation applicable to gas plant acquired as operating units or systems from an affiliated company. (See General Instructions, Section 6.)

(5) Amounts charged to account No. 171, "Extraordinary Plant Losses". (See Section 8 (A) of these General Instructions.)

At the time of retirement of depreciable gas plant this account shall be charged with the ledger value of the plant and the cost of removal, and shall be credited with amounts recovered for salvage and insurance. (See General Instructions, Section 8, "Retirements".)

This account shall be subdivided as follows:

(1) Accumulated depreciation—gas plant in service

(2) Accumulated depreciation—gas plant leased to others

(3) Accumulated depreciation—gas plant held for future use

For general ledger and balance sheet purposes, this account shall be regarded and treated as a composite reserve. However, for purposes of analysis, the company shall maintain subsidiary records in which the accumulated depreciation is subdivided into component parts corresponding to the gas plant accounts or groups of accounts comprised of plants which perform similar functions, showing in detail the current debits and credits. (See General Instructions, Section 10.)

106. ACCUMULATED AMORTIZATION—GAS PLANT

This account shall be credited with amounts concurrently charged to account No. 304, "'Amortization", when the utility must extinguish amounts carried in account Nos. 100, "Gas Plant in Service", 101, "Gas Plant Leased to Others", or 102, "Gas Plant Held for Future Use", relating to probable abandonment of all or a significant part of gas plant or severe permanent curtailment in operations. When there is a change from depreciation accounting to amortization accounting, the applicable balance in account No. 105, "Accumulated Depreciation —Gas Plant", shall be transferred to this account.

This account shall be charged at the time of retirement with the ledger value of the gas plant retired and the cost of removal less amounts recovered for salvage and insurance, and the difference between the accumulated amortization and the aforementioned amount in respect of such gas plant retired shall be credited or charged, as the case may be, to account No. 319, "Other Income" or account No. 329, "Other Income Deductions", as applicable. When the retirement results in an extraordinary loss, this amount shall be charged to account No. 355, "Loss from Sale or Retirement of Plant" or all or a portion of the loss may be charged to account No. 171, "Extraordinary Plant Losses". Where the retirement results in an extraordinary profit, this amount shall be credited to account No. 351, "Profit from Sale of Plant".

It is not required that balances in this account shall be broken down into component parts corresponding to the plant accounts but the account shall be subdivided as follows:

(1) Accumulated amortization—gas plant in service

(2) Accumulated amortization—gas plant leased to others

(3) Accumulated amortization—gas plant held for future use

107. OTHER GAS PLANT ADJUSTMENTS

(A) This account shall include the difference between the amount approved by the Board to be properly includible in plant and the book value of the gas utility plant at the effective date of the uniform system of accounts, to the extent that such difference is not properly includible in account No. 104, "Gas Plant Acquisition Adjustments".

(B) The amounts included in this account shall be classified in such a manner as to show the nature of each amount included herein, and shall be disposed of as the Board may approve or determine.

NOTE : The provisions of this account shall not be construed as approving or authorizing future recording of appreciation in the value of gas utility plant in the accounts.

(See General Instructions, Section 6, and account No. 216, "Excess of Redetermined Value of Plant over Depreciated Cost".)

108. ACCUMULATED AMORTIZATION—GAS PLANT ACQUISITION ADJUSTMENTS

This account shall be credited (or debited) with amounts which are includible in account No. 304, "Amortization", or such other account as the Board may determine, for the purpose of extinguishment of amounts charged or credited in account No. 104, "Gas Plant Acquisition Adjustments", where the amortization of account No. 104 is not being made by an immediate write-off of the account.

110. OTHER PLANT

This account shall include the cost of land, structures, equipment or other tangible or intangible plant owned by the utility, but not used in gas service and not properly includible in account Nos. 101, "Gas Plant Leased to Others", 102, "Gas Plant Held for Future Use" or 115, "Gas Plant Under Construction".

This account shall be subdivided so as to show the amount of plant used in operations which are nonutility in character but nevertheless constitute a distinct operating activity of the company and the amount of miscellaneous plant not used in operations. The records in support of each sub-account shall be maintained so as to show an appropriate classification of the plant.

111. ACCUMULATED DEPRECIATION—OTHER PLANT

This account shall be credited with amounts of depreciation concurrently charged to account No. 303, "Depreciation" to cover loss in service value of depreciable plant, the cost of which is included in account No. 110, "Other Plant". It shall also be credited with any amounts the company may charge to account No. 359, "Other Charges" in respect of past accumulated depreciation not provided for.

The company may, at the time of retirement of depreciable plant, charge this account with the ledger value of the plant retired and cost of removal, and credit it with the amounts recovered from salvage and insurance. Where the company does not follow this procedure in the retirement of other plant, then at the time of retirement this account shall be charged with the accumulated depreciation of the plant retired and profits or losses on the sale of such plant shall be included in account No. 319, "Other Income", or account No. 329, "Other Income Deductions" as applicable. If the profits or losses are material in relation to net income for the year they shall be included in account No. 351, "Profit from Sale of Plant", or account No. 355, "Loss from Sale or Retirement of Plant", as applicable.

112. ACCUMULATED AMORTIZATION—OTHER PLANT

This account shall be credited with amounts concurrently charged to account No. 304, "Amortization", when the utility must extinguish amounts carried in account No. 110, "Other Plant", relating to probable abandonment of all or a significant part of other plant or severe permanent curtailment in operations. When there is a change from depreciation accounting to amortization accounting, the applicable balance in account No. 111, "Accumulated Depreciation—Other Plant", shall be transferred to this account.

The company may, at the time of retirement of amortizable plant charge this account with the ledger value of the plant retired and cost of removal, and credit it with the amounts recovered from salvage and insurance. Where the company does not follow this procedure in the retirement of other plant then at the time of retirement this account shall be charged with the accumulated amortization of the plant retired and profits or losses on the sale of such plant shall be included in account No. 319, "Other Income", or account No. 329, "Other Income Deductions"as applicable. If the profits or losses are material in relation to net income for the year they shall be included in account No. 351, "Profit from Sale of Plant", or account No. 355, "Loss from Sale or Retirement of Plant", as applicable.

115. GAS PLANT UNDER CONSTRUCTION

This account shall include the cost of construction of gas plant, not completed or ready for service at the date of balance sheet, including the cost of land acquired for such projects (see notes B, D and F account No. 410, "Land") and of unapplied construction material and supplies located at point of use for the construction of new equipment and/or extensions. It shall also include taxes during construction and other elements of cost of such construction work. When any plant, the cost of construction of which has been included in this account, is completed and ready for service the cost thereof shall be credited to this account and charged to the primary plant accounts appropriate to the character of the plant.

NOTE : It is not required that this account shall include the cost of construction work which is placed in service as the work progresses.

116. OTHER PLANT UNDER CONSTRUCTION

This account shall include the cost of construction of plant other than that includible in account No. 115, "Gas Plant under Construction".

120. INVESTMENTS IN AFFILIATED COMPANIES

This account shall include the ledger value of the company's investment in securities issued or assumed by affiliated companies; also investment advances made to such affiliated companies. (See General Instructions, Sections 13 and 18.)

This account shall be maintained in such manner as to enable information on the investment in each affiliated company to be submitted under the following headings:

(*a*) Stocks

(*b*) Bonds and debentures

(*c*) Other secured obligations

(*d*) Unsecured notes

(*e*) Investment advances

(*f*) Interest accrued on any of above when such interest is not subject to current settlement.

If any securities classified herein are pledged, a complete record thereof shall be maintained so that the ledger value of securities pledged and unpledged may be shown separately.

NOTE : Accounts with affiliated companies which are subject to current settlement, if their collection is reasonably assured, shall be included in account No. 142, "Accounts Receivable—Affiliated Companies".

121. OTHER LONG TERM INVESTMENTS

This account shall include the ledger value of the company's investment in securities issued or assumed by non-affiliated companies, other than securities held in special deposits or special funds; also investment advances made to such non-affiliated companies and individuals. (See General Instructions, Section 13.)

This account shall be maintained in such a manner as to enable information on the investment in each non-affiliated company to be submitted under the following headings:

(*a*) Stocks

(*b*) Bonds and debentures

(*c*) Other secured obligations

(*d*) Unsecured notes

(*e*) Investment advances

(*f*) Interest accrued on any of above when such interest is not subject to current settlement.

If any securities classified herein are pledged, a complete record thereof shall be maintained so that the ledger value of securities pledged and unpledged may be shown separately.

NOTE : Accounts with non-affiliated companies which are subject to current settlement, if their collection is reasonably assured, shall be classed as current assets and included in account No. 141, "Accounts Receivable —Other", but if settlement is deferred beyond one year such items shall be transferred to account No. 179, "Other Deferred Charges".

122. SINKING FUNDS

This account shall include cash and the ledger value of securities and other assets, held by trustees or by the company, which have been segregated in distinct funds and are for the purpose of providing resources for the redemption of debt or capital stock.

A separate account shall be kept for the sinking fund applicable to each class of debt or capital stock issue.

An appropriate record shall be maintained for securities issued or assumed by the company and held in such funds.

NOTE A : When assets are definitely assigned in advance of expenditure to the payment of interest or other current liabilities payable within one year they shall be transferred to the appropriate current asset account.

NOTE B : Bank deposits subject to current withdrawal for specific purposes only, shall be included in account No. 131, "Special Deposits". Deposits available for general company purposes shall be included in account No. 130, "Cash".

123. MISCELLANEOUS SPECIAL FUNDS

This account shall include cash and the ledger value of securities and other assets, held by trustees, or by the company which have been segregated in funds for insurance, employees' pension, savings, relief, hospital, and other purposes not provided for elsewhere. A separate account shall be kept for each fund. (See General Instructions, Section 12.)

NOTE A : Sinking funds are provided for in account No. 122, "Sinking Funds".

NOTE B : This account shall not include funds held by the company solely as trustee and in which it has no beneficial interest.

NOTE C : Bank deposits subject to current withdrawal for specific purposes only shall be included in account No. 131, "Special Deposits". Deposits available for general company purposes shall be included in account No. 130, "Cash".

124. COMPANY LONG TERM DEBT OWNED

This account shall include the ledger value of long term debt issued or assumed by the company, acquired by it and not yet cancelled, other than such long term debt held in sinking or miscellaneous special funds.

This account shall show:

(*a*) Total par value unpledged

(*b*) Total par value pledged

NOTE : The amount of long term debt owned shall, for purposes of balance sheet presentation, be deducted from the amount of outstanding long term debt included in account No. 258, "Long Term Debt Due Within One Year" or the applicable account within the Long Term Debt section.

125. SECOND MORTGAGES RECEIVABLE

This account shall include the ledger value of the company's investment in second mortgages advanced to customers through the promotional financing of customers' appliances in new housing.

126. ALLOWANCE FOR LOSS IN VALUE OF INVESTMENTS

This account shall include the total of balances maintained by the company for the purpose of providing for reduction in values of securities carried in account No. 120, "Investments in Affiliated Companies", and account No. 121, "Other Long Term Investments". Corresponding charges applicable to the above accounts shall be made to account No. 356, "Loss from Sale of Investments" when material, and when immaterial to account No. 329, "Other Income Deductions".

130. CASH

This account shall include commercial bank accounts available for general chequing purposes, as distinguished from bank accounts provided for special purposes, such as special deposits. It shall also include the amount of current cash funds including imprest funds in the hands of employees and others.

131. SPECIAL DEPOSITS

This account shall include special deposits with fiscal agents or others for the payment of interest, dividends and other special purposes.

Such special deposits shall include cash deposited with federal, provincial, or municipal authorities as a guaranty for the fulfilment of obligations; cash deposited with trustees to be held until mortgaged property sold, destroyed, or otherwise disposed of is replaced; cash realized from the sale of the accounting utility's securities and deposited with trustees to be held until invested in property of the utility, etc. Entries to this account shall specify the purpose for which the deposit is made.

NOTE : Deposits available for general company purposes shall be included in account No. 130, "Cash". Deposits for more than one year, which are not offset by current liabilities, shall not be charged to this account but to account No. 123, "Miscellaneous Special Funds".

132. TEMPORARY CASH INVESTMENTS

This account shall include the book value of marketable securities and other similar investments acquired for the purpose of temporarily investing cash.

NOTE : The company's investment in securities and other collectible obligations which are not readily realizable shall be included in account No. 121, "Other Long Term Investments".

140. ACCOUNTS RECEIVABLE—TRADE

This account shall include amounts due and considered collectible for gas and services, including merchandising, jobbing and contract work.

NOTE : Accounts receivable from affiliated companies shall be included in account No. 142, "Accounts Receivable—Affiliated Companies".

141. ACCOUNTS RECEIVABLE—OTHER

This account shall include amounts due the company upon open accounts, other than amounts included in account Nos. 140, "Accounts Receivable—Trade" and 142, "Accounts Receivable—Affiliated Companies".

This account shall be maintained so as to show separately amounts due on subscriptions to capital stock, and from officers and employees, excluding imprest funds.

This account shall also include the book value of all collectible obligations in the form of notes receivable or other similar evidences (except interest coupons) of money receivable within a time not exceeding one year from date of issue.

142. ACCOUNTS RECEIVABLE—AFFILIATED COMPANIES

This account shall include all amounts, including trade accounts, interest and other debts, due from affiliated companies, which are subject to settlement within one year from the date of the balance sheet.

This account shall be maintained in such manner as to enable information on receivables from each affiliated company to be available under the following headings:

(*a*) Secured obligations

(*b*) Unsecured notes

(*c*) Advances

(*d*) Debit balances in open accounts

(*e*) Interest accrued on any of the above when such interest is subject to current settlement

NOTE : Accounts with affiliated companies which are not subject to current settlement shall be included in account No. 120, "Investments in Affiliated Companies".

145. ALLOWANCE FOR DOUBTFUL ACCOUNTS

This account shall be credited with amounts provided for losses on accounts receivable which may become uncollectible, and also with collections on accounts previously charged hereto. Concurrent charges shall be made to account No. 718, "Uncollectible Accounts" for amounts applicable to gas distribution operations, and to the appropriate account based on the nature of the expenditure, for other uncollectible items. Records shall be maintained so as to show the write-offs of accounts receivable for each utility department.

147. INTEREST AND DIVIDENDS RECEIVABLE

This account shall include the amount of interest accrued on bonds, mortgages, notes, commercial paper, loans, open accounts, deposits, etc., the payment of which is reasonably assured, and the amount of dividends declared on stocks owned.

NOTE A : Interest which is not subject to current settlement shall not be included herein but in the account in which is carried the principal on which the interest is accrued.

NOTE B : Interest and dividends receivable from affiliated companies shall be included in account No. 142, "Accounts Receivable—Affiliated Companies", or account No. 120, "Investments in Affiliated Companies", as may be applicable.

150. MATERIAL AND SUPPLIES—GAS

This account shall include the balances representing the book value of all unapplied material for current gas operations and maintenance, such as spare parts, fittings, shop material, articles in process of fabrication, line pipe, appliances and other supplies.

Material and supplies purchased shall be charged to this account at the actual cost of the material and supplies at point of free delivery plus any transportation charges, ad valorem taxes, etc. In determining the cost of material and supplies, suitable allowance shall be made for trade discounts allowed on the purchase thereof.

Reusable material consisting of large individual items recovered from plant in connection with maintenance or replacement or demolition work shall be charged to this account at the ledger value thereof. Reusable materials consisting of relatively small items, the identity of which cannot be ascertained without undue accounting refinement shall be included in this account at current prices new for this equipment.

Scrap and other saleable materials recovered in connection with maintenance work or the replacement or demolition of plant shall be charged to this account on the basis of its fair and reasonable value and credited to the appropriate account. When scrap material is sold at a higher or lower price than that at which it is included in this account, as far as practicable, a suitable adjustment shall be made in the appropriate accounts.

When the excess or deficiency of the proceeds compared with scrap value is material, such amount shall be credited or charged to account No. 105, "Accumulated Depreciation—Gas Plant".

NOTE : Material acquired and held in anticipation of construction shall be included in account No. 115, "Gas Plant under Construction", or account No. 179, "Other Deferred Charges".

151. MATERIAL AND SUPPLIES—OTHER

This account shall include the balances representing the ledger value of all unapplied material for current non-gas operations and maintenance, such as spare parts, fittings, shop material and supplies held primarily for other plant.

152. GAS STORED UNDERGROUND—AVAILABLE FOR SALE

This account shall include the cost of gas purchased or produced and stored in depleted or partially depleted gas or oil fields or other underground reservoirs, and held for use in meeting gas service requirements of customers.

Gas included in this account shall be valued at cost on a consistent basis. Transmission expenses for company facilities used in moving gas to the storage area and expenses of storage facilities shall not be included in the inventory of gas except as may be authorized by the Board.

That portion of the stored gas in excess of the amount properly includible in account No. 458, "Base Pressure Gas" shall be included this account.

Amounts debited to this account for gas placed in storage shall be credited to account No. 628, "Gas Delivered to Underground Storage (Credit)". Amounts credited to this account for gas withdrawn from storage shall be debited to account No. 627, "Gas Withdrawn from Underground Storage".

In the operation of storage projects the company shall maintain such procedures of verification as will disclose and result in prompt accounting recognition of significant losses.

153. TRANSMISSION LINE PACK GAS

This account shall include the cost of gas owned by the company and used to maintain such line pressure as is required for the transmission of gas. Gas owned by the company in non-owned pipe lines which forms part of line pack gas shall also be included in this account.

Gathering or transmission expense for use of company facilities in moving gas to the transmission area shall not be included in this account.

NOTE : Gas owned by the company, other than that used to maintain line pressure shall be included in account No. 152, "Gas Stored Underground—Available for Sale", or account No. 458, "Base Pressure Gas", as applicable.

160. PREPAYMENTS

This account shall include amounts representing prepaid gas and prepayments of rents, taxes, insurance, interest and other similar items which will be charged to appropriate accounts by systematic write-off. This account shall be maintained in such a manner as to disclose the amount of each class of prepayment.

NOTE : Lump sum payments in respect of assessment by governmental authority to cover the cost of constructing public improvements shall be included in account No. 176, "Public Improvements".

162. OTHER CURRENT AND ACCRUED ASSETS

This account shall include the book value of all other current and accrued assets, appropriately designated and supported so as to show the nature of each asset included herein.

170. UNAMORTIZED DEBT DISCOUNT AND EXPENSE

This account shall include the net debit balances arising from the discount or premium, commission and expenses of each issue of long term debt and shall be credited with amount amortized. (See General Instructions, Section 14.)

NOTE : When a prospectus includes issues of both long term debt and capital stock, those items of expense which are distinguishable as to debt or stock shall be so charged. The remaining expenses shall be apportioned by using the ratio that the proceeds of long term debt or capital stock bear to the total proceeds. All expenses applicable to capital stock shall be included in account No. 177, "Capital Stock Expense".

171. EXTRAORDINARY PLANT LOSSES

This account shall be charged with losses on plant abandoned or otherwise retired from service which could not reasonably have been foreseen and provided for, and with extraordinary losses, such as unforeseen damages to plant which could not have been anticipated and which are not covered by insurance and other provisions.

With the Board's consent, amounts charged to this account may be written off to operations by charges to account No. 304, "Amortization"; otherwise amounts charged to this account shall be written off to account No. 355, "Loss from Sale or Retirement of Plant". Application to the Board for consent shall be supported by a detailed explanation of the circumstances leading up to the losses which are to be written off.

The ledger value of the plant retired, less proceeds of salvage and/or insurance recovered shall be charged to the accumulated depreciation or amortization. If all or a portion of the loss is to be included in this account, the accumulated depreciation or amortization shall then be credited and this account charged with the amount properly chargeable hereto. (See General Instructions, Section 8, "Retirements".)

172. PRELIMINARY SURVEY AND INVESTIGATION CHARGES

This account shall include all expenditures for preliminary surveys, plans, investigations, etc., made for the purpose of determining the feasibility of projects for gas services. If, as a result of the surveys, plant for gas services is acquired or constructed this account shall be credited and the appropriate gas plant account charged. If the work is abandoned, the charge shall be to account No. 329, "Other Income Deductions", or if the amount is material, to account No. 359, "Other Charges".

The records supporting the entries to this account shall be so kept that the company can furnish complete information as to the nature and purpose of the survey, plans or investigations, and the nature and respective amounts of the charges.

173. OTHER WORK IN PROGRESS

This account shall include all costs incurred for other work in progress and not includible in account No. 115, "Gas Plant under Construction" or account No. 116, "Other Plant under Construction".

175. UNAMORTIZED CONVERSION EXPENSE

This account shall include expenses incurred while in the process of converting from any other gas system to a natural gas system.

Included herein are all charges for labour and expenses of employees on converting the gas system and customer's appliances and includes all damage claims arising from such conversion.

The amortized portion shall be debited to account No. 304, "Amortization".

176. PUBLIC IMPROVEMENTS

This account shall include the deferred portion of assessments by governmental authority (by mutual agreement or otherwise) to cover the cost of constructing public improvements, when the company has elected to make payment by lump sum and not by instalments over a number of years.

Amounts which are no longer deferred shall be charged to account No. 305, "Municipal and Other Taxes".

EXAMPLES

Cost of land outside the company's right of way to provide for relocation of streets or highways
Curbing streets and highways
Damage to property of others when incidental to highway construction
Drainage system
Engineering—when such costs apply to items chargeable to this account
Flood protection
Grading streets and highways
Guttering streets and highways
Irrigation system
Levees
Paving streets and highways
Sewer system
Sidewalk
Street lighting system
Water works

NOTE A : Where the company pays the assessment by instalments over a number of years, such payments shall be charged to account No. 305, "Municipal and Other Taxes" in the year in which they are made.

NOTE B : The cost to the company of maintaining public improvements shall be included in expenses.

177. CAPITAL STOCK EXPENSE

This account shall include items such as the cost of preparing and distributing prospectuses, cost of acquiring subscriptions for stock, cash fees and the actual cash value or commission paid to agents for their services and the cost of preparing and issuing certificates of stock and other similar items.

When amortizing amounts included herein, this account shall be credited with amounts concurrently charged to account No. 359, "Other Charges", to account No. 210, "Contributed Surplus", or, if the amount is immaterial, to account No. 329, "Other Income Deductions".

NOTE : When a prospectus covers issues of both capital stock and long term debt, those items of expense which are distinguishable as to capital stock or debt shall be so charged. The remaining expenses shall be apportioned by using the ratio that the proceeds of capital stock or long term debt bear to the total proceeds. All expenses applicable to long term debt shall be included in account No. 170, "Unamortized Debt Discount and Expense".

178. ORGANIZATION EXPENSE

This account shall include all fees paid to governments for the privilege of incorporation, other expenditures incident to organizing the corporation and putting it in readiness to do business and the related special counsel fees.

When amortizing amounts included herein, this account shall be credited with amounts concurrently charged to account No. 359, "Other Charges" or, if the amount is immaterial, to account No. 329, "Other Income Deductions".

NOTE A : All expenses incurred in the issue of capital stock shall be included in account No. 177, "Capital Stock Expense".

NOTE B : All discount and expenses incurred in the issue of long term debt shall be included in account No. 170, "Unamortized Debt Discount and Expense".

NOTE C : Amounts paid to federal, provincial or other governmental authorities for operating franchises, consents, or certificates running in perpetuity or for a special term of more than one year, and their related expenses, shall be included in account No. 401, "Franchises and Consents".

179. OTHER DEFERRED CHARGES

This account shall include the unamortized portion of unusual or extraordinary expenses not provided for elsewhere, and the amount of debit balances in suspense accounts that cannot be cleared and disposed of until additional information is received. This includes debit balances in clearing accounts not distributed at the end of the accounting period, deferred debit items not otherwise provided for and similar items the proper disposition of which is uncertain at the balance sheet date.

200. PREFERRED STOCK

This account shall include the total par value of stock designated as preferred stock and which has been issued to *bona fide* purchasers and has not been reacquired and cancelled.

Appropriations of retained earnings which have been transferred to par value stock shall also be included in this account. The amount of the consideration received from the sale of par value stock in excess of the amount credited to this account shall be included in account No. 210, "Contributed Surplus". (See General Instructions, Section 14.)

When preferred stock is reduced or cancelled, this account shall be charged with the amount at which such stock is carried in the account.

The amounts included in this account shall be recorded so as to show the par value of shares of par value stock and amount paid in for shares of no par stock issued and outstanding.

When a subscriber has paid his subscription in full and is entitled to receive certificates representing the shares for which he has subscribed, the par value of the preferred stock shall be included herein.

This account shall be subdivided according to differences in dividend rights, voting rights, or conditions under which the securities may be retired.

NOTE A : When preferred stock having par value is exchanged for common stock without par value, any balance in account No. 210, "Contributed Surplus" with respect thereto shall be transferred to account No. 205, "Common Stock".

NOTE B : An appropriate record shall be maintained showing the number of shares issued and outstanding.

205. COMMON STOCK

This account shall include the total par value of par value stock, and the total amount paid in for stock without par value less amounts allocated to account No. 210, "Contributed Surplus" in compliance with the *Companies Act* (Canada), Section 12 (10), or the section of any Provincial Act, for all shares of common stock or other form of proprietary interest in the company which have been issued to *bona fide* purchasers and have not been reacquired and cancelled.

Appropriations of retained earnings which have been transferred to par value or no par value stock account shall also be included in this account. The amount of consideration received from the sale of par value stock in excess of the amount credited to this account shall be included in account No. 210, "Contributed Surplus". (See General Instructions, Section 14.)

When common stock is reduced or cancelled, this account shall be charged with the amount at which such stock is carried in this account. In the case of no par stock, the amount to be charged to this account shall be the proportion applicable to the redeemed shares immediately prior to redemption of the total book liability included herein of the outstanding shares of the particular class and series of stock of which the redeemed shares are a part.

The amounts included in this account shall be recorded so as to show the par value of shares of par value stock and amount paid in for shares of no par stock issued and outstanding.

When a subscriber has paid his subscription in full and is entitled to receive certificates representing the shares for which he has subscribed, the par value of stock having par value or the agreed purchase price for stock without par value shall be included herein.

This account shall be subdivided according to differences in dividend rights, voting rights, or conditions under which the securities may be retired.

NOTE A : When common stock having par value is exchanged for common stock without par value, any balance in account No. 210, "Contributed Surplus" with respect thereto shall be transferred to this account.

NOTE B : An appropriate record shall be maintained showing the number of shares issued and outstanding.

210. CONTRIBUTED SURPLUS

This account shall include surplus arising from transactions relating to the company's share capital.

EXAMPLES

Premium received on the issue of par value shares
Proceeds of sale of donated shares
Credits resulting from redemption or conversion of shares at less than the amount recorded as share capital
Other contributions made by shareholders as such in excess of par or stated value of shares
Portion of proceeds of issue of no par value shares that have been allocated to surplus in compliance with the *Companies Act* (Canada), Section 12 (10), or the section of any Provincial Act where applicable.

212. RETAINED EARNINGS

This account shall include the balance, debit or credit, of the amounts transferred from account Nos. 350-359 inclusive at the close of each fiscal year.

215. APPROPRIATIONS OF RETAINED EARNINGS

This account shall include the amount of retained earnings which has been appropriated or set aside for specific purposes other than appropriations carried in the reserve section.

Separate sub-accounts shall be maintained under such titles as will designate the purpose for which each appropriation was made.

216. EXCESS OF REDETERMINED VALUE OF PLANT OVER DEPRECIATED COST

This account shall include the credit arising from a redetermination of the value of the plant that was not made for the purpose of determining or estimating actual costs.

This account shall be charged with the amount credited to account No. 105, "Accumulated Depreciation —Gas Plant" to the extent that the Board has found a deficiency in the accumulated depreciation resulting from the recording of redetermined values.

The balance of this account not so transferred may remain indefinitely as a separate item in the shareholders' equity section of the balance sheet or it may be transferred to retained earnings in amounts not exceeding the realization of appreciation through sale or annual depreciation provisions.

220. LONG TERM DEBT

There shall be included in this account the total par value of unmatured debt, maturing more than one year from date of balance sheet, issued and not retired or cancelled, and the total par value of similar unmatured debt of other companies, the payment of which has been assumed by the company.

The amounts included herein shall be further divided so as to show the amount of each class of long term debt, as follows:

(*a*) Mortgage Bonds—Bonds secured by lien on physical property and not includible in the other subdivisions of this account.

(*b*) Collateral Trust Bonds—Bonds and notes secured by a lien on securities or other negotiable paper; and stock trust certificates that are similar in character to collateral trust bonds.

(*c*) Income Bonds—Bonds which are a lien on the company revenue alone, or bonds which, while being a lien on its property and franchises, can claim payments of interest only if interest is earned.

(*d*) Receipts Outstanding for Long Term Debt—Receipts for payments on account of long term debt. When certificates are issued for amounts so paid, the par value shall be included in the account covering the class of long term debt for which the certificates are issued.

(*e*) Convertible Bonds—Bonds which may be converted into capital stock of the company, according to the agreement under which they are issued.

(*f*) Debentures—Obligations secured under trust deed but not secured by a lien on physical property.

(*g*) Long Term Notes Payable—Notes payable maturing more than one year from date of balance sheet.

Each of the above classes shall also be divided into sub-classes according to differences in mortgage or other lien or security therefor, rate of interest, interest dates, or date of maturity. Parts of any issue agreeing in other characteristics but maturing serially may be treated as of the same sub-class.

Where any such long term debt, pledged or unpledged, is held or controlled by the company, its agents or trustees, the par value thereof shall be separately identified in the accounts.

NOTE A : Securities maturing one year or less from date of balance sheet shall be included in account No. 250, "Loans and Notes Payable", or account No. 258, "Long Term Debt Due within One Year", as applicable, except that where an issue of securities maturing serially over a period of years contains short term obligations, such obligations may be included as long term debt. Matured long term debt shall be included in account No. 258, "Long Term Debt Due within One Year", if provision has been made for current settlement.

NOTE B : Long term debt due to affiliated companies shall be included in account No. 248, "Advances from Affiliated Companies".

NOTE C : The total of the amounts included in this account which are payable within one year from the date of the balance sheet shall be shown separately in the balance sheet.

NOTE D : Long term debt securities are considered to be issued when they have been sold to a *bona fide* purchaser for valuable consideration, and such purchaser holds them free from all control by the company. All long term debt securities issued and not reacquired held by or for the company are considered to be outstanding.

NOTE E : The amount of long term debt owned shall, for purposes of balance sheet presentation, be deducted from the amount of outstanding long term debt included in this account.

248. ADVANCES FROM AFFILIATED COMPANIES

This account shall include:

(*a*) The par value of bonds, debentures and long term notes payable issued to affiliated companies.

(*b*) The par value of non-negotiable notes issued to affiliated companies.

(*c*) The par value of matured long term debt of the company held by affiliated companies where there is no agreement for an extension as to time of payment but collection of the principal is not enforced.

(*d*) Credit balances in open accounts with such companies other than credit balances in current accounts.

(*e*) Interest accrued on any of the above when such interest is not subject to current settlement.

Separate sub-accounts shall be kept for each of the above items. (See General Instructions, Section 18.)

NOTE A : Accounts with affiliated companies which are subject to current settlement shall be classed as current assets or current liabilities and included in account No. 142, "Accounts Receivable—Affiliated Companies", or account No. 252, "Accounts Payable—Affiliated Companies", as applicable.

NOTE B : No item shall be included in this account which is not known to be the property of an affiliated company.

249. OTHER LONG TERM DEBT

This account shall include amounts payable more than one year from the date of the balance sheet and which have not been provided for elsewhere, including real estate mortgages executed or assumed and other unsecured instruments of indebtedness.

250. LOANS AND NOTES PAYABLE

This account shall include the balances representing obligations outstanding in the form of loans and notes payable or other similar evidences of indebtedness payable on demand or within a time not exceeding one year from date of balance sheet.

This account shall be kept in such form so as to show separately the amounts of indebtedness secured by collateral.

NOTE A : Obligations payable at a time exceeding one year from date of balance sheet shall be included in account No. 220, "Long Term Debt", account No. 248, "Advances from Affiliated Companies", or account No. 249, "Other Long Term Debt", as applicable.

NOTE B : Loans and notes payable to affiliated companies shall be included in account No. 252, "Accounts Payable—Affiliated Companies".

251. ACCOUNTS PAYABLE AND ACCRUED

This account shall include all amounts payable by the company within one year, such as the amounts of vouchers and payrolls or accounts unpaid at the date of the balance sheet.

This account shall also include estimates of unbilled items payable by the company at the date of the balance sheet.

252. ACCOUNTS PAYABLE—AFFILIATED COMPANIES

This account shall include amounts owing to affiliated companies on notes, drafts, acceptances, or other similar evidences of indebtedness, and open accounts payable on demand or maturing not more than one year from the date of the balance sheet.

Interest accrued on such amounts shall be included herein if subject to current settlement.

NOTE : Accounts with affiliated companies which are not subject to current settlement shall be included in account No. 248, "Advances from Affiliated Companies".

253. DIVIDENDS PAYABLE

This account shall include the amount of dividends declared on capital stock and unpaid at the date of the balance sheet.

NOTE : This account shall not include the amount of dividends paid over to the company's transfer agent or dividend disbursing agent and remaining in hands of the agent as unpaid or unclaimed.

254. CUSTOMERS' SECURITY DEPOSITS

This account shall include all amounts deposited with the company by customers as security for the payment of debts.

255. CUSTOMERS' ADVANCES FOR CONSTRUCTION

This account shall include advances by customers for construction which are to be refunded either wholly or in part. When a customer is refunded the entire amount to which he is entitled according to the agreement or rule under which the advance was made, the balance, if any, remaining in this account shall be credited to account No. 299, "Contributions and Grants", if this account is used, or to the primary plant accounts as permitted under General Instructions, Section 6.

256. TAXES ACCRUED

This account shall be credited with the accruals of all taxes which are payable to federal, provincial or other governmental authorities. Such accruals may be based upon estimates, provided such estimates shall be adjusted so as to reflect in this account at all times the company's estimate of its unpaid liability for each of the several classes of tax which have not been finally settled.

All tax payments for which accruals have been made shall be charged to this account.

The records supporting the entries in this account shall be kept to show separately by classes of taxes the amount of the tax accruals for the current year and adjustments of accruals for prior years.

NOTE : Where the company follows the method of recording in its accounts income tax reductions applicable to future years, such amounts shall be included in account No. 276, "Accumulated Income Tax Reductions Applicable to Future Years". If this account is not carried, then a footnote in the balance sheet shall show all details.

257. INTEREST PAYABLE AND ACCRUED

This account shall include the amount of interest payable or accrued on all liabilities of the utility not including, however, interest which is added to the principal of the debt on which incurred. Interest on long term debt shall be charged to account No. 320, "Interest on Long Term Debt", and all other interest expense shall be charged to account No. 323, "Other Interest Expense". Supporting records shall be maintained so as to show the amount of interest on each obligation.

NOTE : Interest payable to affiliated companies shall be included in account No. 252, "Accounts Payable—Affiliated Companies", or account No. 248, "Advances from Affiliated Companies", as applicable.

258. LONG TERM DEBT DUE WITHIN ONE YEAR

This account shall include the principal amount and premium of unpresented bonds drawn for redemption through the operation of sinking and redemption fund agreements, also the principal amount of unpresented long term debt obligations which have matured and for which provision has been made for current settlement.

This account may also include, at the option of the company, the principal amount of long term debt obligations maturing within one year.

NOTE A : This account shall not include the amount of unpresented bonds or interest coupons paid over to the bondholder's trustee or agent and remaining in the hands of the trustee or agent as unpaid or unclaimed.

NOTE B : The amount of long term debt owned by the company shall, for purposes of balance sheet presentation, be deducted from the amount of outstanding long term debt maturing within one year and included in this account. If long term debt owned by the company is not required for current redemption, it shall be shown as a reduction of account No. 220, "Long Term Debt".

NOTE C : Obligations payable at a time exceeding one year from date of balance sheet shall be included in account No. 220, "Long Term Debt", account No. 248, "Advances from Affiliated Companies", or account No. 249, "Other Long Term Debt", as applicable.

259. OTHER CURRENT AND ACCRUED LIABILITIES

This account shall include the amount of all other current and accrued liabilities not provided for elsewhere.

270. UNAMORTIZED DEBT PREMIUM

This account shall include the net credit balances arising from the premium, commission, and expense of each issue of long term debt. (See General Instructions, Section 14.)

271. UNEARNED FINANCE CHARGES ON CUSTOMERS' ACCOUNTS RECEIVABLE (CREDIT)

This account shall include the unearned portion of finance charges on contracts, arising from merchandise sales by the company and representative dealers financed by the company.

275. GAS COST AND MAINTENANCE EQUALIZATION

This account shall include the undistributed charge or credit as a result of the company following the method of equalizing its gas cost through the year because of seasonal variations in unit gas prices. It shall also include ledger balances representing reserves created by charges to operations for maintenance expenses in accordance with Section 9 of the General Instructions. The debit or credit balances in this account shall be closed at the end of each fiscal year.

276. ACCUMULATED INCOME TAX REDUCTIONS APPLICABLE TO FUTURE YEARS

Where a company's expenses have been reviewed by the Board at a public hearing on its rates and the Board in its decision has recognized deferred income taxes as a cost, this account shall include the amounts by which income taxes otherwise payable have been reduced by claiming for tax purposes capital cost allowances in excess of depreciation recorded in the accounts. The difference is applicable to those future periods in which the amounts claimed for tax purposes are less than depreciation recorded in the accounts.

Where a company's expenses have been so reviewed and the Board has not recognized deferred income taxes as a cost, this account is not required to be kept, provided that the amount of such tax reductions, both current and cumulative, is shown as a footnote in the financial statements.

Upon the application of any gas company, the Board may reconsider its decision to recognize deferred income taxes as a cost. In the event that, as a result of such review, the Board recognizes only taxes currently payable, the requirement for annual entries in the account shall then cease, and the company may reflect payable, the requirement for annual entries in the account shall then cease, and the company may reflect subsequent reductions by note only as provided in the preceding paragraph. Further, in such case, if the company has not recorded prior reductions in this or a similar account the Board may, if satisfied that the interests of investors or consumers are not prejudiced, relieve the company from the obligation of entering such prior reductions in this account.

Except as herein provided, no change in accounting treatment for income taxes shall be made without the approval of the Board.

279. OTHER DEFERRED CREDITS

This account shall include advance billings, working fund advances from other companies, employee deposits and other deferred credit items not includible elsewhere.

This account shall also include the amount of credit balances in suspense accounts that cannot be cleared and disposed of until additional information is received, such as accident repairs not completed, credit balances in clearing accounts, and deferred credit items not otherwise provided for, the proper disposition of which is uncertain.

290. INSURANCE RESERVES

This account shall include amounts reserved by the utility for self-insurance against losses through accident, fire, flood, or other hazards to its own property or property leased from others. The amounts charged to account No. 723, "Insurance", or other appropriate accounts to cover such risks shall be credited to this account.

Charges shall be made to this account for losses covered by self-insurance. Details of these charges shall be maintained according to the year the casualty occurred which gave rise to the loss. (See General Instructions, Sections 11 and 12.)

291. WELFARE AND PENSION RESERVES

This account shall include provisions made by the company and amounts contributed by employees for pensions, accident and death benefits, savings, relief, hospital and other provident purposes, where the funds represented by the reserve are included in the assets of the company either in general or in segregated fund accounts.

Separate sub-accounts shall be kept for each kind of reserve created. The payments disbursed, for which appropriation has been provided, shall be charged to this account, and the balance of such disbursements to account No. 725, "Employee Benefits".

NOTE : If employee pension or benefit plan funds are not included among the assets of the company but are held by outside trustees, payments into such funds, or accruals therefor, shall not be included in this account.

292. INJURIES AND DAMAGES RESERVES

This account shall be credited with amounts charged to account No. 724, "Injuries and Damages", or other appropriate accounts, to meet the probable liability, or co-insurance costs, or items not covered by insurance, for deaths or injuries to employees and others, and for damages to property neither owned nor held under lease by the utility.

When liability for any injury or damage is admitted by the utility either voluntarily or because of the decision of a court or other lawful authority, the amount of the admitted liability shall be charged to this account and credited to the appropriate liability account. Details of these charges shall be maintained according to the year the casualty occurred which gave rise to the loss.

NOTE : Recoveries or reimbursements for losses charged to this account shall be credited hereto; the cost of repairs to property of others, if provided for herein, shall also be charged to this account.

293. OTHER RESERVES

This account shall include all reserves maintained by the utility which are not provided for elsewhere.

This account shall be maintained in such manner as to show the amount of each separate reserve and the nature and amounts of the debits and credits thereto.

299. CONTRIBUTIONS AND GRANTS

This is an optional account. If it is not kept, contributions and grants are to be accounted for in accordance with the General Instructions, Section 6, "Plant Acquired or Constructed".

If this account is kept, it shall include contributions or grants in cash, services or property from governments or government agencies, corporations, individuals and others for contributions in aid of construction and other purposes.

This account shall be maintained so that the company can supply information as to the purpose of each contribution or grant, the conditions, if any, on which it was made, the amount of contributions or grants from governments or government agencies, corporations, individuals and others and the amount applicable to each account.

NOTE : Non-capital contributions shall be credited to account No. 353, "Contributions on Account of Operations".

TEXT PERTAINING TO INCOME ACCOUNTS

The balance of all primary income accounts shall be closed into retained earnings account No. 350, "Balance Transferred from Income", at the end of each fiscal year.

INCOME ACCOUNTS

300. OPERATING REVENUE

This account shall include the total revenues derived from operations as shown in the accounts provided in the classification of operating revenue accounts. (Nos. 500 to 599.)

301. OPERATING EXPENSE

This account shall include the total expenses of operations as shown in the accounts provided in the classification of operating accounts. (Nos. 600 to 799.)

302. MAINTENANCE EXPENSE

This account shall include the total expenses of maintenance as shown in the accounts provided in the classification of maintenance accounts. (Nos. 800 to 899.)

303. DEPRECIATION

This account shall include the amount of depreciation expense for depreciable plant.

The company's records shall be kept in such a manner that the charges for depreciation are shown separately for each depreciable plant account or group of plant accounts which performs similar functions. (See General Instructions, Section 10, "Depreciation".)

NOTE : Where a company allocates depreciation to a clearing account, such allocated amounts shall be readily identifiable.

304. AMORTIZATION

This account shall include the charges approved by the Board arising from the gradual extinguishment of an expenditure over a fixed period, or over the period during which it is anticipated the benefit will be realized.

The company's records shall be kept in such manner that the charges for amortization are shown separately for each account subject to amortization. (See General Instructions, Section 10, "Depreciation".)

EXAMPLES

Amortization of:

Natural gas land and land rights
Limited-term franchises, licences, patent rights, and limited-term interest in land
Expenditures on leased property where the service life of the improvements is terminable by action of the lease
Account No. 104, "Gas Plant Acquisition Adjustments"
Accounts No. 171, "Extraordinary Plant Losses"
Account No. 175, "Unamortized Conversion Expense"
Applicable cost of gas plant, due to the probable abandonment of all or part of gas plant, or due to severe permanent curtailment as a result of exhaustion or a significant reduction in particular sources of revenue

NOTE : Exclude from this account any charges for depreciation or charges for amortization of debt discount, premium and expense.

305. MUNICIPAL AND OTHER TAXES

This account shall include taxes levied by municipalities relating to plant, operations and maintenance, and all other taxes except income taxes.

NOTE A : Where the company elects to make a lump sum payment in respect of assessments by municipal authority, the deferred portion of such payments shall be charged to account No. 176, "Public Improvements".

NOTE B : Taxes on gas plant under construction or on plant, the facilities of which are not ready for service, shall be charged to the appropriate gas plant accounts.

NOTE C : Taxes on other than gas plant in service, operations and privileges shall be charged to account No. 313, "Non-operating Expense".

NOTE D : Ad valorem taxes on material shall be included as part of the cost of the material.

306. INCOME TAXES

This account shall include provision for federal, provincial or other government income taxes based on the company's operations for the fiscal period.

Subject to the instructions contained in account No. 276, "Accumulated Income Tax Reductions Applicable to Future Years", this account may be subdivided as follows:

(*a*) Current income taxes

(*b*) Deferred income taxes

NOTE : The estimated amount of income taxes (debit or credit) assignable to items recorded in the retained earnings accounts shall be included in account No. 358, "Income Tax Applicable to Retained Earnings Adjustments".

307. REVENUE FROM GAS PLANT LEASED TO OTHERS

This account shall include revenues from gas plant constituting a distinct operating unit or system leased by the company to others, the investment in which is included in account No. 101, "Gas Plant Leased to Others".

NOTE : Depreciation, taxes, operating, maintenance costs and all other expenses borne by the lessor will be recorded in the regular accounts maintained by the lessor for such costs.

308. RENT FOR GAS PLANT LEASED FROM OTHERS

This account shall include rent for gas plant constituting a distinct operating unit or system leased by the company from others.

310. REVENUE FROM OTHER PLANT

This account shall include the total revenues derived from operation of plant, the cost of which is included in account No. 110, "Other Plant".

EXAMPLES

Revenue from commercial power plants
Revenue from lands and buildings not used in gas operations
Revenue from lands and plant acquired and held in anticipation of an indefinite future use
Revenue from mineral and timber lands

311. EXPENSE OF OTHER PLANT

This account shall include maintenance and other expenses incurred from operation of plant, the cost of which is included in account No. 110, "Other Plant".

EXAMPLES

Expense of commercial power plants
Expense of land and buildings not used in gas operations
Expense of land and plant acquired in anticipation of an indefinite future use
Expense of mineral and timber lands

312. NON-OPERATING REVENUE

This account shall include revenues from commercial activities carried on within the corporate structure of the company and not includible in either account No. 300, "Operating Revenue", or account No. 703, "Revenue from Merchandising, Jobbing and Contract Work".

313. NON-OPERATING EXPENSE

This account shall include expenses from commercial activities carried on within the corporate structure of the company and not includible in either account No. 301, "Operating Expense", or account No. 302, "Maintenance Expense".

314. INCOME FROM INVESTMENTS

This account shall include income in government and other marketable securities, where such income is the property of the company. It shall also include interest on notes and other evidences of indebtedness, interest on bank balances, open accounts and other analogous items, including discount on short term notes held by the company.

At the option of the company, there may be included in this account an applicable portion of discount or premium on investments.

This account shall be maintained in such manner as to enable information to be submitted under the following classes of income:

(*a*) Dividends

(*b*) Interest

(*c*) Other income

This account shall also include profits and losses on sales or amounts required to provide allowances for the decrease in market value of temporary cash investments when such amounts are not material. (See General Instructions, Section 13.)

NOTE A : Discounts or premiums on securities of the company reacquired shall be charged or credited to account No. 319, "Other Income", or account No. 329, "Other Income Deductions", as applicable.

NOTE B : Interest on securities other than those of the company and on other assets held in sinking or other funds shall be included in account No. 316, "Income from Sinking and Other Funds".

NOTE C : Profits and losses on sales of temporary cash investments, if material, shall be included in account No. 352, "Profit from Sale of Investments", or account No. 356, "Loss from Sale of Investments", as applicable.

NOTE D : Income from investments in affiliated companies shall be included in account No. 315, "Income from Investments in Affiliated Companies".

315. INCOME FROM INVESTMENT IN AFFILIATED COMPANIES

This account shall include income from stocks, securities and other types of indebtedness issued or assumed by affiliated companies, the income from which is the property of the company, whether such stocks, securities and other types of indebtedness are owned by the company and held in its treasury or deposited in trust, or otherwise controlled.

This account shall be maintained in such manner as to enable information to be submitted under the following classes of income:

(*a*) Dividends

(*b*) Interest

(*c*) Other income

Entries to provide for losses of affiliated companies and to adjust such provisions for subsequent earnings when such amounts are not material, shall also be debited or credited to this account. Treatment for material amounts in this respect are provided for in account No. 356, "Loss from Sale of Investments".

Income from affiliated companies shall not be credited to this account until such time as it is recorded on the books of the affiliated company. (See General Instructions, Sections 13 and 18.)

NOTE : Income from investment in non-affiliated companies shall be included in account No. 314, "Income from Investments".

316. INCOME FROM SINKING AND OTHER FUNDS

This account shall include the income accrued on cash, securities, and other assets (not including securities issued or assumed by the company) held in account No. 122, "Sinking Funds", and account No. 123, "Miscellaneous Special Funds". (See General Instructions, Section 12.)

This account shall also include profits realized and losses sustained in the sale of securities held in account No. 122, "Sinking Funds", and account No. 123, "Miscellaneous Special Funds". (See General Instructions, Section 12.)

At the option of the company there may be included each year in this account the portion, applicable to the fiscal period, of the amount requisite to extinguish, during the interval between the date of acquisition and the date of maturity, the discount or premium on securities in sinking or miscellaneous special funds. Amounts thus credited or charged shall be concurrently charged or credited to the account in which the cost of the securities is carried.

317. GAIN ON FOREIGN EXCHANGE

This account shall include the net amount representing realized gains less losses on foreign exchange not otherwise allocated.

319. OTHER INCOME

This account shall include all other income items not provided for elsewhere.

320. INTEREST ON LONG TERM DEBT

This account shall include the amount of interest expense on all classes of long term debt, the principal of which is included in account No. 220, "Long Term Debt" and account No. 249, "Other Long Term Debt".

NOTE : This account shall not include charges for interest on long term debt obligations issued or assumed by the company and owned by it, whether pledged as collateral or held in its treasury, in special deposits, or other funds.

321. AMORTIZATION OF DEBT DISCOUNT, PREMIUM AND EXPENSE

This account shall be charged and credited during each fiscal period with the proportion of the discount, premium and expense on long term debt obligations applicable to that period. This proportion shall be determined according to a rule the uniform application of which, through the interval between the date of sale and the date of maturity, will extinguish the discount, premium and expense on such long term debt. The charge or credit to this account for any period shall be the proportion of the balance remaining unamortized applicable to that period so long as any portion of the discount, premium and expense remains unextinguished. (See General Instructions, Section 14.)

322. INTEREST ON AMOUNTS DUE AFFILIATED COMPANIES

This account shall include the amount of interest expense on all classes of debt, the principal of which is included in account No. 248, "Advances from Affiliated Companies", or account No. 252, "Accounts Payable—Affiliated Companies".

323. OTHER INTEREST EXPENSE

This account shall include all interest except that chargeable to account No. 320, "Interest on Long Term Debt", or account No. 322, "Interest on Amounts due Affiliated Companies". Discount, premium and expense on short term notes issued by the company maturing one year or less from date of balance sheet shall be included in this account.

EXAMPLES

Advances other than those from affiliated companies
Bond coupons, matured and unpaid
Claims and judgments
Long term debt matured, with respect to which a definite agreement to extension has not been made
Open accounts, other than those classable in account No. 248, "Advances from Affiliated Companies", or account No. 252, "Accounts Payable—Affiliated Companies"
Short term notes payable

324. INTEREST DURING CONSTRUCTION (CREDIT)

This account shall be concurrently credited with interest amounts charged to plant.

After the prescribing of this system, the interest rate applied shall not exceed one-half of one per cent higher than the average cost of borrowed funds unless a higher rate is approved by the Board.

325. LOSS ON FOREIGN EXCHANGE

This account shall include the net amount respresenting realized losses less gains on foreign exchange not otherwise allocated.

329. OTHER INCOME DEDUCTIONS

This account shall include charges not provided for elsewhere, such as overcharge claims, court awards and other income deductions.

330. APPROPRIATIONS OF NET INCOME

This account shall include amounts appropriated from income for purposes not provided for elsewhere.

TEXT PERTAINING TO RETAINED EARNINGS ACCOUNTS

The balance of all primary retained earnings accounts shall be closed into balance sheet account No. 212, "Retained Earnings" at the end of each fiscal year.

RETAINED EARNINGS ACCOUNTS

350. BALANCE TRANSFERRED FROM INCOME

This account shall show the net balance (debit or credit) brought forward from the income accounts for the fiscal year.

351. PROFIT FROM SALE OF PLANT

This account shall include the profit realized from the sale of plant or plant under construction when the profit, if credited to accumulated depreciation, would unduly inflate the accumulated depreciation. (See General Instructions, Section 8.)

This account shall be maintained to show separately the profit relating to each transaction recorded herein.

NOTE : Profit on sale of plant, if immaterial, shall be credited to account No. 319, "Other Income".

352. PROFIT FROM SALE OF INVESTMENTS

This account shall include the profit realized from the sale of investment in securities carried in account No. 120, "Investments in Affiliated Companies" and account No. 121, "Other Long Term Investments".

Amounts shall be credited to this account only when material in relation to net income for the year and when immaterial they shall be credited to account No. 319, "Other Income".

There shall also be credited to this account material profits on sale of temporary cash investments.

353. CONTRIBUTIONS ON ACCOUNT OF OPERATIONS

This account shall include amounts received or receivable from others representing the w[illegible] a part of the net deficit of the company. It shall also include contributions on account of operations which, for management purposes, are entrusted to the company when, under the terms of agreements or contracts, no obligation for subsequent reimbursement is incurred.

354. OTHER CREDITS

This account shall include amounts, not provided for elsewhere, transferred from other accounts to retained earnings, and amounts representing increases of resources not properly assignable to the income accounts.

When the amounts are immaterial in relation to net income for the year such amounts may be recorded in the income accounts rather than in this account.

355. LOSS FROM SALE OR RETIREMENT OF PLANT

This account shall include the loss incurred from sale, destruction or retirement of plant or plant under construction, when the loss, if charged to accumulated depreciation or amortization, would unduly deplete the accumulated depreciation or amortization. It shall also be charged with amounts credited to account No. 171, "Extraordinary Plant Losses" as previous unprovided losses written off, to the extent that such amounts are not chargeable to account No. 304, "Amortization". (See General Instructions, Section 8.)

This account shall be maintained to show separately the loss relating to each transaction recorded herein.

356. LOSS FROM SALE OF INVESTMENTS

This account shall include the loss incurred from sale or write off of investments carried in account No. 120, "Investments in Affiliated Companies" and account No. 121, "Other Long Term Investments".

Amounts shall be charged to this account only when material in relation to net income for the year, and when immaterial they shall be charged to account No. 329, "Other Income Deductions".

357. DIVIDEND APPROPRIATIONS

This account shall include amounts declared payable from retained earnings as dividends on outstanding capital stock issued or assumed by the company.

This account shall be subdivided so as to show separately the dividends on the various sub-classes of capital stock.

NOTE A : This account shall not include charges for dividends on capital stock issued or assumed by the company where pledged as collateral or held in its treasury in special deposits or in sinking or other miscellaneous special funds.

NOTE B : Dividends declared out of contributed surplus shall be charged to account No. 210, "Contributed Surplus".

358. INCOME TAX APPLICABLE TO RETAINED EARNINGS ADJUSTMENTS

This account shall include the estimated federal, provincial, or other government income taxes (debit or credit) assignable to the aggregate of items of both taxable income and deductions from taxable income which, for accounting purposes, are classified as unusual or extraordinary, and are recorded in retained earnings accounts.

359. OTHER CHARGES

This account shall include amounts not provided for elsewhere, which are chargeable to or appropriated from retained earnings.

When the amounts are immaterial in relation to net income for the year, such amounts may be recorded in the income accounts rather than in this account.

TEXT PERTAINING TO PLANT ACCOUNTS

The primary accounts included in this group of accounts are designed to show the cost of plant owned by the company and devoted to gas operations. The balance of these accounts is included in balance sheet accounts No. 100, "Gas Plant in Service", No. 101, "Gas Plant Leased to Others", and No. 102, "Gas Plant Held for Future Use".

PLANT ACCOUNTS

INTANGIBLE PLANT

401. FRANCHISES AND CONSENTS

This account shall include amounts paid to federal, provincial or other governmental authorities in consideration for franchises, consents or certificates running in perpetuity or for a specified term of more than one year. It shall also include expenses incident to procuring such franchises, consents or certificates of permission and approval.

If a franchise, consent or certificate is acquired by assignment, the charge to this account in respect thereof shall be the amount paid to the assignor.

When any franchise has expired, the ledger value thereof shall be credited to this account. If the franchise was depreciable (see General Instructions, Section 10), the amount removed from this account shall be charged to account No. 105, "Accumulated Depreciation—Gas Plant", or account No. 106, "Accumulated Amortization—Gas Plant" as applicable. If the franchise was not depreciable, the amount removed from this account, if immaterial, shall be charged to account No. 329, "Other Income Deductions" or, if material, to account No. 355, "Loss from Sale or Retirement of Plant".

NOTE A : Assessments in respect of franchises shall not be included herein but in the appropriate operating expense account.

NOTE B : Amounts paid to governments for the privilege of incorporating and related expenses shall not be included in this account but shall be included in account No. 178, "Organization Expense".

402. OTHER INTANGIBLE PLANT

This account shall include the cost of patent rights, licences, privileges and other intangible plant necessary or valuable in the operation of the company's gas pipe line service and not specifically chargeable to any other account.

When any item included in this account is retired or expires, the ledger value shall be credited to this account. If the item was depreciable (see General Instructions, Section 10), the amount so removed from this account shall be charged to account No. 105, "Accumulated Depreciation—Gas Plant" or account No. 106, "Accumulated Amortization—Gas Plant" as applicable. If the item was not depreciable, the amount received shall be charged to account No. 329, "Other Income Deductions", or, if material, to account No. 355, "Loss from Sale or Retirement of Plant".

NATURAL GAS PRODUCTION PLANT

403. GAS LANDS

This account shall include the cost of lands held in fee simple on which producing natural gas wells are located, and lands held in fee simple which are being drained of natural gas through the operation of wells on other land.

404. GAS LEASEHOLDS

This account shall include the cost of acquiring leaseholds on which the company pays royalties for natural gas obtained therefrom.

NOTE : Exclude from this account rents paid periodically for rights obtained under leases. Exclude also from this account the costs of leaseholds which terminate in one year or less after they become effective.

405. GAS RIGHTS

This account shall include the cost of petroleum and natural gas rights used in producing natural gas, whereby the company obtains ownership in gas underlying land not owned or leased by the company.

406. PRODUCING GAS WELLS—WELL DRILLING

This account shall include the cost of drilling producing gas wells. It shall also include the cost applicable to the deepening of a well, if additional production is found at new depth.

COMPONENTS

Clearing site for drilling
Cost of hauling, erecting, dismantling and removing boilers, portable engines, derricks, rigs and other equipment and tools used in drilling
Damages
Drilling contractor's charges
Fuel or power used in drilling
Labour
Rent of drilling equipment
Road to well site, cost of making, etc.
Water used in drilling obtained either by driving wells, piping from springs and streams, or by purchase
Shooting, fracturing, acidizing if done when well drilled

407. PRODUCING GAS WELLS—WELL EQUIPMENT

This account shall include the cost of equipment in producing gas wells up to and including well gate and flanges, including cost of casing, tubing, packing and shutting in wells.

COMPONENTS

Bailing equipment
Boilers and drives permanently connected
Casing
Fence, when solely on enclosure for equipment
Fittings, including shut-in valve, separators and drips
Packing
Tank, oil or water, etc.
Tubing

408. GAS WELL STRUCTURES

This Account shall include the cost of well structures and improvements used in connection with the housing of permanent bailer and other equipment necessary to keep the wells in operation.

409. OTHER NATURAL GAS PRODUCTION EQUIPMENT

This account shall include the cost of implements and equipment used in drilling and cleaning natural gas wells.

COMPONENTS

Bailers
Boilers
Derricks
Drilling cables
Drilling machines
Engines
Motors
Pulling machines
Rigs
Rod pulling tractors
Fishing tools

NATURAL GAS GATHERING PLANT

410. LAND

This account shall include the cost of land owned in fee simple and used for the construction and operation of natural gas gathering plant, the cost of land for storage, station, office, shop, and other grounds; the cost of land for ingress to or egress from such grounds; the cost of land for storage of material adjoining the right of way; the cost of removing from the land and locating elsewhere the property of others, and the cost of necessary land for relocation of the property, when such costs are assumed by the company.

When land, together with buildings thereon, is acquired, the cost shall be fairly apportioned between land and buildings and accounted for accordingly. If the plan of acquisition contemplates the removal of the buildings, the total cost of the land and buildings shall be accounted for as the cost of the land and the value of salvage of the buildings when disposed of shall be deducted from the cost of the land as determined.

Proceeds from the sale of timber or of improvements purchased with land, less any cost of removal, shall be credited to this account.

Proceeds from the sale of minerals known to be in the land when purchased and considered in the purchase price thereof shall be credited to this account.

COMPONENTS

Abstracts
Appraisals
Arbitrators in expropriation cases
Commissions paid to others
Compensation and expenses of outside land agents when specifically assigned to acquisition of land, but not arbitrary apportionments for incidental services
Cost of cleaning, filling and levelling submerged or low land
Damage to property of others
Ditches for waterways when part of consideration
Engineering and survey expense in connection with purchase of land in fee simple
Expropriation expenses, including court costs and special counsel fees
Judgements and decreed costs to clear or defend titles
Legal and notarial fees
Plats
Premiums on expropriation bonds
Registering, filing and depositing title documents and plans
Payments for release and discharge of encumbrances and charges against the land
Payments for release from restrictive provisions of original title documents and for other rights
Removal and relocation of buildings and other structures not purchased
Rent of land when part of consideration for purchase
Taxes accrued and assumed at time of purchase

NOTE A : When the acquisition of land for gas pipe line service involves also the purchase of land not to be used for such purposes, the charges to this account shall be based upon the estimated cost at date of acquisition of only that portion which is used for gas pipe line service. The estimated value of that portion which is not so used shall be included in account No. 110, "Other Plant". When such land is practically worthless, it shall be included in the account at a nominal value for record purposes.

NOTE B : Payments for options and of interest on options and on contracts to purchase land which it is proposed to use in contemplated construction projects shall be carried in account No. 179, "Other Deferred Charges", pending determination as to whether to proceed with the project. If it should be decided to proceed with the project, the balance in account No. 179, "Other Deferred Charges", shall be cleared therefrom and charged to account No. 115, "Gas Plant under Construction"; if not, the amount lost, including interest, if any, shall be charged to account No. 359, "Other Charges", or income accounts as applicable.

NOTE C : The net proceeds from the sale of minerals and timber in excess of the amount considered therefor in the purchase price of the land shall be credited to account No. 351, "Profit from Sale of Plant" or account No. 319, "Other Income", as applicable.

NOTE D : When land has been purchased for a proposed pipe line operation project and the project has been indefinitely postponed before construction work is begun, the cost of the property shall be transferred to account No. 102, "Gas Plant Held for Future Use", sufficient details being included in the entry to permit the classification of the various items of cost in case the project is later pursued. The cost of the work which has been done shall be included in account No. 179, "Other Deferred Charges", until a decision has been reached as to execution or abandonment of the project. If it should be determined to continue the work the cost of the land and the work which has been done shall be transferred to account No. 115, "Gas Plant under Construction". If the project be abandoned the cost of the work which has been done shall be charged to account No. 355, "Loss from Sale or Retirement of Plant", or account No. 329, "Other Income Deductions", as applicable.

NOTE E : When land is acquired for which there is not a definite plan for its use in pipe line operations, the cost shall be charged to account No. 110, "Other Plant".

NOTE F : In case land is purchased under a definite plan for its use in a construction project, its cost shall be included in account No. 115, "Gas Plant under Construction", until such time as the project involved is completely ready for service.

NOTE G : The cost of clearing, levelling or grading land, both before and after the construction of facilities thereon, but directly related to such facilities, shall be included in the accounts provided for the cost of the facilities constructed.

411. LAND RIGHTS

This account shall include the cost of land rights or easements used for the construction, operation and maintenance of gathering plant; the cost of land rights for storage of material adjoining the right of way; the cost of work room adjoining the right of way during construction.

COMPONENTS

Abstract expenses
Engineering and survey expenses in connection with expropriation
Expropriation expenses
Fees and costs of registering, filing and depositing title documents and plans
Judgements and decreed costs of clearing or defending titles
Legal and notarial fees
Outside land rights agents' compensation
Plats
Premiums on expropriation bonds
Payments for release and discharge of encumbrances and charges against the lands affected by the land rights
Payments for tenants' consents, options and easements

NOTE A : The cost of land owned in fee simple used as land rights for the gathering plant is provided for in account No. 410, "Land".

NOTE B : Periodical rents paid for use of land rights shall be included in the accounts provided for the expense of operating the facilities used.

NOTE C : The cost of clearing, levelling or grading land, on which the company has acquired land rights, both before and after the construction of facilities thereon, but directly related to such facilities, shall be included in the account provided for the cost of the facilities constructed.

NOTE D : Proceeds from the sale of timber or of improvements purchased with land rights less any cost of removal shall be credited to this account.

NOTE E : When a land right or easement is directly associated with and useful only in relation to a depreciable plant unit, the land right or easement may be charged to the related primary plant account.

412. COMPRESSOR STRUCTURES AND IMPROVEMENTS

This account shall include the cost of structures and related facilities used in connection with the housing of compressor equipment for gas gathering operations. It shall also include the cost of improvements to such structures and related facilities, and the cost of clearing, levelling or grading land, both before and after construction of structure when such improvements are directly related to the above functions and structures.

COMPONENTS

Boiler
Building
Drainage system
Fencing
Hoisting equipment, attached to building
Lightning arrestor
Loading dock
Parking bumper
Pipe rack
Protection box
Reservoir
Roads
Sewage system
Sidewalks
Sprinkler system
Ventilating system
Water line
Water well

NOTE : The cost of foundations special to engines, pumps, compressors and other similar apparatus shall be included in the cost of such apparatus.

413. MEASURING AND REGULATING STRUCTURES AND IMPROVEMENTS

This account shall include the cost of structures and related facilities used in connection with the housing of meters, regulators and appurtenant appliances for measuring and regulating gas before entry into the transmission system. It shall also include the cost of improvements to such structures, and the cost of clearing, levelling or grading land, both before and after construction of structures when such improvements are directly related to the above functions and structures.

COMPONENTS

Boiler
Building
Drainage system
Fencing
Hoisting equipment, attached to building
Lightning arrestor
Loading dock
Parking bumper
Pipe rack
Protection box
Reservoir
Roads
Sewage system
Sidewalks
Sprinkler system
Ventilating system
Water line
Water well

NOTE : The cost of foundations special to engines, pumps, compressors, and other similar apparatus shall be included in the cost of such apparatus.

414. OTHER STRUCTURES AND IMPROVEMENTS

This account shall include the cost of structures and related facilities used in gas gathering operations not provided for elsewhere, also the cost of clearing, levelling or grading land, both before and after construction of structures when such improvements are directly related to the above functions and structures. The cost of improvements to non-owned property shall also be included in this account.

COMPONENTS

Boiler
Building
Drainage system
Fencing
Heating system
Hositing equipment, attached to building
Lighting system
Lightning arrestor
Loading dock
Outdoor steel walkways and steps
Parking bumper
Pipe rack
Plumbing system
Protection box
Reservoir
Road
Sewage system
Sidewalk
Sprinkler system
Vehicular bridge
Ventilating system
Water line
Water well

NOTE : The cost of foundations special to engines, pumps, compressors and other similar apparatus shall be included in the cost of such apparatus.

415. GATHERING LINES

This account shall include the cost installed of gas gathering line pipe, from the wells to the meters recording delivery to the transmission system.

COMPONENTS

Anchor block
Blow down tank
Cathodic protection equipment
Clearing and grading
Concrete supports
Damages to property of others
Drip assemblies
Equipment foundation
Lightning arrestor
Manifold fittings
Pipe casing
Pipe line
Protective coating
River crossing header
River weights
Saddles
Structural equipment and support
Surveying
Valve
Vents

NOTE : The cost of reopening the trench and backfilling subsequent to original construction for the purpose of applying the original protection and casing shall be charged to this account.

416. COMPRESSOR EQUIPMENT

This account shall include the cost of compressors and associated equipment used in connection with gas gathering operations.

COMPONENTS

Air cleaner
Air compressor
Atmospheric type jacket water cooler
Auxiliary engine generator
Base volume index
Blower
Cathodic ground bed
Cathodic protection device
Circuit breakers and switches
Compressor
Conductor
Conduit
Controller
Control panel
Dehydrator
Drip
Duct
Electrical fittings
Equipment foundation
Filter
Fire fighting equipment
Gauge
Gauge board panel
Garage equipment
Heat exchanger
Laboratory equipment
Line casing
Line pole
Line wire
Manhole
Manometer
Meter body
Meter recorder
Meter station header
Meter tube
Oil reclaimer
Pipe fittings
Piping
Portable meter station
Protective coating and wrap
Pulsation dampener
Pump
Rectifier
Regulator
Relay cabinet
Residence equipment
Scrubber
Shop equipment
Signal
Silencer
Station positive gas meter
Storage battery
Stores equipment
Support
Switchboard
Tank
Telemetering equipment
Transformer
Trap
Valve
Valve box
Water treating equipment

NOTE : The cost of foundations other than those special to particular engines, pumps, compressors and other similar apparatus shall be included in the appropriate structures and improvements account.

417. MEASURING AND REGULATING EQUIPMENT

This account shall include the cost of meter, gauges and other equipment used in measuring and regulating gas before entry into the transmission system.

COMPONENTS

Battery
Blower
Cathodic protection device
Chemical
Circuit breaker
Conductor
Conduit
Controller
Control panel
Dehydrator
Duct
Equipment foundation
Fire fighting equipment
Gauges
Governor
Header
Heat exchanger
Laboratory equipment
Manhole
Manometer
Meter recorder
Meter tube and fittings
Odorizing equipment
Panel
Piping
Positive meter
Pulsation dampener
Pump
Regulator
Remote control
Stores equipment
Switch
Switchboard
Tank
Telemetering equipment
Thermometer
Tubing
Valve
Valve box
Valve operator
Water treating equipment

NOTE : The cost of foundations other than those special to particular engines, pumps, compressors and other similar apparatus shall be included in the appropriate structures and improvements account.

418. PURIFICATION EQUIPMENT

This account shall include the cost of condensers, dehydrators, pumps and other apparatus used for the removal of impurities from gas.

COMPONENTS

Condensers and washer coolers
Dehydrators
Foundations and settings, specially constructed for and not intended to outlast the equipment for which provided
Other accessory equipment, such as coolers, spray ponds, pumps, platforms, railings, stairs
Piping, from inlet valve of first piece of apparatus to outlet valve of final piece of apparatus (or, in building, from entrance to building to exit from building)
Scrubbers
Sulphur removal apparatus
Water supply system

NOTE : The cost of foundations other than those special to particular engines, pumps, compressors and other similar apparatus shall be included in the appropriate structures and improvements account.

419. OTHER NATURAL GAS GATHERING EQUIPMENT

This account shall include the cost of equipment used in gas gathering operations and not provided for elsewhere.

PRODUCTS EXTRACTION PLANT

420. LAND

This account shall include the cost of land owned in fee simple and used for the construction and operation of products extraction plant; the cost of land for storage, station, office, shop and other grounds; the cost of land for ingress to or egress from such grounds; the cost of land for storage of material adjoining the right of way; the cost of removing from the land and locating elsewhere the property of others, and the cost of necessary land for relocation of the property, when such costs are assumed by the company.

When land, together with buildings thereon, is acquired, the cost shall be fairly apportioned between land and buildings and accounted for accordingly. If the plan of acquisition contemplates the removal of the buildings, the total cost of the land and buildings shall be accounted for as the cost of the land and the value of the salvage of the buildings when disposed of shall be deducted from the cost of the land as determined.

Proceeds from the sale of timber or of improvements purchased with land, less any cost of removal, shall be credited to this account.

Proceeds from the sale of minerals known to be in the land when purchased and considered in the purchase price thereof shall be credited to this account.

COMPONENTS

Abstract
Appraisal
Compensation and expenses of outside land agents when specifically assigned to acquisition of land, but not arbitrary apportionments for incidental services
Cost of clearing, filling and levelling submerged or low land
Arbitrator in expropriation cases
Commission paid to others
Premium on expropriation bonds
Registering, filing and depositing title documents and plans
Payments for release and discharge of encumbrances and charges against the land
Damage to property of others
Ditch for waterways when part of consideration
Engineering and survey expense in connection with purchase of land in fee simple
Expropriation expense, including court costs and special counsel fees
Judgements and decreed costs to clear or defend titles
Legal and notarial fee
Plats
Payment for release from restrictive provisions of original title documents and for other rights
Removal and relocation of buildings and other structures not purchased
Rent of land when part of consideration for purchase
Taxes accrued and assumed at time of purchase

NOTE A : When the acquisition of land for gas pipe line service involves also the purchase of land not to be used for such purposes, the charges to this account shall be based upon the estimated cost at date of acquisition of only that portion which is used for gas pipe line service. The estimated value of that portion which is not so used shall be included in account No. 110, "Other Plant". When such land is practically worthless, it shall be included in the account at a nominal value for record purposes.

NOTE B : Payments for options and of interest on options and on contracts to purchase land when it is proposed to use in contemplated construction projects shall be carried in account No. 179, "Other Deferred Charges", pending determination as to whether to proceed with the project. If it be decided to proceed with the project, the balance in account No. 179, "Other Deferred Charges", shall be cleared therefrom and charged to account No. 115, "Gas Plant under Construction"; if not, the amount lost, including interest, if any, shall be charged to account No. 359, "Other Charges", or income accounts as applicable.

NOTE C : The net proceeds from the sale of minerals and timber in excess of the amount considered therefor in the purchase price of the land shall be credited to account No. 351, "Profit from Sale of Plant" or account No. 319, "Other Income", as applicable.

NOTE D : When land has been purchased for a proposed pipe line operation project and the project has been indefinitely postponed before construction work is begun, the cost of the property shall be transferred to account No. 102, "Gas Plant Held for Future Use", sufficient details being included in the entry to permit the classification of the various items of cost in case the project is later pursued. The cost of the work which has been done shall be included in account No. 179, "Other Deferred Charges", until a decision has been reached as to execution or abandonment of the project. If it be determined to continue the work the cost of the land and the work which has been done shall be transferred to account No. 115, "Gas Plant under Construction". If the project be abandoned the cost of the work which has been done shall be charged to account No. 355, "Loss from Sale or Retirement of Plant" or account No. 329, "Other Income Deductions", as applicable.

NOTE E : When land is acquired for which there is not a definite plan for its use in pipe line operations, the cost shall be charged to account No. 110, "Other Plant".

NOTE F : In case land is purchased under a definite plan for its use in a construction project, its cost shall be included in account No. 115, "Gas Plant under Construction", until such time as the project involved is completed ready for service.

NOTE G : The cost of clearing, levelling or grading land, both before and after the construction of facilities thereon, but directly related to such facilities, shall be included in the accounts provided for the cost of the facilities constructed.

421. LAND RIGHTS

This account shall include the cost of land rights or easements used in connection with the processing of natural gas for removal of gasoline, butane, propane or other saleable products.

COMPONENTS

Abstract expenses
Engineering and survey expenses in connection with expropriation
Expropriation expenses
Fees and costs of registering, filing and depositing title documents and plans
Judgements and decreed costs of clearing or defending titles
Legal and notarial fees
Outside land right agents' compensation
Plats
Premiums on expropriation bonds
Payments for release and discharge of encumbrances and charges against the lands affected by the land rights
Payments for tenants' consents, options and easements

NOTE A : The cost of land owned in fee simple; used as land rights for products extraction plant is provided for in account No. 420, "Land".

NOTE B : Periodical rents paid for use of land rights shall be included in the accounts provided for the expense of operating the facilities used.

NOTE C : The cost of clearing, levelling or grading land, on which the company has acquired land rights, both before and after the construction of facilities thereon, but directly related to such facilities, shall be included in the accounts provided for the cost of the facilities constructed.

NOTE D : Proceeds from the sale of timber or of improvements purchased with land rights, less any cost of removal, shall be credited to this account.

422. STRUCTURES AND IMPROVEMENTS

This account shall include the cost of structures and related facilities used in connection with the processing of natural gas for removal of gasoline, butane, propane or other saleable products. It shall also include the cost of improvements to such structures, and the cost of clearing, levelling or grading land, both before and after construction of structures when such improvements are directly related to the above functions and structures.

COMPONENTS

Boiler
Building
Drainage system
Fencing
Hoisting equipment, attached to building
Lightning arrestor
Loading dock
Parking bumper
Pipe rack
Protection box
Reservoir
Roads
Sewage system
Sidewalks
Sprinkler system
Ventilating system
Water line
Water well

NOTE : The cost of foundations special to engines, pumps, compressors and other similar apparatus shall be included in the cost of such apparatus.

423. EXTRACTION EQUIPMENT

This account shall include the cost of equipment used for the extraction from natural gas of gasoline, butane, propane or other saleable products and for the refining of such products.

COMPONENTS

Boiler plant equipment, including boiler, boiler setting, heat exchangers, etc.
Compressed air system, including air compressor, air storage tank, etc.
Cooling equipment such as coolers, cooling tower and accessories for gas, extracted products, etc.
Cranes, trolleys and hoists
Electrical system, including generator and driving unit, power lines, transformers, switchboard, yard lighting system, etc.
Extraction and refining equipment, such as absorbers, reabsorbers, stills, dephlegmators, fractionating towers, stabilizing columns, control apparatus
Foundations and structural supports for equipment items not intended to outlast the equipment for which provided
Fuel regulating and measuring equipment
Gasoline blending equipment including dye pot, eductor pumps, lead storage tanks, weighing device, etc.
Gauges and instruments
Loading racks and associated other equipment
Lubricating oil system
Pumps of various types, such as boiler feed water pumps, loading and transfer pumps, drip still pumps, oil pumps, skimmer basin pumps, etc.
Tanks of various types such as accumulator and dewatering tanks, separator tanks, gasoline feed tanks, compressed air tanks, oil surge tanks, etc.
Water supply system including water well, water tank and supports, water softener or purification apparatus, travelling water screen and drive
Yard piping, gas, water, steam, compressed air, fuel, vapor, extracted products, including headers, valves, etc., but not including off site lines includible in account No. 425, "Pipe Lines".

NOTE : The cost of foundations other than those special to particular engines, pumps, compressors and other similar apparatus shall be included in the appropriate structures and improvements account.

424. PRODUCTS STORAGE EQUIPMENT

This account shall include the cost installed of storage tanks and associated equipment used in the storing, prior to sale, of gasoline, butane, propane and other saleable products extracted from natural gas.

COMPONENTS

Foundation
Instrument
Regulator
Storage Tank
Valve

NOTE : The cost of foundations other than those special to particular engines, pumps, compressors and other similar apparatus shall be included in the appropriate structures and improvements account.

425. PIPE LINES

This account shall include the cost of piping used in connection with the processing of natural gas for the removal of gasoline, butane, propane or other saleable products, exclusive of piping appropriately includible in other primary accounts in the products extraction plant section.

COMPONENTS

Gas lines off site relating solely to extraction operations
Gasoline gathering lines connecting with off site sources
Gathering line drips
Instruments, indicating and recording
Loading lines connecting with remote off site loading racks or storage facilities
Pumps and driving units

426. COMPRESSOR EQUIPMENT

This account shall include the cost of compressors and associated equipment used in connection with the receipt, processing and return of gas processed for removal of gasoline, butane, propane, or other saleable products.

COMPONENTS

Air cleaner
Air compressor
Atmospheric type jacket water cooler
Auxiliary engine generator
Base volume index
Blower
Cathodic ground bed
Circuit breakers and switches
Compressor
Conductor
Conduit
Controller
Control panel
Dehydrator
Drip
Duct
Electrical fittings
Equipment foundation
Filter
Fire fighting equipment
Garage equipment
Gauge
Gauge board panel
Heat exchanger
Laboratory equipment
Line casing
Line pole
Line wire
Manhole
Manometer
Meter body
Meter recorder
Meter station header
Meter tube
Oil reclaimer
Pipe fittings
Piping
Portable meter station
Protective coating and wrap
Pulsation dampener
Pump
Rectifier
Regulator
Residence equipment
Scrubber
Shop equipment
Signal
Silencer
Station positive gas meter
Storage battery
Stores equipment
Support
Switchboard
Tank
Telemetering equipment
Transformer
Trap
Valve
Valve box
Water treating equipment

NOTE : The cost of foundations, other than those special to particular engines, pumps, compressors and other similar apparatus shall be included in the appropriate structures and improvements account.

427. MEASURING AND REGULATING EQUIPMENT

This account shall include the cost of meters, gauges and other equipment used in measuring or regulating gas received and/or returned from processing for removal of gasoline, butane, propane or other saleable products.

COMPONENTS

Battery
Blower
Cathodic protection device
Chemical
Circuit breaker
Conductor
Conduit
Controller
Control panel
Dehydrator
Duct
Equipment foundation
Fire fighting equipment
Gauges
Governor
Header
Heat exchanger
Laboratory equipment
Manhole
Meter recorder
Meter tube and fittings
Odorizing equipment
Panel
Piping
Positive meter
Pulsation dampener
Pump
Regulator
Remote control
Stores equipment
Switch
Switchboard
Tank
Telemetering equipment
Thermometer
Tubing
Valve
Valve box
Valve operator
Water treating equipment

NOTE : The cost of foundations other than those special to particular engines, pumps, compressors, and other similar apparatus shall be included in the appropriate structures and improvements account.

428. PURIFICATION EQUIPMENT

This account shall include the cost of condensers, dehydrators, pumps and other apparatus used for the removal of impurities from gas.

COMPONENTS

Condenser and washer cooler
Dehydrator
Foundation and setting, specially constructed for and not intended to outlast the equipment for which provided
Other accessory equipment, such as cooler, spray pond, pump, platform, railing, stair
Piping from inlet valve of first piece of apparatus to outlet valve of final piece of apparatus (or, in building, from entrance to building to exit from building)
Scrubber
Sulphur removal apparatus
Water supply system

NOTE : The cost of foundations other than those special to particular engines, pumps, compressors and other similar apparatus shall be included in the appropriate structures and improvements account.

429. OTHER PRODUCTS EXTRACTION EQUIPMENT

This account shall include the cost of equipment used in processing gas and refining gasoline, butane, propane and other saleable products extracted from gas, not provided for elsewhere.

MANUFACTURED GAS PRODUCTION PLANT

430. LAND

This account shall include the cost of land owned in fee simple and used for the construction and operation of manufactured gas production plant; the cost of land for storage, station, office, shop and other grounds; the cost of land for ingress to or egress from such grounds; the cost of land for storage of material adjoining the right of way; the cost of removing from the land and locating elsewhere the property of others, and the cost of necessary land for relocation of the property, when such costs are assumed by the company.

When land, together with buildings thereon, is acquired, the cost shall be fairly apportioned between land and buildings and accounted for accordingly. If the plan of acquisition contemplates the removal of the buidlings, the total cost of the land and buildings shall be accounted for as the cost of the land and the value of the salvage of the buildings when disposed of shall be deducted from the cost of the land as determined.

Proceeds from the sale of timber or of improvements purchased with land, less any cost of removal, shall be credited to this account.

Proceeds from the sale of minerals known to be in the land when purchased and considered in the purchase price thereof shall be credited to this account.

COMPONENTS

Abstract
Appraisal
Compensation and expenses of outside land agents when specifically assigned to acquisition of land, but not arbitrary apportionments for incidental services
Arbitrator in expropriation cases
Commission paid to others
Premium on expropriation bonds
Registering, filing and depositing title documents and plans
Payment for release and discharge of encumbrances and charges against the land
Cost of clearing, filling and levelling submerged or low land
Damage to property of others
Ditch for waterways when part of consideration
Engineering and survey expense in connection with purchase of land in fee simple
Expropriation expense, including court costs and special counsel fees
Judgements and decreed costs to clear or defend titles
Legal and notarial fee
Plats
Payment for release from restrictive provisions of original title documents and for other rights
Removal and relocation of buildings and other structures not purchased
Rent of land when part of consideration for purchase
Taxes accrued and assumed at time of purchase

NOTE A : When the acquisition of land for gas pipe line service involves also the purchase of land not to be used for such purposes, the charges to this account shall be based upon the estimated cost at date of acquisition of only that portion which is used for gas pipe line service. The estimated value of that portion which is not so used shall be included in account No. 110, "Other Plant". When such land is practically worthless, it shall be included in the account at a nominal value for record purposes.

NOTE B : Payments for options and of interest on options and on contracts to purchase land which it is proposed to use in contemplated construction projects shall be carried in account No. 179, "Other Deferred Charges", pending determination as to whether to proceed with the project. If it be decided to proceed with the project, the balance in account No. 179, "Other Deferred Charges", shall be cleared therefrom and charged to account No. 115, "Gas Plant under Construction"; if not, the amount lost, including interest, if any, shall be charged to account No. 359, "Other Charges", or income accounts as applicable.

NOTE C : The net proceeds from the sale of minerals and timber in excess of the amount considered therefor in the purchase price of the land shall be credited to account No. 351, "Profit from Sale of Plant" or account No. 319, "Other Income", as applicable.

NOTE D : When land has been purchased for a proposed pipe line operation project and the project has been indefinitely postponed before construction work is begun, the cost of the property shall be transferred to account No. 102, "Gas Plant Held for Future Use", sufficient details being included in the entry to permit the classification of the various items of cost in case the project is later pursued. The cost of the work

which has been done shall be included in account No. 179, "Other Deferred Charges", until a decision has been reached as to execution or abandonment of the project. If it be determined to continue the work the cost of the land and the work which has been done shall be transferred to account No. 115, "Gas Plant under Construction". If the project be abandoned the cost of the work which has been done shall be charged to account No. 355, "Loss from Sale or Retirement of Plant" or account No. 329, "Other Income Deductions", as applicable.

NOTE E : When land is acquired for which there is not a definite plan for its use in pipe line operations, the cost shall be charged to account No. 110, "Other Plant".

NOTE F : In case land is purchased under a definite plan for its use in a construction project, its cost shall be included in account No. 115, "Gas Plant under Construction", until such time as the project involved is completed ready for service.

NOTE G : The cost of clearing, levelling or grading land, both before and after the construction of facilities thereon, but directly related to such facilities, shall be included in the accounts provided for the cost of the facilities constructed.

431. LAND RIGHTS

This account shall include the cost of land rights or easements used in connection with manufactured gas production.

COMPONENTS

Abstract expenses
Expropriation expenses
Legal fees
Notarial fees
Fees and costs of registering, filing and depositing title documents and plans
Outside land right agents' compensation

NOTE A : The cost of land owned in fee simple, used as land rights for manufactured gas production is provided for in account No. 430, "Land".

NOTE B : Periodical rents paid for use of land rights shall be included in the accounts provided for the expense of operating the facilities used.

NOTE C : The cost of clearing, levelling or grading land, on which the company has acquired land rights, both before and after the construction of facilities thereon, but directly related to such facilities, shall be included in the accounts provided for the cost of the facilities constructed.

NOTE D : Proceeds from the sale of timber or of improvements purchased with land rights, less any cost of removal, shall be credited to this account.

432. STRUCTURES AND IMPROVEMENTS

This account shall include the cost of structures and related facilities used in connection with manufactured gas production. It shall also include the cost of improvements to such structures and related facilities, and the cost of clearing, levelling or grading land, both before and after construction of structures when such improvements are directly related to the above functions and structures.

COMPONENTS

Boiler
Building
Drainage system
Fencing
Hoisting equipment, attached to building
Lightning arrestor
Loading dock
Parking bumper
Pipe rack
Protection box
Reservoir
Roads
Sewage system
Sidewalks
Sprinkler system
Ventilating system
Water line
Water well

NOTE : The cost of foundations special to engines, pumps, compressors and other similar apparatus shall be included in the cost of such apparatus.

433. MANUFACTURING EQUIPMENT

This account shall include the cost installed of equipment of all descriptions used in connection with the manufacture of gas.

The various Manufactured Gas Plant Equipment sub accounts are described below.

Boiler Plant Equipment

This account shall include the cost installed of furnaces, boilers, steam and feed water piping, boiler apparatus, and accessories used in the production of steam at gas production plants.

COMPONENTS

Accumulators
Air preheaters, including fans and drives, and ducts not part of building
Ash disposal equipment, including sluiceways not part of a building, pumps and piping, crane, ash bucket conveyor and drives, ash cars, etc.
Belt conveyors, including drives
Blast gate valves
Blow-down tanks and piping
Boilers, including valves attached thereto, casings, safety valves, soot blowers, soot hoppers, superheaters and feed water regulators
Cinder and dust catcher system, including mechanical and electric types
Coal and coke handling equipment, including hoppers, lorries, etc., used wholly for boilers
Combustion control system, including all apparatus installed for the regulation and control of the supply of fuel or air to boilers
Control apparatus
Cranes, hoists, etc., wholly identified with apparatus listed herein
Desuperheaters and reducing valves
Draft apparatus, including forced, induced, and other draft systems, with blowers, fans, and ducts not part of building
Economizers
Emergency lighting systems, not part of building, keep-a-lite systems, etc.
Emergency signal systems, in connection with boiler operation
Feed water heaters, including primary and stage
Flues, uptakes, and breeching, whether or not stacks are included in this account
Foundations and settings, specially constructed for and not intended to outlast the apparatus for which provided
Furnaces
Gas firing system, including gas lines, burners, etc., for gas fired boilers
Injectors
Mechanical stoker and feeding systems, clinker grinders, including drives
Meters, gauges, recording instruments, etc.
Oil burning equipment, including tanks, heaters, pumps with drives, burner equipment, piping, and conditioning apparatus.
Painting, first cost
Panels, control (for operating apparatus listed herein)
Piping system, steam header and exhaust header, including accessory pipe hangers, steam traps, etc., make-up water, feed water, drip, blow-off, water pipe lines used for steam plant, and valve control system
Platforms, railings, steps, gratings, etc., appurtenant to apparatus listed herein
Pulverizing equipment
Pumps and driving units, for feed water, heater condensate, condenser water, and drip
Stacks—brick, steel, and concrete, when set on separate foundations independent of substructure or superstructure of building
Steam reheaters
Steelwork, especially constructed for apparatus listed herein
Tanks, including surge, weighing, return, blow-off, feed water storage
Tar burning equipment for utilization of tar as boiler fuel, including tanks, pumps, burner equipment, piping, etc.
Waste heater boilers and accessories—stack valve and stack irrespective of location
Water treatment system, including purifiers, settling tanks, filters, chemical mixing and dosing apparatus, etc.

NOTE A : This account shall not include boilers or steam pipes whose primary purpose is the heating of buildings.

NOTE B : When the system for supplying boiler or condenser water is elaborate, as when it includes a dam, reservoir, canal, or pipe line, the cost shall not be charged to this account but to a special subdivision of account No. 432, "Structures and Improvements".

Other Power Equipment

This account shall include the cost installed of electric generating and accessory equipment used for supplying electricity in gas production plants.

This account shall also include the cost installed of miscellaneous power equipment at gas production plants which is not included in any other account.

COMPONENTS

Acid proofing of battery rooms
Air duct runs in battery rooms
Air pump, steamjet
Batteries for control and general station use
Belts, pulleys, hangers, shafts, and countershafts
Cables between generators and switchboards
Cabinets, control
Compartments, including buses, connections and items permanently attached
Enclosure equipment not an integral part of building
Engines, including steam rotary or reciprocating, steam turbines, and internal combustion engines
Foundations and settings, specially constructed for and not intended to outlast the apparatus for which provided
Generators, A.C. or D.C., including excitation system
Batteries for control and general station use
Ground connections, for main station ground
Lightning arrestors
Motor generators, frequency changers, and converters
Overhead power lines, including poles, crossarms, insulators, conductors, etc.
Panels, control, including supports and instruments
Piping applicable to apparatus listed herein
Reactors
Rectifiers
Safety equipment, including rubber mats, remote closing devices, glove cabinets
Purifiers for gas to be reformed
Regulators
Water gas generators, used primarily for reforming gas

Residual Refining Equipment

This account shall include the cost installed of apparatus used in refining and handling of residuals except where the apparatus is necessary for the operation of property included in account No. 438, "Purification Equipment".

COMPONENTS

Ammonia stills, condensers, saturators, etc.
Apparatus for removal of residuals from purifier liquids
Coke filter
Coke handling and storage facilities, used solely for coke held for sale
Condensers
Control apparatus
Coolers
Decanters
Foundations specially constructed for and not intended to outlast the apparatus for which provided
Gauges
Heating equipment for apparatus included in this account
Instruments
Light oil stills, washers, etc.
Piping and pumps
Platforms, stairs, and ladders
Separators
Storage tanks
Supports
Tar dehydrators, stills, etc.

Gas Mixing Equipment

This account shall include the cost installed of equipment used for mixing manufactured and natural gas, or the mixing of other gases incident to delivery of such mixed gases to the distribution system.

COMPONENTS

Alcohol units
Automatic mixing controls
Btu adjustor
Calorimeter
Calorimixer
Compressor
Gas heater
Gas scrubber (air filter, dust cleaner)
Gauges and instruments
Meters
Mixing chambers
Odorizing equipment
Oil pump units
Panel and control equipment
Piping and valves
Regulators, pressure and ratio
Safety alarm equipment

NOTE : The cost of foundations other than those special to particular engines, pumps, compressors, and other similar apparatus shall be included in the appropriate structures and improvements account.

434. GAS HOLDERS—MANUFACTURING

This account shall include the cost installed of holders and associated equipment used in the storing, prior to sale, of manufactured gas.

COMPONENTS

Alarm systems
Buried piping, tanks or other underground construction for gas storage
Flood and fire control equipment
Foundations
Holder pistons
Holders
Hortonspheres and high pressure tanks
Lighting
Pumps
Regulators
Valves
Ventilating equipment
Walkways

NOTE : The cost of foundations other than those special to particular engines, pumps, compressors, and other similar apparatus shall be included in the appropriate structures and improvements account.

436. COMPRESSOR EQUIPMENT

This account shall include the cost of compressor equipment used to deliver manufactured gas to the transmission or distribution system.

COMPONENTS

Air cleaner
Air compressor
Atmospheric type jacket water cooler
Auxiliary engine generator
Base volume index
Blower
Cathodic ground bed
Cathodic protective device
Circuit breakers and switches
Compressor
Conductor
Conduit
Controller
Control panel
Dehydrator
Drip
Duct
Electrical fittings
Equipment foundation
Filter
Fire fighting equipment
Gauge
Gauge board panel
Garage equipment
Heat exchanger
Laboratory equipment
Line casing
Line pole
Line wire
Manhole
Manometer
Meter body
Meter recorder
Meter station header

Meter tube
Oil reclaimer
Pipe fittings
Piping
Portable meter station
Protective coating and wrap
Pulsation dampener
Pump
Rectifier
Regulator
Relay cabinet
Residence equipment
Scrubber
Shop equipment
Signal
Silencer
Station positive gas meter
Storage battery
Stores equipment
Support
Switchboard
Tank
Telemetering equipment
Transformer
Trap
Valves
Valve box
Water treating equipment

NOTE : The cost of foundations other than those special to particular engines, pumps, compressors and other similar apparatus shall be included in the appropriate structures and improvements account.

437. MEASURING AND REGULATING EQUIPMENT

This account shall include the cost of meters, gauges and other equipment used in measuring or regulating manufactured gas production.

COMPONENTS

Battery
Blower
Cathodic protection device
Chemical
Circuit breaker
Conductor
Conduit
Controller
Control panel
Dehydrator
Duct
Equipment foundation
Fire fighting equipment
Gauges
Governor
Header
Heat exchanger
Laboratory equipment
Manhole
Meter recorder
Meter tube and fittings
Odorizing equipment
Panel
Piping
Positive meter
Pulsation dampener
Pump
Regulator
Remote control
Stores equipment
Switch
Switchboard
Tank
Telemetering equipment
Thermometer
Tubing
Valve
Valve box
Valve operator
Water treating equipment

NOTE: The cost of foundations other than those special to particular engines, pumps, compressors, and other similar apparatus shall be included in the appropriate structures and improvements account.

438. PURIFICATION EQUIPMENT

This account shall include the cost installed of apparatus used for the removal of impurities from gas and apparatus for conditioning gas, including pumps, wells, and other accessory apparatus.

COMPONENTS

Condensers and washer coolers
Dehydrators
Foundations and settings, specially constructed for and not intended to outlast the equipment for which provided
Other accessory equipment, such as coolers, spray ponds, pumps, platforms, railings, stairs
Piping, from inlet valve of first pieces of apparatus to outlet valve of final piece of apparatus (or, in building, from entrance to building to exit from building)
Scrubbers
Sulphur removal apparatus
Water supply system

NOTE : The cost of foundations other than those special to particular engines, pumps, compressors and other similar apparatus shall be included in the appropriate structures and improvements account.

439. OTHER MANUFACTURED GAS PRODUCTION EQUIPMENT

This account shall include the cost installed of equipment used in the production of gas, when not assignable to any other account.

LOCAL STORAGE PLANT

440. LAND

This account shall include the cost of land owned in fee simple and used for the construction and operation of local storage plant; the cost of land for storage, station, office, shop, and other grounds; the cost of land for ingress to or egress from such grounds; the cost of land for storage of material adjoining the right of way; the cost of removing from the land and locating elsewhere the property of others, and the cost of necessary land for relocation of the property, when such costs are assumed by the company.

When land, together with buildings thereon, is acquired, the cost shall be fairly apportioned between land and buildings and accounted for accordingly. If the plan of acquisition contemplates the removal of the buildings, the total cost of the land and buildings shall be accounted for as the cost of the land and the value of the salvage of the buildings when disposed of shall be deducted from the cost of the land as determined.

Proceeds from the sale of timber or of improvements purchased with land, less any cost of removal, shall be credited to this account.

Proceeds from the sale of minerals known to be in the land when purchased and considered in the purchase price thereof shall be credited to this account.

COMPONENTS

Abstract
Appraisal
Compensation and expenses of outside land agents when specifically assigned to acquisition of land, but not arbitrary apportionments for incidental services
Cost of clearing, filling and levelling submerged or low land
Arbitrator in expropriation cases
Commission paid to others
Premium on expropriation bonds
Registering, filing and depositing title documents and plans
Payment for release and discharge of encumbrances and charges against the land
Damage to property of others
Ditch for waterways when part of consideration
Engineering and survey expense in connection with purchase of land in fee simple
Expropriation expense, including court costs and special counsel fees
Judgements and decreed costs to clear or defend titles
Legal and notarial fee
Plats
Payment for release from restrictive provisions of original title documents and for other rights
Removal and relocation of buildings and other structures not purchased
Rent of land when part of consideration for purchase
Taxes accrued and assumed at time of purchase

NOTE A : When the acquisition of land for gas pipe line service involves also the purchase of land not to be used for such purposes, the charges to this account shall be based upon the estimated cost at date of acquisition of only that portion which is used for gas pipe line service. The estimated value of that portion which is not so used shall be included in account No. 110, "Other Plant". When such land is practically worthless, it shall be included in the account at a nominal value for record purposes.

NOTE B : Payments for options and of interest on options and on contracts to purchase land which it is proposed to use in contemplated construction projects shall be carried in account No. 179, "Other Deferred Charges", pending determination as to whether to proceed with the project. If it be decided to proceed with the project, the balance in account No. 179, "Other Deferred Charges", shall be cleared therefrom and charged to account No. 115, "Gas Plant under Construction"; if not, the amount lost, including interest, if any, shall be charged to account No. 359, "Other Charges", or income accounts as applicable.

NOTE C : The net proceeds from the sale of minerals and timber in excess of the amount considered therefor in the purchase price of the land shall be credited to account No. 351, "Profit from Sale of Plant" or account No. 319, "Other Income", as applicable.

NOTE D : When land has been purchased for a proposed pipe line operation project and the project has been indefinitely postponed before construction work is begun, the cost of the property shall be transferred to account No. 102, "Gas Plant Held for Future Use", sufficient details being included in the entry to permit the classification of the various items of cost in case the project is later pursued. The cost of the work which has been done shall be included in account No. 179, "Other Deferred Charges", until a decision has been reached as to execution or abandonment of the project. If it be determined to continue the work the cost of the land and the work which has been done shall be transferred to account No. 115, "Gas Plant under Construction". If the project be abandoned the cost of the work which has been done shall be charged to account No. 355, "Loss from Sale or Retirement of Plant" or account No. 329, "Other Income Deductions", as applicable.

NOTE E : When land is acquired for which there is not a definite plan for its use in pipe line operations, the cost shall be charged to account No. 110, "Other Plant".

NOTE F : In case land is purchased under a definite plan for its use in a construction project, its cost shall be included in account No. 115, "Gas Plant Under Construction", until such time as the project involved is completed ready for service.

NOTE G : The cost of clearing, levelling or grading land, both before and after the construction of facilities thereon, but directly related to such facilities, shall be included in the accounts provided for the cost of the facilities constructed.

441. LAND RIGHTS

This account shall include the cost of land rights or easements used in connection with local storage operations.

COMPONENTS

Abstract expenses
Expropriation expenses
Legal fees
Notarial fees
Fees and costs of registering, filing and depositing title documents and plan
Outside land right agents' compensation

NOTE A : The cost of land owned in fee simple, used as land rights for local storage, is provided for in account No. 440, "Land".

NOTE B : Periodical rents paid for use of land rights shall be included in the accounts provided for the expense of operating the facilities used.

NOTE C : The cost of clearing, levelling or grading land, on which the company has acquired land rights, both before and after the construction of facilities thereon, but directly related to such facilities, shall be included in the accounts provided for the cost of the facilities constructed.

NOTE D : Proceeds from the sale of timber or of improvements purchased with land rights, less any cost of removal, shall be credited to this account.

442. STRUCTURES AND IMPROVEMENTS

This account shall include the cost of structures, improvements and related facilities used in connection with local storage operations. It shall also include the cost of improvements to such structures, and the cost of clearing, levelling or grading land, both before and after construction of structures when such improvements are directly related to the above functions and structures.

COMPONENTS

Boiler
Building
Drainage system
Fencing
Hoisting equipment, attached to building
Lightning arrestor
Loading dock
Parking bumper
Pipe rack
Protection box
Reservoir
Roads
Sewage system
Sidewalks
Sprinkler system
Ventilating system
Water line
Water well

NOTE : The cost of foundations special to engines, pumps, compressors and other similar apparatus shall be included in the cost of such apparatus.

443. GAS HOLDERS—STORAGE

This account shall include the cost installed of holders and associated equipment used in the storing of natural gas prior to sale.

COMPONENTS

Alarm systems
Buried piping, tanks or other underground construction for gas storage
Flood and fire control equipment
Foundations
Holder pistons
Holders
Hortonspheres and high pressure tanks
Lighting
Pumps
Regulators
Valve
Ventilating equipment
Walkways

NOTE : The cost of foundations other than those special to particular engines, pumps, compressors, and other similar apparatus shall be included in the appropriate structures and improvements account.

449. OTHER LOCAL STORAGE EQUIPMENT

This account shall include the cost installed of equipment used in the local storage operation when not assignable to any other account.

UNDERGROUND STORAGE PLANT

450. LAND

This account shall include the cost of land owned in fee simple and used for the construction and operation of underground storage plant; the cost of land for storage, station, office, shop, and other grounds; the cost of land for ingress to or egress from such grounds; the cost of land for storage of material adjoining the right of way; the cost of removing from the land and locating elsewhere the property of others, and the cost of necessary land for relocation of the property, when such costs are assumed by the company.

When land, together with buildings thereon, is acquired, the cost shall be fairly apportioned between land and buildings and accounted for accordingly. If the plan of acquisition contemplates the removal of the buildings, the total cost of the land and buildings shall be accounted for as the cost of the land and the value of the salvage of the buildings when disposed of shall be deducted from the cost of the land as determined.

Proceeds from the sale of timber or of improvements purchased with land, less any cost of removal, shall be credited to this account.

Proceeds from the sale of minerals known to be in the land when purchased and considered in the purchase price thereof shall be credited to this account.

COMPONENTS

Abstract
Appraisal
Compensation and expenses of outside land agents when specifically assigned to acquisition of land, but not arbitrary apportionments for incidental services
Cost of clearing, filling and levelling submerged or low land
Arbitrator in expropriation cases
Commission paid to others
Premium on expropriation bonds
Registering, filing and depositing title documents and plans
Payment for release and discharge of encumbrances and charges against the land
Damage to property of others
Ditch for waterways when part of consideration
Engineering and survey expense in connection with purchase of land in fee simple
Expropriation expense, including court costs and special counsel fees
Judgements and decreed costs to clear or defend titles
Legal and notarial fee
Plats
Payment for release from restrictive provisions of original title documents and for other rights
Removal and relocation of buildings and other structures not purchased
Rent of land when part of consideration for purchase
Taxes accrued and assumed at time of purchase.

NOTE A : When the acquisition of land for gas pipe line service involves also the purchase of land not to be used for such purposes, the charges to this account shall be based upon the estimated cost at date of acquisition of only that portion which is used for gas pipe line service. The estimated value of that portion which is not so used shall be included in account No. 110, "Other Plant". When such land is practically worthless, it shall be included in the account at a nominal value for record purposes.

NOTE B : Payments for options and of interest on options and on contracts to purchase land which it is proposed to use in contemplated construction projects shall be carried in account No. 179, "Other Deferred Charges", pending determination as to whether to proceed with the project. If it be decided to proceed with the project, the balance in account No. 179, "Other Deferred Charges", shall be cleared therefrom and charged to account No. 115, "Gas Plant under Construction"; if not, the amount lost, including interest, if any, shall be charged to account No. 359, "Other Charges", or income accounts as applicable.

NOTE C : The net proceeds from the sale of minerals and timber in excess of the amount considered therefor in the purchase price of the land shall be credited to account No. 351, "Profit from Sale of Plant", or account No. 319, "Other Income", as applicable.

NOTE D : When land has been purchased for a proposed pipe line operation project and the project has been indefinitely postponed before construction work is begun, the cost of the property shall be transferred to account No. 102, "Gas Plant Held for Future Use", sufficient details being included in the entry to permit the classification of the various items of cost in case the project is later pursued. The cost of the work which has been done shall be included in account No. 179, "Other Deferred Charges", until a decision has been reached as to execution or abandonment of the project. If it be determined to continue the work the cost of the land and the work which has been done shall be transferred to account No. 115, "Gas Plant under Construction". If the project be abandoned the cost of the work which has been done shall be charged to account No. 355, "Loss from Sale or Retirment of Plant" or account No. 329, "Other Income Deductions", as applicable.

NOTE E : When land is acquired for which there is not a definite plan for its use in pipe line operations, the cost shall be charged to account No. 110, "Other Plant".

NOTE F : In case land is purchased under a definite plan for its use in a construction project, its cost shall be included in account No. 115, "Gas Plant under Construction", until such time as the project involved is completed ready for service.

NOTE G : The cost of clearing, levelling or grading land, both before and after the construction of facilities thereon, but directly related to such facilities, shall be included in the accounts provided for the cost of the facilities constructed.

451. LAND RIGHTS

This account shall include the cost of land rights or easements used in connection with the storage of gas in depleted or partially depleted gas or oil fields or other underground reservoirs.

COMPONENTS

Abstract expenses
Engineering and survey expenses in connection with expropriation
Expropriation expenses
Fees and costs of registering, filing and depositing title documents and plans
Judgements and decreed costs of clearing or defending titles
Legal and notarial fees
Outside land right agents' compensation
Plats
Premiums on expropriation bonds
Payments for release and discharge of encumbrances and charges against the lands affected by the land rights
Payments for tenants' consents, options and easements

NOTE A : The cost of land owned in fee simple, used as land rights for underground storage is provided for in account No. 450, "Land".

NOTE B : Periodical rents paid for use of land rights shall be included in the accounts provided for the expense of operating the facilities used.

NOTE C : The cost of clearing, levelling, or grading land, on which the company has acquired land rights, both before and after the construction of facilities thereon, but directly related to such facilities, shall be included in the accounts provided for the cost of the facilities constructed.

NOTE D : Proceeds from the sale of timber or of improvements purchased with land rights, less any cost of removal, shall be credited to this account.

452. STRUCTURES AND IMPROVEMENTS

This account shall include the cost of structures, improvements and related facilities used in connection with the underground storage of natural gas. It shall also include the cost of improvements to such structures, and the cost of clearing, levelling or grading land, both before and after construction of structures when such improvements are directly related to the above functions and structures.

COMPONENTS

Boiler
Building
Drainage system
Fencing
Hoisting equipment, attached to building
Lightning arrestor
Loading dock
Parking bumper
Pipe rack
Protection box
Reservoir
Roads
Sewage system
Sidewalks
Sprinkler system
Ventilating system
Water line
Water well

NOTE : The cost of foundations special to engines, pumps, compressors and other similar apparatus shall be included in the cost of such apparatus.

453. WELLS

This account shall include the cost of wells used for injection and withdrawal of gas from underground storage projects.

COMPONENTS

Clearing well site
Hauling, erecting, dismantling and removing boilers, portable engines, derricks, rigs, and other equipment and tools used in drilling
Drilling
Fuel or power
Labour
Rent of drilling equipment
Water used in drilling, obtained either by driving wells, piping from springs or streams, or by purchase

454. WELL EQUIPMENT

This account shall include the cost of equipment in or at wells used for injection and withdrawal of gas from underground storage.

COMPONENTS

Bailing equipment
Battery equipment
Boilers and drives permanently connected
Casing
Dehydrators
Derrick
Fence, when solely an enclosure for equipment
Fittings, including shut-in valves, separators, drips, bradenheads and casing heads
Packing
Tank, oil or water, etc.
Tubing

455. FIELD LINES

This account shall include the cost of pipe lines used for conveying gas from point of connection with gathering or transmission lines to underground storage wells and from underground storage wells to the point where the gas enters the transmission system.

COMPONENTS

Anchor blocks
Blow down tanks
Cathodic protection equipment
Clearing and grading
Concrete supports
Damages to property of others
Drip assemblies
Equipment foundation
Lightning arrestor
Manifold fittings
Pipe casing
Pipe line
Protective coating
River crossing header
River weights
Saddles
Structural equipment and support
Surveying
Valve
Vents

NOTE : The cost of re-opening the trench and backfilling subsequent to original construction, for the purpose of applying the original protection and casing, shall be charged to this account.

456. COMPRESSOR EQUIPMENT

This account shall include the cost of compressor equipment used to deliver gas to underground storage or to withdraw gas from underground storage for delivery to the transmission system.

COMPONENTS

Air cleaner
Air compressor
Atmospheric type jacket water cooler
Auxiliary engine generator
Base volume index
Blower
Cathodic ground bed
Cathodic protective device
Circuit breakers and switches
Compressor
Conductor
Conduit
Controller
Control panel
Dehydrator
Drip
Duct
Electrical fittings
Equipment foundation
Filter
Fire fighting equipment
Gauge
Gauge board panel
Garage equipment
Heat exchanger
Laboratory equipment
Line casing
Line pole
Line wire
Manhole
Manometer
Meter body
Meter recorder
Meter station header
Meter tube
Oil reclaimer
Pipe fittings
Piping
Portable meter station
Protective coating and wrap
Pulsation dampener
Pump
Rectifier
Regulator
Relay cabinet
Residence equipment
Scrubber
Shop equipment
Signal
Silencer
Station positive gas meter
Storage battery
Stores equipment
Support
Switchboard
Tank
Telemetering equipment
Transformer
Trap
Valve
Valve box
Water treating equipment

NOTE : The cost of foundations other than those special to particular engines, pumps, compressors and other similar apparatus shall be included in the appropriate structures and improvements account.

457. MEASURING AND REGULATING EQUIPMENT

This account shall include the cost of meters, gauges and other equipment used in measuring or regulating deliveries of gas to underground storage and withdrawals of gas from underground storage.

COMPONENTS

Battery
Blower
Cathodic protection device
Chemical
Circuit breaker
Conductor
Conduit
Controller
Control panel
Dehydrator
Duct
Equipment foundation
Fire fighting equipment
Gauges
Governor
Header
Heat exchanger
Laboratory equipment
Manhole
Meter recorder
Meter tube and fittings
Odorizing equipment
Panel
Piping
Positive meter
Pulsation dampener
Pump
Regulator
Remote control
Stores equipment
Switch
Switchboard
Tank
Telemetering equipment
Thermometer
Tubing
Valve
Valve box
Valve operator
Water treating equipment

NOTE : The cost of foundations other than those special to particular engines, pumps, compressors and other similar apparatus shall be included in the appropriate structures and improvements account.

458. BASE PRESSURE GAS

This account shall include the cost of gas in underground storage which is required as a base pressure for the operation of underground storage areas.

NOTE : Deliveries to or withdrawals from underground storage of gas held for use to satisfy gas service requirements of customers shall be charged or credited to account No. 152, "Gas Stored Underground—Available for Sale".

459. OTHER UNDERGROUND STORAGE EQUIPMENT

This account shall include the cost of equipment used in connection with underground storage of gas and not provided for elsewhere.

TRANSMISSION

460. LAND

This account shall include the cost of land owned in fee simple and used for the construction and operation of transmission lines; the cost of land for storage, station, office, shop, and other grounds; the cost of land for ingress to or egress from such grounds; the cost of land for storage of material adjoining the right of way; the cost of removing from the land and locating elsewhere the property of others, and the cost of necessary land for relocation of the property, when such costs are assumed by the company.

When land, together with buildings thereon, is acquired, the cost shall be fairly apportioned between land and buildings and accounted for accordingly. If the plan of acquisition contemplates the removal of the buildings, the total cost of the land and buildings shall be accounted for as the cost of the land and the value of the salvage of the buildings when disposed of shall be deducted from the cost of the land as determined.

Proceeds from the sale of timber or of improvements purchased with land, less any cost of removal, shall be credited to this account.

Proceeds from the sale of minerals known to be in the land when purchased and considered in the purchase price thereof shall be credited to this account.

COMPONENTS

Abstract
Appraisal
Compensation and expenses of outside land agents when specifically assigned to acquisition of land, but not arbitrary apportionments for incidental services
Cost of clearing, filling and levelling submerged or low land
Damage to property of others
Arbitrator in expropriation cases
Commission paid to others
Premium on expropriation bonds
Registering, filing and depositing title documents and plans
Payment for release and discharge of encumbrances and charges against the land
Payment for release from restrictive provisions of original title documents and for other rights
Ditch for waterways when part of consideration
Engineering and survey expense in connection with purchase of land in fee simple
Expropriation expense, including court costs and special counsel fees
Judgements and decreed costs to clear or defend titles
Legal and notarial fee
Plats
Removal and relocation of buildings and other structures not purchased
Rent of land when part of consideration for purchase
Taxes accrued and assumed at time of purchase

NOTE A : When the acquisition of land for gas pipe line service involves also the purchase of land not to be used for such purposes, the charges to this account shall be based upon the estimated cost at date of acquisition of only that portion which is used for gas pipe line service. The estimated value of that portion which is not so used shall be included in account No. 110, "Other Plant". When such land is practically worthless, it shall be included in the account at a nominal value for record purposes.

NOTE B : Payments for options and of interest on options and on contracts to purchase land which it is proposed to use in contemplated construction projects shall be carried in account No. 179, "Other Deferred Charges", pending determination as to whether to proceed with the project. If it be decided to proceed with the project, the balance in account No. 179, "Other Deferred Charges", shall be cleared therefrom and charged to account No. 115, "Gas Plant under Construction"; if not, the amount lost, including interest, if any, shall be charged to account No. 359, "Other Charges", or income accounts as applicable.

NOTE C : The net proceeds from the sale of minerals and timber in excess of the amount considered therefor in the purchase price of the land shall be credited to account No. 351, "Profit from Sale of Plant", or account No. 319, "Other Income", as applicable.

NOTE D : When land has been purchased for a proposed pipe line operation project and the project has been indefinitely postponed before construction work is begun, the cost of the property shall be transferred to account No. 102, "Gas Plant Held for Future Use", sufficient details being included in the entry to permit the classification of the various items of cost in case the project is later pursued. The cost of the work which has been done shall be included in account No. 179, "Other Deferred Charges", until a decision has been reached as to execution or abandonment of the project. If it be determined to continue the work the cost of the land and the work which has been done shall be transferred to account No. 115, "Gas Plant under Construction". If the project be abandoned the cost of the work which has been done shall be charged to account No. 355, "Loss from Sale or Retirement of Plant", or account No. 329, "Other Income Deductions", as applicable.

NOTE E : When land is acquired for which there is not a definite plan for its use in pipe line operations, the cost shall be charged to account No. 110, "Other Plant".

NOTE F : In case land is purchased under a definite plan for its use in a construction project, its cost shall be included in account No. 115, "Gas Plant under Construction", until such time as the project involved is completed ready for service.

NOTE G : The cost of clearing, levelling or grading land, both before and after the construction of facilities thereon, but directly related to such facilities, shall be included in the accounts provided for the cost of the facilities constructed.

461. LAND RIGHTS

This account shall include the cost of land rights or easements used for the construction, operation and maintenance of transmission lines; the cost of land rights for storage of material adjoining the right of way; the cost of work room adjoining the right of way during construction.

COMPONENTS

Abstract expenses
Engineering and survey expenses in connection with expropriation
Expropriation expenses
Fees and costs of registering, filing and depositing title documents and plans
Judgements and decreed costs of clearing or defending titles
Legal and notarial fees
Outside land rights agents' compensation
Plats
Premiums on expropriation bonds
Payments for release and discharge of encumbrances and charges against the lands affected by the land rights
Payments for tenants' consents, options and easements

NOTE A : The cost of land owned in fee simple, used as land rights for the transmission plant is provided for in account No. 460, "Land".

NOTE B : Periodical rents paid for use of land rights shall be included in the accounts provided for the expense of operating the facilities used.

NOTE C : The cost of clearing, levelling, or grading land, on which the company has acquired land rights, both before and after the construction of facilities thereon, but directly related to such facilities, shall be included in the accounts provided for the cost of facilities constructed.

NOTE D : Proceeds from the sale of timber or of improvements purchased with land rights, less any cost of removal, shall be credited to this account.

462. COMPRESSOR STRUCTURES AND IMPROVEMENTS

This account shall include the cost of structures and related facilities used in connection with the housing of compressor equipment for gas transmission operations. It shall also include the cost of improvements to such structures and related facilities, and the cost of clearing, levelling or grading land, both before and after construction of structures when such improvements are directly related to the above functions and structures.

COMPONENTS

Boiler
Building
Drainage system
Fencing
Hoisting equipment, attached to building
Lightning arrestor
Loading dock
Parking bumper
Pipe rack
Protection box
Reservoir
Roads
Sewage system
Sidewalks
Sprinkler system
Ventilating system
Water line
Water wells

NOTE : The cost of foundations special to engines, pumps, compressors and other similar apparatus shall be included in the cost of such apparatus.

463. MEASURING AND REGULATING STRUCTURES AND IMPROVEMENTS

This account shall include the cost of structures, improvements and related facilities used in connection with the housing of meters, regulators and appurtenant appliances for measuring and regulating natural gas during transmission. It shall also include the cost of improvements to such structures, and the cost of clearing, levelling or grading land, both before and after construction of structures when such improvements are directly related to the above functions and structures.

COMPONENTS

Boiler
Building
Drainage system
Fencing
Hoisting equipment, attached to building
Lightning arrestor
Loading dock
Parking bumper
Pipe rack
Protection box
Reservoir
Roads
Sewage system
Sidewalks
Sprinkler system
Ventilating system
Water line
Water well

NOTE : The cost of foundations special to engines, pumps, compressors and other similar apparatus shall be included in the cost of such apparatus.

464. OTHER STRUCTURES AND IMPROVEMENTS

This account shall include the cost of structures, improvements and related facilities used in gas transmission operations not provided for elsewhere. It shall also include the cost of improvements to such structures and related facilities and the cost of clearing, levelling or grading land, both before and after construction of structures when such improvements are directly related to the above functions and structures. The cost of improvements to non-owned property shall also be included in this account.

COMPONENTS

Boiler
Building
Drainage system
Fencing
Heating system
Hoisting equipment, attached to building
Lighting system
Lightning arrestor
Loading dock
Outdoor steel walkways and steps
Parking bumper
Pipe rack
Plumbing system
Protection box
Reservoir
Road
Sidewalk
Sprinkler system
Vehicular bridge
Ventilating system
Water line
Water well

NOTE : The cost of foundations special to engines, pumps, compressors and other similar apparatus shall be included in the cost of such apparatus.

465. MAINS

This account shall include the cost installed of gas transmission mains, between station discharge valve and next station's suction valve, including pipe from receiving meters to delivery meters.

COMPONENTS

Anchor blocks
Blow down tanks
Cathodic protection equipment
Clearing and grading
Concrete supports
Damages to property of others
Drip assemblies
Equipment foundation
Lightning arrestor
Manifold fittings
Pipe casing
Pipe line
Protective coating
River crossing header
River weights
Saddles
Structural equipment and support
Surveying
Valve
Vents

NOTE : The cost of re-opening the trench and backfilling subsequent to original construction, for the purpose of applying the original protection and casing, shall be charged to this account.

466. COMPRESSOR EQUIPMENT

This account shall include the cost of compressors and associated equipment used in connection with gas transmission operations.

COMPONENTS

Air cleaner
Air compressor
Atmospheric type jacket water cooler
Auxiliary engine generator
Base volume index
Blower
Cathodic ground bed
Cathodic protection device
Circuit breakers and switches
Compressor
Conductor
Conduit
Controller
Control panel
Dehydrator
Drip
Duct
Electrical fittings
Equipment foundation
Filter
Fire fighting equipment
Gauge
Gauge board panel
Garage equipment
Heat exchanger
Laboratory equipment
Line casing
Line pole
Line wire
Manhole
Manometer
Meter body
Meter recorder
Meter station header
Meter tube
Oil reclaimer
Pipe fittings
Piping
Portable meter station
Protective coating and wrap
Pulsation dampener
Pump
Rectifier
Regulator
Relay cabinet
Residence equipment
Scrubber
Shop equipment
Signal
Silencer
Station postive gas meter
Storage battery
Stores equipment
Support
Switchboard
Tank
Telemetering equipment
Transformer
Trap
Valve
Valve box
Water treating equipment

NOTE : The cost of foundations other than those special to particular engines, pumps, compressors and other similar apparatus shall be included in the appropriate structures and improvements account.

467. MEASURING AND REGULATING EQUIPMENT

This account shall include the cost of meters, gauges and other equipment used in measuring or regulating gas in connection with gas transmission operations.

COMPONENTS

Battery
Blower
Cathodic protection device
Chemical
Circuit breaker
Conductor
Conduit
Controller
Control panel
Dehydrator
Duct
Equipment foundation
Fire fighting equipment
Gauges
Governor
Header
Heat exchanger
Laboratory equipment
Manhole
Meter recorder
Meter tube and fittings
Odorizing equipment
Panel
Piping
Positive meter
Pulsation dampener
Pump
Regulator
Remote control
Stores equipment
Switch
Switchboard
Tank
Telemetering equipment
Thermometer
Tubing
Valve
Valve box
Valve operator
Water treating equipment

NOTE : The cost of foundations other than those special to particular engines, pumps, compressors, and other similar apparatus shall be included in the appropriate structures and improvements account.

468. COMMUNICATION STRUCTURES AND EQUIPMENT

This account shall include the cost of telephone, telegraph, radio and other communication structures and equipment used wholly or predominantly in connection with the operation and maintenance of the gas transmission system.

COMPONENTS

Building

Telegraph and Telephone Equipment

Aerial attachment
Battery
Brace
Bracket
Cable and wire
Cable box and appurtenance
Conduit and appurtenance
Connecting wire
Current controlling instrument
Cross arm and cross arm bolt
Electric generator and motor
Electric meter
Engine, stationary
Fuse and mechanical protector
Guy, stub and anchor
Guy rod and wire
Insulator and pin
Rectifier
Rheostat
Pole
Sending and receiving instrument
Submarine cable and connection
Switchboard
Telephone pole box
Testing outfit
Tower
Transformer
Underground cable and connection

Radio and Radar Equipment

Aerial or antenna and attachment
Control unit
Power generating, converting or supply equipment
Radar console and associated equipment
Radio tower
Specialized testing and repair equipment
Transmitter and receiver including mobile unit

NOTE : The cost of telegraph, telephone, radio and other communication structures and equipment for general use in connection with the company's gas operations shall be included in account No. 488, "Communication Structures and Equipment".

469. OTHER TRANSMISSION EQUIPMENT

This account shall include the cost of equipment used in gas transmission operations not provided for elsewhere.

DISTRIBUTION PLANT

470. LAND

This account shall include the cost of land owned in fee simple and used for the construction and operation of distribution plant; the cost of land for storage, station, office, shop, and other grounds; the cost of land for ingress to or egress from such grounds; the cost of land for storage of material adjoining the right of way; the cost of removing from the land and locating elsewhere the property of others, and the cost of necessary land for relocation of the property, when such costs are assumed by the company.

When land, together with buildings thereon, is acquired, the cost shall be fairly apportioned between land and buildings and accounted for accordingly. If the plan of acquisition contemplates the removal of the buildings, the total cost of the land and buildings shall be accounted for as the cost of the land and the value of the salvage of the buildings when disposed of shall be deducted from the cost of the land as determined.

Proceeds from the sale of timber or of improvements purchased with land, less any cost of removal, shall be credited to this account.

Proceeds from the sale of minerals known to be in the land when purchased and considered in the purchase price thereof shall be credited to this account.

COMPONENTS

Abstract
Appraisal
Compensation and expenses of outside land agents when specifically assigned to acquisition of land, but not arbitrary apportionments for incidental services
Cost of clearing, filling and levelling submerged or low land
Damage to property of others
Ditch for waterways when part of consideration
Engineering and survey expense in connection with purchase of land in fee simple
Expropriation expense, including court costs and special counsel fees
Judgements and decreed costs to clear or defend titles
Legal and notarial fee
Plats
Arbitrator in expropriation cases
Commission paid to others
Premium on expropriation bonds
Registering, filing and depositing title documents and plans
Payment for release and discharge of encumbrances and charges against the land
Payment for release from restrictive provisions of original title documents and for other rights
Removal and relocation of buildings and other structures not purchased
Rent of land when part of consideration for purchase
Taxes accrued and assumed at time of purchase

NOTE A : When the acquisition of land for gas pipe line service involves also the purchase of land not to be used for such purposes, the charges to this account shall be based upon the estimated cost at date of acquisition of only that portion which is used for gas pipe line service. The estimated value of that portion which is not so used shall be included in account No. 110, "Other Plant". When such land is practically worthless, it shall be included in the account at a nominal value for record purposes.

NOTE B : Payments for options and of interest on options and on contracts to purchase land which it is proposed to use in contemplated construction projects shall be carried in account No. 179, "Other Deferred Charges", pending determination as to whether to proceed with the project. If it be decided to proceed with the project, the balance in account No. 179, "Other Deferred Charges", shall be cleared therefrom and charged to account No. 115, "Gas Plant under Construction", if not, the amount lost, including interest, if any, shall be charged to account No. 359, "Other Charges", or income accounts as applicable.

NOTE C : The net proceeds from the sale of minerals and timber in excess of the amount considered therefor in the purchase price of the land shall be credited to account No. 351, "Profit from Sale of Plant" or account No. 319, "Other Income", as applicable.

NOTE D : When land has been purchased for a proposed pipe line operation project and the project has been indefinitely postponed before construction work is begun, the cost of the property shall be transferred to account No. 102, "Gas Plant Held for Future Use", sufficient details being included in the entry to permit the classification of the various items of cost in case the project is later pursued. The cost of the work which has been done shall be included in account No. 179, "Other Deferred Charges", until a decision has been reached as to execution or abandonment of the project. If it be determined to continue the work the cost of the land and the work which has been done shall be transferred to account No. 115, "Gas Plant under Construction". If the project be abandoned the cost of the work which has been done shall be charged to account No. 355, "Loss from Sale or Retirement of Plant", or account No. 329, "Other Income Deductions", as applicable.

NOTE E : When land is acquired for which there is not a definite plan for its use in pipe line operations, the cost shall be charged to account No. 110, "Other Plant".

NOTE F : In case land is purchased under a definite plan for its use in a construction project, its cost shall be included in account No. 115, "Gas Plant under Construction", until such time as the project involved is completed ready for service.

NOTE G : The cost of clearing, levelling or grading land, both before and after the construction of facilities thereon, but directly related to such facilities, shall be included in the accounts provided for the cost of the facilities constructed.

471. LAND RIGHTS

This account shall include the cost of land rights or easements used for the construction, operation and maintenance of distribution plant; the cost of land rights for storage of material adjoining the right of way; the cost of work room adjoining the right of way during construction.

COMPONENTS

Abstract expenses
Engineering and survey expenses in connection with expropriation
Expropriation expenses
Fees and costs of registering, filing and depositing title documents and plans
Judgements and decreed costs of clearing or defending titles
Legal and notarial fees
Outside land right agents' compensation
Plats
Premiums on expropriation bonds
Payments for release and discharge of encumbrances and charges against the lands affected by the land rights
Payments for tenants' consents, options and easements

NOTE A : The cost of land owned in fee simple, used as land rights for the distribution plant is provided for in account No. 470, "Land".

NOTE B : Periodical rents paid for use of land rights shall be included in the accounts provided for the expense of operating the facilities used.

NOTE C : The cost of clearing, levelling, or grading land, on which the company has acquired land rights, both before and after the construction of facilities thereon, but directly related to such facilities, shall be included in the accounts provided for the cost of the facilities constructed.

NOTE D : Proceeds from the sale of timber or of improvements purchased with land rights, less any cost of removal, shall be credited to this account.

472. STRUCTURES AND IMPROVEMENTS

This account shall include the cost of structures and related facilities used in gas distribution operations. It shall also include the cost of improvements to such structures and related facilities, and the cost of clearing, levelling or grading land, both before and after construction of structures when such improvements are directly related to the above functions and structures.

COMPONENTS

Boiler
Building
Drainage system
Fencing
Hoisting equipment attached to building
Lightning arrestor
Loading dock
Parking bumper
Pipe rack
Protection box
Reservoir
Roads
Sewage system
Sidewalk
Sprinkler system
Ventilating system
Water line
Water wells

Buildings include shops, warehouses, garages, meter shops, etc., used primarily in distribution operations, including regulator, gauge and meter buildings.

NOTE : The cost of foundations special to engines, pumps, compressors and other similar apparatus shall be included in the cost of such apparatus.

473. SERVICES

This account shall include the cost installed of service pipes, from the point at which the main is tapped to and including the meter shut off stop, whether inside or outside the building, when the company incurs such cost or when the company assumes full responsibility for the maintenance and replacement of property paid for by the customer. This includes the cost of stub services run in anticipation of future use, even if such services have never been used.

Services which have been used, but have become inactive, shall be retired from plant in service immediately if there is no prospect for re-use, and, in any event, shall be retired from plant in service by the end of the second year following that during which the service became inactive unless re-used in the interim.

The company shall maintain records to show separately the number and average length of services of each diameter and material, the book cost of which is included in this account; those through which gas is being delivered; those which have been used but which are inactive; and those to which no meters are attached.

COMPONENTS

Curb valves and curb boxes
Drips
Excavation, including shoring, bracing, bridging, pumping, backfill, and disposal of excess excavated material
Municipal inspection
Pavement disturbed, including cutting and replacing pavement, pavement base, and sidewalks
Permits
Pipe and fittings, including saddle, tee, or other fittings on street main
Pipe coatings
Protection of street openings

474. HOUSE REGULATORS AND METER INSTALLATIONS

This account shall include the cost of house regulators whether actually installed or held in reserve. It shall further include the cost of labour and materials used, and expenses incurred in connection with the original installation of house regulators and meters. For accounting convenience, the cost of house regulator and meter installations may be transferred annually to account No. 473, "Services".

COMPONENTS

Cocks
Locks
Labour
Meter bars
Pipe
Fittings
Regulators
Regulator vents
Seals
Shelves

475. MAINS

This account shall include the cost installed of distribution system mains from the transmission line to the customer service line.

COMPONENTS

Cathodic protection equipment
Clearing and grading
Damages to property of others
Drips
Excavation, including shoring, bracing, bridging, pumping, backfill and disposal of excess excavated material
Municipal inspection
Pavement disturbed, including cutting and replacing pavement, pavement base and sidewalks
Permits
Pipe
Pipe coating
Pipe fittings
Pipe laying
Pipe supports
Protection of street openings
Surveying
Valves (including manholes or pits) not associated with pumping or regulating equipment

NOTE : The cost of re-opening the trench and backfilling subsequent to original construction, for the purpose of applying the original protection and casing, shall be charged to this account.

476. COMPRESSOR EQUIPMENT

This account shall include the cost of compressor equipment and associated appliances used in connection with the distribution system operations.

COMPONENTS

Air cleaner
Air compressor
Atmospheric type jacket water cooler
Auxiliary engine generator
Base volume index
Blower
Cathodic ground bed
Cathodic breakers and switches
Compressor
Conductor
Conduit
Controller
Control panel
Dehydrator
Drip
Duct
Electrical fittings
Equipment foundation
Filter
Fire fighting equipment
Gauge
Gauge board panel
Garage equipment
Heat exchanger
Laboratory equipment
Line casing
Line pole
Line wire
Manhole
Manometer
Meter body
Meter recorder
Meter station header
Meter tube
Oil reclaimer
Pipe fittings
Piping
Protective coating and wrap
Pulsation dampener
Pump
Rectifier
Regulator
Relay cabinet
Residence equipment
Scrubber
Shop equipment
Signal
Silencer
Station positive gas meter
Storage battery
Stores equipment
Support
Switchboard
Tank
Telemetering equipment
Transformer
Trap
Valve
Valve box
Water treating equipment

NOTE : The cost of foundations other than those special to particular engines, pumps, compressors and other similar apparatus shall be included in the appropriate structures and improvements account.

477. MEASURING AND REGULATING EQUIPMENT

This account shall include the cost of meters, gauges and other equipment used in measuring or regulating gas in connection with gas distribution operations.

COMPONENTS

Battery
Blower
Cathodic protection device
Chemical
Circuit breaker
Conductor
Conduit
Controller
Control panel
Dehydrator
Duct
Equipment foundation
Fire fighting equipment
Gauge
Governor
Header
Heat exchanger
Laboratory equipment
Manhole
Manometer
Meter recorder
Meter tube and fittings
Odorizing equipment
Panel
Piping
Positive meter
Pulsation dampener
Pump
Regulator
Remote control
Stores equipment
Support
Switch
Tank
Telemetering equipment
Thermometer
Transformer
Tubing
Valve
Valve box
Valve operator
Water treating equipment

NOTE A : The cost of foundations other than those special to particular engines, pumps, compressors and other similar apparatus shall be included in the appropriate structures and improvements account.

NOTE B : The cost of meters for measuring gas delivered to users shall be included in account No. 478, "Meters".

478. METERS

This account shall include the cost of meters or devices for use in measuring the quantity of gas delivered to users, whether actually in service or held in reserve.

The records covering meters shall be so kept that the company can furnish information as to the number of meters of various capacities in service and in reserve as well as the location of each meter owned.

COMPONENTS

Meters, including badging and initial testing

479. OTHER DISTRIBUTION EQUIPMENT

This account shall include the cost installed of all other distribution system equipment not provided for in the foregoing accounts.

COMPONENTS

Carbon monoxide tester and indicator
Explosimeters
Fire extinguishers
Gas masks
Lockers
Portable pumps
Recording gauges
Street lighting equipment
Test meters
Watchmen's clocks

GENERAL PLANT

480. LAND

This account shall include the cost of land owned in fee simple and used for the construction and operation of general plant; the cost of land for storage, station, office, shop, and other grounds; the cost of land for ingress to or egress from such grounds; the cost of land for storage of material adjoining the right of way; the cost of removing from the land and locating elsewhere the property of others, and the cost of necessary land for relocation of the property, when such costs are assumed by the company.

When land, together with buildings thereon, is acquired, the cost shall be fairly apportioned between land and buildings and accounted for accordingly. If the plan of acquisition contemplates the removal of the building, the total cost of the land and buildings shall be accounted for as the cost of the land and the value of the salvage of the buildings when disposed of shall be deducted from the cost of the land as determined.

Proceeds from the sale of timber or of improvements purchased with land, less any cost of removal, shall be credited to this account.

Proceeds from the sale of minerals known to be in the land when purchased and considered in the purchase price thereof shall be credited to this account.

COMPONENTS

Abstract
Appraisal
Arbitrator in expropriation cases
Commission paid to others
Compensation and expenses of outside land agents when specifically assigned to acquisition of land, but not arbitrary apportionments for incidental services
Cost of clearing, filling and levelling submerged or low land
Damage to property of others
Ditch for waterways when part of consideration
Engineering and survey expense in connection with purchase of land in fee simple
Expropriation expense, including court costs and special counsel fees
Judgements and decreed costs to clear or defend titles
Legal and notarial fee
Plats
Premiums on expropriation bonds
Registering, filing and depositing title documents and plans
Payment for release and discharge of encumbrances and charges against the land
Payment for release from restrictive provisions of original title documents and for other rights
Removal and relocation of buildings and other structures not purchased
Rent of land when part of consideration for purchase
Taxes accrued and assumed at time of purchase

NOTE A : When the acquisition of land for gas pipe line service involves also the purchase of land not to be used for such purposes, the charges to this account shall be based upon the estimated cost at date of acquisition of only that portion which is used for gas pipe line service. The estimated value of that portion which is not so used shall be included in account No. 110, "Other Plant". When such land is practically worthless, it shall be included in the account at a nominal value for record purposes.

NOTE B : Payments for options and of interest on options and on contracts to purchase land which it is proposed to use in contemplated construction projects shall be carried in account No. 179, "Other Deferred Charges", pending determination as to whether to proceed with the project. If it be decided to proceed with the project, the balance in account No. 179, "Other Deferred Charges", shall be cleared therefrom and charged to account No. 115, "Gas Plant under Construction"; if not, the amount lost, including interest, if any, shall be charged to account No. 359, "Other Charges", or income accounts as applicable.

NOTE C : The net proceeds from the sale of minerals and timber in excess of the amount considered therefor in the purchase price of the land shall be credited to account No. 351, "Profit from Sale of Plant" or account No. 319, "Other Income", as applicable.

NOTE D : When land has been purchased for a proposed pipe line operation project and the project has been indefinitely postponed before construction work is begun, the cost of the property shall be transferred to account No. 102, "Gas Plant Held for Future Use", sufficient details being included in the entry to permit the classification of the various items of cost in case the project is later pursued. The cost of the work which has been done shall be included in account No. 179, "Other Deferred Charges", until a decision has been reached as to execution or abandonment of the project. If it be determined to continue the work the cost of the land and the work which has been done shall be transferred to account No. 115, "Gas Plant under Construction". If the project be abandoned the cost of the work which has been done shall be charged to account No. 355, "Loss from Sale or Retirement of Plant", or account No. 329, "Other Income Deductions", as applicable.

NOTE E : When land is acquired for which there is not a definite plan for its use in pipe line operations, the cost shall be charged to account No. 110, "Other Plant".

NOTE F : In case land is purchased under a definite plan for its use in a construction project, its cost shall be included in account No. 115, "Gas Plant under Construction", until such time as the project involved is completed ready for service.

NOTE G : The cost of clearing, levelling or grading land, both before and after the construction of facilities thereon, but directly related to such facilities, shall be included in the accounts provided for the cost of the facilities constructed.

481. LAND RIGHTS

This account shall include the cost of land rights or easements, the cost of which is not properly includible in other land and land rights accounts.

COMPONENTS

Abstract expenses
Expropriation expenses
Legal fees
Notarial fees
Fees and costs of registering, filing and depositing title documents and plans
Outside land rights agents' compensation

NOTE A : The cost of the land owned in fee simple, used as land rights for general plant is provided for in account No. 480, "Land".

NOTE B : Periodical rents paid for use of land rights shall be included in the accounts provided for the expense of operating the facilities used.

NOTE C : The cost of clearing, levelling, or grading land, on which the company has acquired land rights, both before and after the construction of facilities thereon, but directly related to such facilities, shall be included in the accounts provided for the cost of the facilities constructed.

NOTE D : Proceeds from the sale of timber or of improvements purchased with land rights, less any cost of removal, shall be credited to this account.

482. STRUCTURES AND IMPROVEMENTS

This account shall include the cost of structures and related facilities used in gas operations and not provided for in other structures and improvements accounts. It shall also include the cost of improvements to such structures and related facilities and the cost of clearing, levelling or grading land, both before and after construction of structures when such improvements are directly related to the above functions and structures. The cost of improvements to non-owned property shall be included in this account when not provided for elsewhere.

COMPONENTS

Boiler
Building
Drainage system
Fencing
Heating system
Hoisting equipment, attached to building
Lighting system
Lightning arrestor
Loading dock
Outdoor steel walkways and steps
Parking bumper
Pipe rack
Plumbing system
Protection box
Reservoir
Road
Sewage system
Sidewalk
Sprinkler system
Vehicular bridge
Ventilating system
Water line
Water well

NOTE : The cost of foundations special to engines, pumps, compressors and other similar apparatus shall be included in the cost of such apparatus.

483. OFFICE FURNITURE AND EQUIPMENT

This account shall include the cost of the office equipment, furniture and fixtures for general office buildings, when not built in or permanently attached to buildings.

COMPONENTS

Accounting machine
Adding machine
Air conditioner
Calculating machine
Carpet
Chair
Clock
Comptometer
Desk
Dictating machine
Duplicating machine
Filing equipment
Fire extinguisher
Humidifier
I.B.M. panel
Integrator
Lamp
Library
Locker
Photographic equipment
Projection equipment
Safe
Space heater
Rug
Table
Typewriter
Water cooler

484. TRANSPORTATION EQUIPMENT

This account shall include the cost of transportation equipment, used in gas operations.

COMPONENTS

Aircraft
Aircraft engine
Aircraft float
Aircraft wheel
Automobile
Barge
Bicycle
Bombardier
Electric vehicle
Helicopter
Motor boat
Motorcycle
Pickup
Station wagon
Tractor
Truck
Truck trailer

485. HEAVY WORK EQUIPMENT

This account shall include the cost of major items of equipment for use in construction or maintenance of the gas system.

COMPONENTS

Air compressor
Bulldozer
Concrete mixer and distributor
Crane
Derrick
Ditching machine
Drag line
Forge
Generator
Heating kettle
Hoist
Motor and engine
Pipe threading and cutting machine
Power shovel
Pump
Tamping and backfilling machine
Trenching machine
Welding machine

NOTE : Small tools and equipment and large equipment of a non-movable nature shall be included in account No. 486, "Tools and Work Equipment".

486. TOOLS AND WORK EQUIPMENT

This account shall include the cost of tools and other items of equipment used in construction or maintenance of the gas system and not includible in account No. 485, "Heavy Work Equipment". It shall also include the cost of garage equipment and large equipment of a non-movable nature.

COMPONENTS

Air drill
Alcohol injector
Anvil
Barometer
Battery charger
Bevelling machine
Blasting machine
Boring machine
Calorimeter
Corrosion prevention equipment
Crane
Cutter
Detector
Dew point tester
Dog house
Drilling machine
Engine
Fire extinguisher
Forge
Gascope
Generator
Grinder
Greasing tools and equipment
Gun
Hand truck
Hoist
Lathe
Lawn mower
Lifting magnet
Manometer
Milling machine
Motor
Pipe cleaning machine
Pipe coating tester
Pipe cutting and threading machine
Pipe locator
Pipe pusher
Pipe straightening machine
Pipe threader
Planer
Pneumatic tool
Pump
Saw
Surveying and levelling equipment
Tool cabinet
Tool kit
Tool rack
Vise
Wheelbarrow
Winch
Work bench
Wrench

487. EQUIPMENT ON CUSTOMERS' PREMISES

This account shall include the cost, including first setting and connecting, of equipment owned by the company installed on customers' premises which is not includible in other accounts.

COMPONENTS

Refrigerators
Conversion burners
Water heaters
Stoves

488. COMMUNICATION STRUCTURES AND EQUIPMENT

This account shall include the cost of telegraph, telephone, radio and other communication structures and equipment used wholly or predominantly in the general operations of the company.

COMPONENTS

Building

Telegraph and Telephone Equipment

Aerial attachment
Battery
Brace
Bracket
Cable and wire
Cable box and appurtenance
Conduit and appurtenance
Connecting wire
Current controlling instrument
Cross arm and cross arm bolt
Electric generator and motor
Electric meter
Engine, stationary
Fuse and mechanical protector
Guy, stub and anchor
Guy rod and wire
Insulator and pin
Rectifier
Rheostat
Pole
Sending and receiving instrument
Submarine cable and connection
Switchboard
Telephone pole box
Testing outfit
Tower
Transformer
Underground cable and connection

Radio and Radar Equipment

Aerial or antenna and attachment
Control unit
Power generating, converting or supply equipment
Radar console and associated equipment
Radio tower
Specialized testing and repair equipment
Transmitter and receiver including mobile unit

NOTE : The cost of telegraph, telephone, radio and other communication structures and equipment for use in connection with the operation and maintenance of the gas transmission system shall be included in account No. 468, "Communication Structures and Equipment".

489. OTHER GENERAL EQUIPMENT

This account shall include the cost of equipment used in gas operations and not provided for in other equipment accounts.

UNDISTRIBUTED PLANT

496. UNCLASSIFIED PLANT

This account shall include the cost of gas plant in service pending analysis and distribution to the appropriate primary plant accounts.

TEXT PERTAINING TO OPERATING REVENUE ACCOUNTS

The primary accounts included in this group of accounts are designed to show amounts of money which the company becomes entitled to receive, or which accrue to its benefit from the sale of gas, transportation of gas, sale of products extracted from natural gas and from other sales and services incident to gas operations.

The total of these primary operating revenue accounts is included in control account No. 300, "Operating Revenue" and this account shall be closed into retained earnings account No. 350, "Balance Transferred from Income" at the end of each fiscal year.

OPERATING REVENUE ACCOUNTS

SALES OF GAS

500. CANADIAN SALES

This account shall include revenue from the sale of gas to utilities and other companies domiciled in Canada.

510. FOREIGN SALES

This account shall include revenue from the sale of gas to utilities and other companies domiciled outside Canada.

520. RESIDENTIAL SALES

This account shall include revenue from gas supplied for residential or domestic purposes by distribution companies.

521. COMMERCIAL SALES

This account shall include revenue from gas supplied for commercial purposes by distribution companies.

522. INDUSTRIAL SALES

This account shall include revenue from gas supplied for industrial purposes by distribution companies.

524. INTERDEPARTMENTAL SALES

This account shall include amounts charged by the gas department at tariff or other specified rates for gas supplied by it to other departments.

529. OTHER SALES

This account shall include revenue from gas sales not provided for elsewhere.

OTHER OPERATING REVENUE

550. SALES OF PRODUCTS EXTRACTED FROM GAS

This account shall include revenues from sales of gasoline, butane, propane, and other products extracted from gas.

Records shall be so maintained to readily identify the type of product sold.

551. REVENUE FROM NATURAL GAS PROCESSED BY OTHERS

This account shall include the revenue derived from royalties and permits or other basis of settlement for permission granted others for the right to remove products from natural gas.

560. FORFEITED DISCOUNTS—(PENALTIES)

This account shall include revenue from discounts forfeited or additional charges imposed because of the failure of customers to pay their gas bills on or before a specified date.

561. REVENUE FROM SERVICE WORK

This account shall include revenue from service work billed to customers for piping, installations or other appliance work.

EXAMPLES

Revenue from changing, connecting, or disconnecting facilities on the customers' premises
Profit on maintenance of appliances, piping, gas firing and other utilization facilities, or other installations on customers' premises
Net credit or debit (cost less net salvage and less payment from customers) on closing work orders for plant installed for temporary service of less than one year
Recovery of expenses in connection with gas diversion cases (Billing for the gas consumed shall be included in the appropriate gas revenue account.)
Services performed for other gas companies for testing and adjusting meters, changing charts, etc.

570. TRANSPORTATION AND STORAGE OF GAS OF OTHERS

This account shall include revenue from transporting and storing non-owned gas in the company's system.

575. RENT FROM GAS PLANT

This account shall include rent revenues for the use by others of land, buildings, and other gas plant, the cost of which is included in account No. 100, "Gas Plant in Service".

The maintenance and operations of plant, the rent from which is includible in this account shall, if assumed by the company, be charged to the operating expense account applicable.

NOTE A : The rent from plant, the cost of which is included in account No. 110, "Other Plant", shall be included in account No. 310, "Revenue from Other Plant".

NOTE B : The rent from plant, the cost of which is included in account No. 101, "Gas Plant Leased to Others" shall be included in account No. 307, "Revenue from Gas Plant Leased to Others".

NOTE C : The rent revenue from the sub rental of gas plant shall be credited to the account originally charged with the rent expense.

576. RENT FROM COMPANY EQUIPMENT ON CUSTOMERS' PREMISES

This account shall include revenue from the rental of company owned equipment on customers' premises, such as, automatic water heaters and conversion burners.

579. MISCELLANEOUS OPERATING REVENUE

This account shall include miscellaneous operating revenue not provided for elsewhere.

TEXT PERTAINING TO OPERATING ACCOUNTS

The primary accounts included in this group of accounts are designed to show the costs of operating gathering, products extraction, underground storage, transmission, distribution, other general facilities, the costs of gas supply and the expenses of administration.

The total of these primary operating accounts is included in control account No. 301, "Operating Expense", and this account shall be closed into retained earnings account No. 350, "Balance Transferred from Income" at the end of each fiscal year.

EXPLORATION AND DEVELOPMENT—OPERATION

600. SUPERVISION

This account shall include the cost of labour, supplies and expenses incurred in the supervision and direction of the operation of exploration and development activities.

EXAMPLES

Salaries and wages of superintendents, supervisors, engineers, clerks, stenographers and other field office employees
Travelling, subsistence, automotive and incidental expenses of employees
Office supplies and expenses, such as, stationery, postage, maps, telephone, telegraph, light, heat and water
Rents, janitor services and supplies, upkeep of office buildings and equipment

NOTE : Direct supervision of specific activities shall be charged to the appropriate account.

602. DELAY RENTALS

This account shall be charged with the amount of rents paid periodically on natural gas lands in order to hold natural gas land and land rights for the purpose of obtaining a supply of gas in the future.

Include also in this account the cost of obtaining natural gas leases for a period of one year or less.

603. NON-PRODUCTIVE WELL DRILLING

This account shall include the net cost of drilling non-productive wells.

604. ABANDONED LEASES

This account shall include the cost of all leases abandoned where well drilling proved non-productive.

609. OTHER EXPLORATION AND DEVELOPMENT OPERATION

This account shall include the cost of exploration and development not provided for elsewhere.

NATURAL GAS PRODUCTION AND GATHERING—OPERATION

610. SUPERVISION

This account shall include the cost of labour, supplies and expenses incurred at a division, district or similar field office in the general supervision of the operation of the production and gathering systems facilities.

EXAMPLES

Salaries and wages of superintendents, engineers, clerks, stenographers and other field office employees
Travelling, subsistence, automotive and incidental expenses of employees
Office supplies and expenses such as stationery, postage, maps, telephone, telegraph, light, heat and water
Rents, janitor services and supplies, upkeep of office buildings and equipment

NOTE : Direct supervision of specific activities such as operation of gathering lines, compressor stations, measuring and regulating stations and purification equipment shall be charged to the appropriate account.

611. ROYALTIES

This account shall include the cost of royalties paid for natural gas produced by the company from wells on land owned by others.

612. GATHERING OF GAS BY OTHERS

This account shall include the cost of gathering charges paid to others where such charges are separate and not included as part of the delivered price of gas.

NOTE : The cost of transportation of gas by others shall be charged to account No. 663, "Transportation of Gas by Others".

614. GAS WELLS

This account shall include the cost of labour, supplies and expenses incurred in operating producing gas wells.

EXAMPLES

Direct supervision
Testing, bailing, swabbing, blowing and gauging producing gas wells
Cleaning off old well locations
Painting signs, etc.
Minor upkeep of well roads and fences, etc.
Turning wells off and on
Pumping wells

615. PIPE LINES

This account shall include the cost of labour, supplies and expenses incurred in the operation of natural gas production and gathering pipe lines and facilities.

EXAMPLES

Direct supervision
Inspecting and lubricating valves, injectors, etc.
Blowing and cleaning lines, drips, traps, injectors, etc., thawing freeze-ups
Injection of kontol, methanol, glycol and other chemicals
Reading and reporting line pressures, changing charts
Stand-by time of crews, time spent fire fighting and for other local services
Cutting grass and weeds, clearing brush, fallen trees and other debris, removing snow on rights of way and access roads
Patrolling lines
Cleaning buildings and other structures
Supplies such as lubricants, wiping rags, charts, chemicals, light bulbs, hand tools and general equipment
Expenses such as use of automotive, trucking, aircraft and heavy work equipment, transportation of supplies, light, heat, water, telephone, telegraph, rents, employees travelling and subsistence, employee housing
Gas used or lost in pipe line operations

616. COMPRESSOR

This account shall include the cost of labour, supplies and expenses incurred in the operation of natural gas production and gathering system compressor stations and facilities.

EXAMPLES

Direct supervision
Operating, cleaning, lubricating engines, generators and other equipment
Packing valves, changing gauge glasses, changing oil and air filter elements
Reading metering instruments, changing charts
Taking water samples, dew point readings, testing and recording
Tending station grounds, removing snow
Cleaning buildings and other structures
Preparing logs and other clerical work
Supplies such as lubricants, wiping rags, charts, chemicals, light bulbs, cleaning and washroom supplies, first aid supplies, landscaping supplies, hand tools and equipment
Expenses such as use of automotive, trucking, aircraft and heavy work equipment, transportation of supplies, light, heat, water, telephone, telegraph, rents, employee travelling and subsistence, employee housing
Gas used or lost in compressor operations

617. MEASURING AND REGULATING

This account shall include the cost of labour, supplies and expenses incurred in the operation of natural gas production and gathering system measuring and regulating stations and facilities.

EXAMPLES

Direct supervision
Operating, inspecting, testing, adjusting, cleaning and calibrating equipment
Changing meters, orifice plates, clocks, etc.
Recording pressures, reading meters, changing charts
Taking gas samples, water samples, dew point readings, testing and recording
Inspecting, cleaning and blowing drips, pits, sumps, etc.
Tending station grounds, removing snow
Cleaning buildings and other structures
Preparing reports and other clerical work
Supplies such as lubricants, wiping rags, charts, chemicals, pens, ink, mercury, light bulbs, cleaning and washroom supplies, first aid supplies, landscape supplies, hand tools and general equipment
Expenses such as use of automotive, trucking, aircraft and heavy work equipment, transportation of supplies, light, heat, water, telephone, telegraph, rents, employee travelling and subsistence, employee housing

618. PURIFICATION

This account shall include the cost of labour and materials, and expenses incurred in the operation of the production and gathering system purification facilities.

EXAMPLES

Direct supervision
Changing charts on fuel meters
Emptying, cleaning and refilling purifier boxes
Oiling dip sheets of purifier covers
Removing spent oxide to refuse piles
Revivifying oxide
Taking readings of inlet and outlet pressures and temperature
Watching station and equipment
Cutting grass and weeds, and minor grading around equipment and station
Inspecting and testing equipment, not specifically to determine necessity for repairs or replacement of parts
Lubricating equipment, valves, etc.
Operating and checking equipment, valves, instruments, etc.
Unloading and storing glycol
Hauling operating employees, materials, supplies and tools, etc.
Supplies such as liquid purifying supplies, wiping rags, charts, chemicals, light bulbs, cleaning and washroom supplies, first aid supplies, hand tools and equipment
Expenses such as automotive, trucking, aircraft and heavy work equipment, transportation of supplies, light, heat, water, telephone, telegraph, rents, employee travelling and subsistence, employee housing
Gas used or lost in purification operations

619. OTHER NATURAL GAS PRODUCTION AND GATHERING OPERATION

This account shall include the cost of labour, supplies and expenses incurred in producing and gathering natural gas and not includible elsewhere.

PRODUCTS EXTRACTION—OPERATION

620. SUPERVISION

This account shall include the cost of labour, supplies and expenses incurred in the general supervision of the operation of products extraction and refining facilities.

EXAMPLES

Salaries and wages of superintendents, engineers, clerks, stenographers and other office employees
Travelling, subsistence, automotive and incidental expenses of employees
Office supplies and expenses such as stationery, postage, drawings, telephone, telegraph, light, heat and water
Rents, janitor services and supplies, upkeep of office buildings and equipment

NOTE : Direct supervision of specific activities such as power plant, extraction and refining units, laboratory and warehouse facilities shall be charged to account No. 621, "Extraction and Refining".

621. EXTRACTION AND REFINING

This account shall include the cost of labour, supplies and expenses incurred in the operation of products extraction and refining facilities.

EXAMPLES

Direct supervision
Operating, cleaning, lubricating machinery, valves, gauges, instruments and other equipment
Inspecting and testing instruments and other equipment
Reading meters, gauges and other instruments, changing charts, gauge glasses
Taking and testing water samples, gas samples and other similar laboratory services
Tending plant grounds, removing snow
Producing electricity, steam, pumping cooling water
Preparing logs, reports, and other data
Supplies such as amine, dehydration agents, water treating and other chemicals, absorption oil, lubricants, wiping rags, charts, light bulbs, gauge glasses, cleaning and washroom supplies, first aid supplies, landscaping supplies, gas used or lost in operations, hand tools and equipment
Expenses such as use of automotive, trucking, aircraft and heavy work equipment, transportation of supplies, light, heat, power, water, telephone, telegraph, rents, employee travelling and subsistence, employee housing

622. GAS PROCESSING BY OTHERS

This account shall include the cost of gas shrinkage, gas consumed for fuel, royalties and other expenses in connection with the processing of gas of this company by others for extraction of saleable products.

Gas shrinkage is defined as the cost of the reduction in gas from products extraction operations of gas of the company processed by others.

Gas for fuel is defined as the cost of gas of the company used for fuel in connection with the products extraction processing of the company's gas by others.

Royalties is defined as the payments of fractional interests of royalty holders in products extracted by others from gas of the company.

GAS SUPPLY—OPERATION

623. GAS PURCHASES

This account shall include the cost, at point of receipt by the company, of all gas purchased and amounts payable to others for their gas sold by the company under agency agreements.

NOTE : Gathering of gas by others and transportation of gas by others where such charges are separate and not part of the delivered price of gas shall be included in account No. 612, "Gathering of Gas by Others", or account No. 663, "Transportation of Gas by Others", as applicable.

626. EXCHANGE GAS

This account shall include debits or credits for the cost of gas in unbalanced exchange transactions whereby gas is received from another party and receipt and delivery of such gas is not completed during the accounting period. This accounting is not required for minor transactions.

If revenue is earned in consideration of the performance of exchange services, such revenue shall be recorded in account No. 579, "Miscellaneous Operating Revenue".

627. GAS WITHDRAWN FROM UNDERGROUND STORAGE

This account shall include the cost of gas withdrawn from underground storage during the year. These amounts shall be concurrently credited to account No. 152, "Gas Stored Underground—Available for Sale".

628. GAS DELIVERED TO UNDERGROUND STORAGE (CREDIT)

This account shall be credited with the cost of gas delivered to underground storage during the year. These amounts shall be concurrently charged to account No. 152, "Gas Stored Underground—Available for Sale".

629. GAS USED (CREDIT)

This account shall be credited with amounts which are concurrently charged to operating expense or other accounts in respect of gas used for other than storage purposes.

This account shall be subdivided as follows:

(*a*) Gas used in construction

(*b*) Gas used in products extraction process

(*c*) Gas used for operations and other purposes

MANUFACTURED GAS PRODUCTION—OPERATION

630. SUPERVISION

This account shall include the cost of labour, supplies and expenses incurred in the supervision and direction of the operation of manufactured gas production facilities.

EXAMPLES

Salaries and wages of superintendents, supervisors, engineers, clerks, stenographers and other field office employees
Travelling, subsistence, automotive and incidental expenses of employees
Office supplies and expenses, such as stationery, postage, maps, telephone, telegraph, light, heat and water
Rents, janitor services and supplies, upkeep of office buildings and equipment

NOTE : Direct supervision of specific activities such as fuel and fuel handling, manufacture, gas holders and purification shall be charged to the appropriate account.

631. FUEL AND FUEL HANDLING

This account shall include the cost of labour, supplies and expenses incurred in boiler rooms and elsewhere about the premises for the operation of fuel and fuel handling.

EXAMPLES

Blowing flues
Cleaning boilers
Handling coal, coke and breeze from place of storage of boilers
Janitorial, messenger, watchmen and similar services
Operating boilers
Operating elevators
Pulverizing coal
Pumping tar from storage tank to boilers
Removing ashes
Testing steam meters, gauges and other instruments
Coal, oil, gas, or other fuel used in the production of steam, including applicable amounts of fuel stock expenses
Also include the net cost of, or the net amount realized from, the disposal of ashes.

632. MANUFACTURE

This account shall include the cost of labour, supplies and expenses incurred in the manufacture of gas by such processes as water gas, oil gas and coal gas; and other manufacturing operations, such as gas generating, gas reforming, gas mixing, gas enriching and coal carbonizing.

633. MANUFACTURE—LIQUIFIED PETROLEUM GAS

This account shall include the cost of labour, supplies and expenses incurred in the operation of equipment used for vapourizing petroleum derivatives, such as propane, butane or gasoline.

EXAMPLES

Direct supervision
Operating, cleaning and lubricating liquid petroleum vapourizers and injectors
Taking pressures and temperatures, and reading gauges on storage tanks
Inspecting and testing equipment and setting and adjusting controls and regulators
Watching pressure gauges, maintaining pressures and relieving excess pressures through lines
Repressuring storage tanks
Packing, waste, lubricants, etc.
Small hand tools
Building service, communication service, transportation
Propane and butane

634. GAS HOLDERS—MANUFACTURING

This account shall include the cost of labour, supplies and expenses incurred in the operation of gas holders for the manufacturing facilities.

638. PURIFICATION

This account shall include the cost of labour, supplies and expenses incurred in operating purification equipment and apparatus used for conditioning manufactured gas.

EXAMPLES

Direct supervision
Operating conveyors, condensers, coolers, tar extractors and precipitators, shaving scrubbers and naphthalene and light oil scrubbers
Emptying, rearranging, shifting, cleaning, purging and refilling purifier boxes
Removing spent oxide to refuse pile
Revivifying oxide
Oiling dip sheets of purifier boxes
Inspecting, testing, controlling adjustments, and taking stains
Cleaning and lubricating purification equipment
Iron oxide
Unslacked lime
Shavings
Soda ash for liquid purifiers
Wash oil for naphthalene scrubber
Sulphuric acid

639. OTHER MANUFACTURED GAS PRODUCTION OPERATION

This account shall include the cost of labour, supplies and expenses incurred in manufactured gas production operations and not includible elsewhere.

LOCAL STORAGE—OPERATION

640. SUPERVISION

This account shall include the cost of labour, supplies and expenses incurred in the general supervision and direction of the operation of local storage facilities.

EXAMPLES

Salaries and wages of superintendents, supervisors, engineers, clerks, stenographers and other field office employees
Travelling, subsistence, automotive and incidental expenses of employees
Office supplies and expenses, such as stationery, postage, maps, telephone, telegraph, light, heat and water
Rents, janitor services and supplies, upkeep of office buildings and equipment

NOTE : Direct supervision of specific activities, such as operation of gas holders shall be charged to the appropriate account.

644. GAS HOLDERS—STORAGE

This account shall include the cost of labour, supplies and expenses incurred in the operation of gas holders for local storage.

649. OTHER LOCAL STORAGE—OPERATION

This account shall include the cost of labour, supplies and expenses incurred in operation of local storage facilities not includible elsewhere.

UNDERGROUND STORAGE—OPERATION

650. SUPERVISION

This account shall include the cost of labour, supplies and expenses incurred in the general supervision of the operation of underground storage facilities.

EXAMPLES

Salaries and wages of superintendents, engineers, clerks, stenographers and other field office employees
Travelling subsistence, automotive and incidental expenses of employees
Office supplies and expenses such as stationery, postage, maps, telephone, telegraph, light, heat and water
Rents, janitor service and supplies, upkeep of office building and equipment

NOTE : Direct supervision of specific activities such as exploration and development, operation of wells, field lines, compressor stations, measuring and regulating stations and purification equipment shall be charged to the appropriate account.

651. EXPLORATION AND DEVELOPMENT

This account shall include the cost of labour, supplies and expenses incurred in the investigation, exploration and development of underground storage projects which do not prove feasible.

The net cost of drilling non-operative wells for the purpose of outlining a storage area shall be charged to Plant Account No. 451, "Underground Storage Land Rights".

653. WELLS

This account shall include the cost of labour, supplies and expenses incurred in the operation of underground storage system wells and facilities.

EXAMPLES

Direct supervision
Testing, bailing, swabbing, blowing and gauging storage wells
Painting signs, etc.
Minor upkeep of well roads, fences, etc.
Turning storage wells on and off
Moving cleaning out tools between locations
Gas, gasoline, and oil used in pumping, bailing, heating and swabbing

654. GAS LOSSES

This account shall include the amounts of inventory adjustments representing the cost of gas lost in underground storage operations.

NOTE : If the adjustment is material and relates predominantly to prior years, it shall be charged to account No. 359, "Other Charges".

655. FIELD LINES

This account shall include the cost of labour, supplies and expenses incurred in the operation of underground storage field lines and facilities.

EXAMPLES

Direct supervision
Inspecting and lubricating valves, injectors, etc.
Blowing and cleaning lines, drips, traps, injectors, etc.; thawing freeze-ups
Injection of kontol, methanol, glycol and other chemicals
Reading and reporting line pressures, changing charts
Stand-by time of crews, time spent fire fighting and for other local services
Cutting grass and weeds, clearing brush, fallen trees and other debris, removing snow on rights of way and access roads
Patrolling lines
Cleaning buildings and other structures
Supplies such as lubricants, wiping rags, charts, chemicals, light bulbs, hand tools and general equipment
Expenses such as use of automotive, trucking, aircraft and heavy work equipment, transportation of supplies, light, heat, water, telephone, telegraph, rents, employee travelling and subsistence, employee housing
Gas used or lost in field line operations

656. COMPRESSOR

This account shall include the cost of labour, supplies, and expenses incurred in the operation of underground storage system compressor stations and facilities.

EXAMPLES

Direct supervision
Operating, cleaning, lubricating engines, generators and other equipment
Packing valves, changing gauge glasses, changing oil and air filter elements
Reading metering instruments, changing charts
Taking water samples, dew point readings, testing and recording
Tending station grounds, removing snow
Cleaning buildings and other structures
Preparing logs and other clerical work
Supplies such as lubricants, wiping rags, charts, chemicals, light bulbs, cleaning and washroom supplies, first aid supplies, landscaping supplies, hand tools and equipment
Expenses such as use of automotive, trucking, aircraft and heavy work equipment, transportation of supplies, light, heat, water, telephone, telegraph, rents, employee travelling and subsistence, employee housing
Gas used or lost in compressor operations

657. MEASURING AND REGULATING

This account shall include the cost of labour, supplies and expenses incurred in the operation of underground storage system measuring and regulating facilities.

EXAMPLES

Direct supervision
Operating, inspecting, testing, adjusting, cleaning and calibrating equipment
Changing meters, orifice plates, clocks, etc.
Recording pressures, reading meters, changing charts
Taking gas samples, water samples, dew point readings, testing and recording
Inspecting, cleaning and blowing drips, pits, sumps, etc.
Tending station grounds, removing snow
Cleaning buildings and other structures
Preparing reports and other clerical work
Supplies such as lubricants, wiping rags, charts, chemicals, pens, ink, mercury, light bulbs, cleaning and washroom supplies, first aid supplies, landscape supplies, hand tools and general equipment
Expenses such as use of automotive, trucking, aircraft and heavy work equipment, transportation of supplies, light, heat, water, telephone, telegraph, rents, employee travelling and subsistence, employee housing

658. PURIFICATION

This account shall include the cost of labour, supplies and expenses incurred in operating equipment used for purifying, dehydrating and conditioning of natural gas in connection with underground storage operations.

EXAMPLES

Direct supervision
Changing charts on fuel meters
Emptying, cleaning and refilling purifier boxes
Oiling dip sheets of purifier covers
Removing spent oxide to refuse piles
Revivifying oxide
Taking readings of inlet and outlet pressures and temperature
Unloading and storing glycol
Watching station and equipment
Cutting grass and weeds, and minor grading around equipment and station
Hauling operating employees, materials, supplies and tools, etc.
Inspecting and testing equipment, not specifically to determine necessity for repairs or replacement of parts
Lubricating equipment valves, etc.
Operating and checking equipment, valves, instruments, etc.
Supplies such as liquid purifying supplies, wiping rags, charts, chemicals, light bulbs, cleaning and washroom supplies, first aid supplies, hand tools and equipment
Expenses such as use of automotive, trucking, aircraft and heavy work equipment, transportation of supplies, light, heat, water, telephone, telegraph, rents, employee travelling and subsistence, employee housing
Gas used in operations

659. OTHER UNDERGROUND STORAGE—OPERATION

This account shall include the cost of labour, supplies and expenses incurred in the operation of underground storage facilities not provided for elsewhere.

TRANSMISSION—OPERATION

660. SUPERVISION

This account shall include the cost of labour, supplies and expenses incurred at a division, district or similar field office in the general supervision of the operation of the transmission system facilities.

EXAMPLES

Salaries and wages of superintendents, engineers, clerks, stenographers and other field office employees
Travelling, subsistence, automotive and incidental expenses of employees
Office supplies and expenses such as stationery, postage, maps, telephone, telegraph, light, heat and water
Rents, janitor services and supplies, upkeep of office buildings and equipment

NOTE : Direct supervision of specific activities such as operation of communication, pipe lines, main lines, compressor stations and measuring and regulating stations shall be charged to the appropriate account.

663. TRANSPORTATION OF GAS BY OTHERS

This account shall include the cost of transportation charges paid to others where such charges are separate and not included as part of the delivered price of gas.

NOTE : The cost of gathering of gas by others shall be charged to account No. 612, "Gathering of Gas by Others".

664. COMMUNICATION

This account shall include the cost of labour, supplies and expenses incurred in the operation of facilities used wholly or predominantly in connection with the transmission communication system.

EXAMPLES

Direct supervision
Microwave equipment, power generators
Securing authorization for changing frequencies
Cleaning and lubricating equipment
Radio crystals and other radio equipment
Expenses such as use of automotive, travelling and employee subsistence

NOTE : Operating costs applicable to the operation of the facilities used wholly or predominantly in the general communications system shall be included in account No. 684, "Communication".

665. PIPE LINES

This account shall include the cost of labour, supplies and expenses incurred in the operation of transmission system pipe lines and facilities.

EXAMPLES

Direct supervision
Inspecting and lubricating valves, injectors, etc.
Blowing and cleaning lines, drips, traps, injectors, etc.; thawing freeze-ups
Injection of kontol, methanol, glycol and other chemicals
Reading and reporting line pressures, changing charts
Stand-by time of crews, time spent fire fighting and for other local services
Cutting grass and weeds, clearing brush, fallen trees and other debris, removing snow on rights of way and access roads
Patrolling lines
Cleaning buildings and other structures
Supplies such as lubricants, wiping rags, charts, chemicals, light bulbs, hand tools and general equipment
Expenses such as use of automotive, trucking, aircraft and heavy work equipment, transportation of supplies, light, heat, water, telephone, telegraph, rents, employee travelling and subsistence, employee housing
Gas used or lost in pipe line operations

666. COMPRESSOR

This account shall include the cost of labour, supplies and expenses incurred in the operation of transmission system compressor stations and facilities.

EXAMPLES

Direct supervision
Operating, cleaning, lubricating engines, generators and other equipment
Packing valves, changing gauge glasses, changing oil and air filter elements
Reading metering instruments, changing charts
Taking water samples, dew point readings, testing and recording
Tending station grounds, removing snow
Cleaning buildings and other structures
Preparing logs and other clerical work
Supplies such as lubricants, wiping rags, charts, chemicals, light bulbs, cleaning and washroom supplies, first aid supplies, landscaping supplies, hand tools and equipment
Expenses such as use of automotive, trucking, aircraft and heavy work equipment, transportation of supplies, light, heat, water, telephone, telegraph, rents, employee travelling and subsistence, employee housing
Gas used or lost in compressor operations

667. MEASURING AND REGULATING

This account shall include the cost of labour, supplies and expenses incurred in the operation of transmission system measuring and regulating stations and facilities.

EXAMPLES

Direct supervision
Operating, inspection, testing, adjusting, cleaning and calibrating equipment
Changing meters, orifice plates, clocks, etc.
Recording pressures, reading meters, changing charts
Taking gas samples, water samples, dew point readings, testing and recording
Inspecting, cleaning and blowing drips, pits, sumps, etc.
Tending station grounds, removing snow
Cleaning buildings and other structures
Preparing reports and other clerical work
Supplies such as lubricants, wiping rags, charts, chemicals, pens, ink, mercury, light bulbs, cleaning and washroom supplies, first aid supplies, landscape supplies, hand tools and general equipment
Expenses such as use of automotive, trucking, aircraft and heavy work equipment, transportation of supplies, light, heat, water, telephone, telegraph, rents, employee travelling and subsistence, employee housing

669. OTHER TRANSMISSION OPERATION

This account shall include the cost of labour, supplies and expenses incurred in the operation of transmission system facilities not includible elsewhere.

DISTRIBUTION—OPERATION

670. SUPERVISION

This account shall include the cost of labour, supplies and expenses incurred in the general supervision and direction of the operation of the distribution system facilities.

EXAMPLES

Salaries and wages of superintendents, supervisors, engineers, clerks, stenographers and other field office employees
Travelling, subsistence, automotive and incidental expenses of employees
Office supplies and expenses, such as stationery, postage, maps, telephone, telegraph, light, heat and water
Rents, janitor services and supplies, upkeep of office buildings and equipment

NOTE : Direct supervision of specific activities, such as load dispatching, operation of removing and resetting meters and house regulators, service on customers' premises, mains and services, compressor stations, measuring and regulating stations shall be charged to the appropriate account.

671. LOAD DISPATCHING

This account shall include the cost of labour, supplies and expenses incurred in dispatching and controlling the supply and flow of gas through the distribution system.

EXAMPLES

Direct supervision
Controlling mixture of various gases to maintain proper Btu content
Controlling gas made and inputs to distribution system

673. REMOVING AND RESETTING METERS AND HOUSE REGULATORS

This account shall include the cost of labour, supplies and expenses incurred in connection with removing, resetting, changing, testing and servicing customer meters and house regulators.

EXAMPLES

Direct supervision
Initiating or terminating service, including incidental meter reading
Periodic replacement of meters and house regulators because of age
Changing or exchanging meters and house regulators because of complaints or removal for inspection
Resetting meters on existing connections
Changing position of meters or house regulators on the same premises
Unproductive calls, etc.
Turning on meters, including necessary time to insure that gas lines are proper to use and that appliances are in usable condition
Turning off meters including time to make safety precautions
Meter locks and seals

674. SERVICE ON CUSTOMERS' PREMISES

This account shall include the cost of labour, supplies and expenses incurred in work on customer premises other than expenses includible in account No. 673, "Removing and Resetting Meters and House Regulators", including the cost of servicing customer-owned appliances when the cost of such work is borne by the company.

Damage to customer equipment by employees of the company whether incidental to the work or the result of negligence, shall be charged to the job on which the employee was engaged at the time of damage.

EXAMPLES

Direct supervision
Altering customer-owned service extension or meter connections
Investigating and correcting pressure difficulties or stoppages in customer-owned piping
Adjusting and repairing burner pilots because of impurities in the gas or failure of the distribution system
Oiling or spraying noisy meters
Investigating and stopping gas leaks on customers' premises caused by defective meter, customer-owned piping, or customer appliances
Inspecting new installations to determine that the customers' equipment and piping are properly installed and connected
Consolidating meter installations, without change of size, due to elimination of separate meters for different service classifications
Investigating and adjusting complaints of service on customers' premises
Unproductive calls
Inspecting, cleaning, repairing and adjusting customer-owned appliances for domestic, industrial, or commercial use, including house heating furnaces and other space heating appliances, hotel and restaurant appliances
Replacing defective parts in customer-owned appliances and salvaging reusable appliance parts

675. MAINS AND SERVICES

This account shall include the cost of labour, supplies and expenses incurred in the operation of distribution system mains and services.

EXAMPLES

Direct supervision
Walking or patrolling mains
Attending valves, lubricating valves and other equipment, blowing and cleaning lines and drips, draining water from lines, thawing freezes
Inspecting and testing equipment not specifically to determine necessity for repairs
Protecting company property during work by others
Stand-by time of emergency crews, responding to fire calls, etc.
Locating and inspecting valve boxes or drip riser boxes, service lines, mains, etc.
Cleaning and repairing tools used in mains operations, making tool boxes, etc.
Making routine leak survey

676. COMPRESSOR

This account shall include the cost of labour, supplies and expenses incurred in the operation of distribution system compressor stations and equipment.

EXAMPLES

Direct supervision
Operating and checking engines, equipment valves, machinery, gauges and other instruments, including cleaning, wiping, polishing and lubricating
Operating boilers and boiler accessory equipment, including fuel handling and ash disposal, recording fuel used, and unloading and storing coal and oil
Repacking valves and replacing gauge glasses, etc.
Inspecting and testing equipment and instruments when not specifically to determine necessity for repairs or replacement of parts
Cleaning structures housing equipment, cutting grass and weeds, and doing minor grading around station
Scrubber oil
Gas used or lost in compressor operation

677. MEASURING AND REGULATING

This account shall include the cost of labour, supplies and expenses incurred in the operation of the distribution system measuring and regulating stations.

EXAMPLES

Direct supervision
Recording pressures and changing charts, reading meters, etc.
Adjusting and calibrating measuring equipment, changing meters, orifice plates, gauges, clocks, etc.
Taking and testing gas samples, inspecting and testing valves, regulators, gas sample tanks and other meter engineers' equipment, determining specific gravity and Btu content of gas
Inspecting and testing equipment and instruments not specifically to determine necessity for repairs, including pulsation tests
Cleaning and lubricating equipment

679. OTHER DISTRIBUTION OPERATION

This account shall include the cost of labour, supplies and expenses incurred in the operation of other distribution facilities not includible elsewhere.

GENERAL—OPERATION

684. COMMUNICATION

This account shall include the cost of labour, supplies and expenses incurred in the operation of the facilities used wholly or predominantly in connection with the general communication system.

EXAMPLES

Direct supervision
Inspecting, cleaning and lubricating equipment
Inspecting and cleaning buildings and other structures
Transferring mobile radios between vehicles
Refueling fuel tanks at station sites
Patrolling lines
Cutting grass and weeds, clearing brush, fallen trees and other debris, removing snow from access roads, station sites and structures
Supplies such as lubricants, wiping rags, charts, chemicals, hand tools, testing and other general equipment
Expenses such as use of automotive, trucking, aircraft and heavy work equipment, transportation of supplies, first aid supplies and landscaping supplies, light, heat, water, telephone, telegraph, rents, employee travelling and subsistence, employee housing

685. SYSTEM OPERATION AND ENGINEERING

This account shall include the cost of labour, supplies and expenses incurred at the general offices of the company for the operation and engineering of the gas system.

EXAMPLES

Salaries and wages of superintendents, supervisors, engineers, clerks, stenographers and other employees of the general operating and engineering departments
Travelling, subsistence, automotive and incidental expenses of employees
Office supplies and expenses such as stationery, printing, postage, maps, drawings, telephone, telegraph, light, heat and water
Rents, janitor services and supplies, upkeep of office space and maintenance of office equipment

NOTE A : Amounts of indirect operations chargeable to other accounts shall not be credited herein but shall be included in account No. 689, "General Operations Transferred (Credit)".

NOTE B : Field supervision shall be charged to the appropriate functional accounts.

688. OTHER GENERAL OPERATIONS

This account shall include the cost of labour, supplies and expenses incurred in general operations and not includible elsewhere.

689. GENERAL OPERATIONS TRANSFERRED (CREDIT)

This account shall be credited with general operations costs transferred to other accounts, such as costs transferred to overhead during construction.

DISTRIBUTION SALES PROMOTION—OPERATION

700. SUPERVISION

This account shall include the cost of labour, supplies and expenses incurred in the general direction and supervision of sales activities, except merchandising, jobbing or contract work.

EXAMPLES

Salaries and wages of superintendents, supervisors, clerks, stenographers and other office employees
Travelling, subsistence, automotive and incidental expenses of employees
Office supplies and expenses, such as stationery, postage, maps, telephone, telegraph, light, heat and water
Rents, janitor services and supplies, upkeep of office buildings and equipment

NOTE : Direct supervision of a specific activity such as advertising or demonstrating and selling shall be charged to the appropriate account.

701. ADVERTISING

This account shall include the cost of labour, supplies and expenses incurred in advertising, which is designed to promote or retain the use of utility service.

EXAMPLES

Direct supervision
Preparing advertising material for newspapers, periodicals, billboards, etc., and preparing and conducting motion pictures, radio and television programmes
Preparing booklets, bulletins, etc., used in direct mail advertising
Preparing window and other displays
Investigating advertising agencies and media and conducting negotiations in connection with the placement and subject matter of sales advertising
Fees and expenses of advertising agencies and commercial artists
Postage on direct mail advertising

NOTE A : The cost of advertisements which set forth the value or advantages of company service without reference to specific appliances, or, if reference is made to appliances, invites the reader to purchase appliances from his dealer, or refers to appliances not carried for sale by the company, shall be considered advertising and charged to this account. However, advertisements which are limited to specific makes of appliances sold by the company and prices, terms, etc., thereof, without referring to the value or advantages of company service, shall be considered as merchandise advertising and the cost shall be charged to account No. 704, "Expense of Merchandising, Jobbing and Contract Work".

Note B : Advertisements which substantially mention or refer to the value or advantages of utility service, together with specific reference to makes of appliances sold by the utility and the price, terms, etc., thereof, and designed for the joint purpose of increasing the use of utility service and the sales of appliances, shall be considered as a combination advertisement and the costs shall be distributed between this account and account No. 704, "Expense of Merchandising, Jobbing and Contract Work", as appropriate, on the basis of the space, time or other proportionate factors.

NOTE C : Exclude from this account and charge to account No. 728, "Other General Expenses", the cost of publication of stockholder reports, dividend notices, bond redemption notices, financial statements and other notices of a general corporate character.

702. DEMONSTRATION AND SELLING EXPENSE

This account shall include the cost of labour, supplies and expenses incurred in demonstrating the use of gas for domestic use.

EXAMPLES

Direct supervision
Demonstrating uses of company services
Conducting cooking schools, preparing recipes, and related home service activities
Exhibitions, displays, lectures and other programmes designed to promote use of company services
Booth and temporary space rental

703. REVENUE FROM MERCHANDISING, JOBBING AND CONTRACT WORK

This account shall include all revenue derived from the sale of merchandise and jobbing or contract work.

EXAMPLES

Revenues from sale of merchandise and from jobbing and contract work
Discounts and allowances made in settlement of bills for merchandise and jobbing work

704. EXPENSE OF MERCHANDISING, JOBBING AND CONTRACT WORK

This account shall include the cost of labour, supplies overhead and other expenses incurred in the selling of merchandise and of jobbing and contract work.

EXAMPLES

Direct supervision
Demonstrating and selling activities in sales rooms
Installing appliances on customer premises where such work is done only for purchasers of appliances from the company
Installing pipe or other property work on a jobbing or contract basis
Preparing advertising materials for appliance sales purposes
Receiving and handling customer orders for merchandise or for jobbing services
Maintaining display counters and other equipment used in merchandising
Reconditioning repossessed appliances
Cost of merchandise sold
Advertising in newspapers, periodicals, radio and television when applicable to merchandising, jobbing and contract work

709. OTHER SALES PROMOTION OPERATION

This account shall include the cost of labour, supplies and expenses incurred in connection with sales activities, except merchandising, which are not includible elsewhere.

DISTRIBUTION CUSTOMER ACCOUNTING—OPERATION

710. SUPERVISION

This account shall include the cost of labour, supplies and expenses incurred in the supervision and direction of the customer account and collecting activities.

EXAMPLES

Salaries and wages of superintendents, supervisors, engineers, clerks, stenographers and other employees
Travelling, subsistence, automotive and incidental expenses of employees
Office supplies and expenses such as stationery, postage, maps, telephone, telegraph, light, heat and water
Rents, janitor services and supplies, upkeep of office equipment, etc.

NOTE : Direct supervision of specific activities, such as, customer contracts, credit, collection, customer accounting, cashiers and meter reading, shall be charged to the appropriate account.

711. CUSTOMERS' CONTRACTS AND ORDERS

This account shall include the cost of labour, supplies and expenses incurred in work on customer applications and contracts.

EXAMPLES

Direct supervision
Receiving, preparing, recording and handling routine orders for service, disconnections, transfers or meter tests initiated by the customer
Receiving, recording and handling of enquiries, complaints and requests for investigations from customers, including preparation of necessary orders
Address plates and supplies
Postage

712. METER READING AND BILL DELIVERY

This account shall include the cost of labour, supplies and expenses incurred in reading customers' meters and delivering gas bills.

EXAMPLES

Direct supervision
Addressing forms for obtaining meter readings by mail
Changing and collecting meter charts used for billing purposes
Meter reading—small consumption, and obtaining load information for billing purposes
Collecting from prepayment meters when incidental to meter reading
Maintaining record of customers' keys
Badges, lamps and uniforms
Demand charts, meter books and binders and forms for recording readings, but not the cost of preparation
Postage and supplies used in obtaining meter readings by mail

713. CUSTOMERS' BILLING AND ACCOUNTING

This account shall include the cost of labour, supplies and expenses incurred in the accounting of, and the billing to, gas customers.

EXAMPLES

Direct supervision
Preparing billing data
Checking consumption shown by meter readers' reports where incidental to preparation of billing data
Preparing address plates and addressing bills and delinquent notices
Balancing customer accounts and controls
Preparing and periodically rewriting meter reading sheets
Determining consumption and computing estimated or average consumption
Address plates and supplies
Postage

714. CREDIT AND COLLECTION

This account shall include the cost of labour, supplies and expenses incurred in collecting and investigating customers' accounts.

EXAMPLES

Direct supervision
Receiving, refunding or applying customer deposits and maintaining customer deposit line extension, and other miscellaneous records
Collecting revenues, including collection from prepayment meters unless incidental to meter reading operations
Balancing collections, preparing collections for deposit and preparing cash reports
Checking customers' credit rating
Cash overages and shortages
Commissions or fees to others for collecting

718. UNCOLLECTIBLE ACCOUNTS

This account shall be charged with amounts sufficient to provide for, or to write off, losses from uncollectible accounts, applicable to gas distribution operations. Concurrent credits shall be made to account No. 145, "Allowance for Doubtful Accounts", or account No. 140, "Accounts Receivable—Trade", as applicable.

NOTE : A loss from uncollectible accounts applicable to other than gas distribution operations shall be charged to the appropriate account based on the nature of the expenditure.

719. OTHER CUSTOMER ACCOUNTING OPERATION

This account shall include the cost of labour, supplies and expenses incurred in customer accounting not includible elsewhere.

ADMINISTRATIVE AND GENERAL—OPERATION

721. ADMINISTRATIVE EXPENSE

This account shall include the cost of salaries, supplies and expenses incurred in connection with the general administration of the company, which are assignable to specific executive, administrative and general departments and are not chargeable to a specific operating function.

EXAMPLES

Salaries and wages of officers, executives and other employees
Expenses of officers, executives and other employees, such as travelling, subsistence, automotive, club and professional dues and expenses, and other incidental expenses
Office supplies and expenses, such as stationery, printing, postage, maps, drawings, telephone, telegraph, light, heat and water
Rents, janitor services and supplies, upkeep of office building and office equipment

722. SPECIAL SERVICES

This account shall include the fees and expenses of professional consultants and others for general services not applicable to a particular operating function.

EXAMPLES

Fees and expenses of auditors, accountants, appraisers, engineering consultants, management consultants, legal consultants, public relations and labour consultants, etc.
Fees and expenses paid under contracts for general management services
Pay and expenses of persons engaged for a special administrative or general purpose where the person so engaged is not considered as an employee of the company

NOTE : The cost of special services directly related to gas plant under construction shall be charged to the appropriate construction account.

723. INSURANCE

This account shall be charged with the monthly provisions for the cost of insurance to protect the company against losses and damages to owned or leased properties used in its operations.

EXAMPLES

Fire, storm, burglary, boiler explosion, lightning, riot fidelity, etc.
Public liability, casualty, property damage, employee liability, etc.

NOTE A : Premiums for insurance applicable to construction work shall be charged to construction directly, or by transfer from this account.

NOTE B : Premiums for insurance applicable to transportation equipment and other general equipment may be charged to the appropriate clearing account.

NOTE C : Premiums for group, life, medical, hospital, accident and sickness insurance shall not be included in this account but shall be charged to account No. 725, "Employee Benefits".

NOTE D : Recoveries from insurance shall be credited to the account charged with the damage or loss. If damaged property has been retired, credit shall be included in the appropriate accumulated depreciation account.

724. INJURIES AND DAMAGES

This account shall include all expenses (except legal expenses) incurred in settlement of injuries and damage claims, including losses not covered by insurance.

EXAMPLES

Losses not covered by insurance on account of injuries to employees or others and damages to property of others
Fees and expenses of claims of outside investigators and adjusters
Payments of awards to claimants for court costs and legal services
Medical and hospital service and other expenses of claimants

NOTE : Salaries or wages paid employees disabled by injury when off duty, after a reasonable length of time shall be charged to account No. 725, "Employee Benefits".

725. EMPLOYEE BENEFITS

This account shall include payments or contributions to provide pension in respect of past or current services of employees and amounts paid or contributed including expenses incurred for the relief or welfare of employees.

If the company has instituted a pension trust fund and/or a welfare fund the contributions shall be charged to this account and transferred to the fund.

If the company does not institute a pension or trust fund but makes provision for a reserve against pensions and/or welfare, the reserve accruals shall be charged to this account and credited to account No. 291, "Welfare and Pension Reserves".

EXAMPLES

Payments to or on behalf of employees or pensioners, and to pension funds or to insurance companies for pension purposes
Payments for group and life insurance premiums
Payments for medical, hospital and other accident and sickness expenses, directly or to insurance companies or others
Payments to employees disabled by accident or sickness when off duty after a reasonable length of time
Savings plan contributions
Expenses in connection with educational, recreational and social activities for the benefit of employees

NOTE : Pension payments otherwise chargeable to this account in respect of employees previously engaged in non-gas operations shall be included in account No. 313, "Non-operating Expense". (See General Instructions, Section 3.)

728. OTHER ADMINISTRATIVE AND GENERAL EXPENSES

This account shall include the expenses incurred in connection with the general management of the company not provided for elsewhere.

EXAMPLES

Industry association dues for company memberships
Contributions for conventions and meetings of the industry
Contributions to the experimental and general research work of the industry, including scholarship and similar grants
Dividend and other financial notices
Printing and mailing dividend cheques
Regulatory commission expenses
Trustee, registrar, and transfer agents' fees and expenses
Stockholders' meeting expenses
Publishing and printing annual reports
Donations

729. ADMINISTRATIVE AND GENERAL EXPENSES TRANSFERRED (CREDIT)

This account shall be credited with the amounts of administrative and general expenses which are allocated to other accounts or to overhead charged to construction. The method and basis of allocation shall be maintained in subsidiary records.

TEXT PERTAINING TO MAINTENANCE ACCOUNTS

The primary accounts included in this group of accounts are designed to show the costs of maintenance of gathering, products extraction, underground storage, transmission, distribution and other general facilities used in gas operations.

The total of these primary maintenance accounts is included in control account No. 302, "Maintenance Expense" and this account shall be closed into retained earnings account No. 350, "Balance Transferred from Income" at the end of each fiscal year.

NATURAL GAS PRODUCTION AND GATHERING—MAINTENANCE

810. SUPERVISION

This account shall include the cost of labour, supplies and expenses incurred in the general supervision and direction of maintenance of natural gas production and gathering facilities.

EXAMPLES

Salaries and wages of superintendents, supervisors, engineers, clerks, stenographers and other office employees
Travelling, subsistence, automotive and incidental expenses of employees
Office supplies and expenses, such as stationery, postage, drawings, telephone, telegraph, light, heat and water
Rents, janitor services and supplies, repairs to buildings and equipment

NOTE A : The items of cost to be included in this account may be initially charged to account No. 610, "Supervision", and apportioned between operation and maintenance supervision on an equitable basis. The method and basis of allocation shall be maintained in subsidiary records.

NOTE B : Direct supervision of specific activities such as maintenance of field lines, compressor stations, measuring and regulating stations shall be charged to the appropriate account.

814. GAS WELLS

This account shall include the cost of labour, supplies and expenses incurred in the maintenance of gas wells and equipment includible in account No. 406, "Producing Gas Wells—Well Drilling", account No. 407, "Producing Gas Wells—Well Equipment" and account No. 408, "Gas Well Structures".

815. PIPE LINES

This account shall include the cost of labour, supplies and expenses incurred in the maintenance of natural gas production and gathering system pipe lines and facilities.

EXAMPLES

Direct supervision
Repairs to and protection of right of way
Repairs to access roads
Repairs to fences, aerial markers and signs
Repairs to river crossings, including bridges
Repairs to valves, boxes, drips, scraper traps, chemical injectors, dehydrators and cathodic protection equipment
Repairs to tools, testing equipment and other general equipment
Repairs to buildings and other structures
Repairs to pipe and fittings, renewing and replacing in kind less than a unit of line pipe
Inspecting and testing after repairs have been made
Repainting
Material and supplies used in repair work
Expenses such as use of automotive, trucking, aircraft and heavy work equipment, transportation of material, employee travelling and subsistence

NOTE : Payment of claims for damages to property of others resulting from maintenance work shall be charged to account No. 724, "Injuries and Damages". Incidental damages settled during the course of maintenance work shall be charged thereto.

816. COMPRESSOR

This account shall include the cost of labour, supplies and expenses incurred in the maintenance of natural gas production and gathering system compressor stations and facilities.

EXAMPLES

Direct supervision
Repairs to compressor engines, generators and other equipment
Repairs to tools, testing equipment and other general equipment
Inspecting and testing after repairs have been made
Repairs to station grounds, buildings and other structures
Repairs to access roads
Repairs to fences and signs
Repainting
Material and supplies used in repair work
Expenses such as use of automotive, trucking, aircraft and heavy work equipment, transportation of material, employee travelling and subsistence

817. MEASURING AND REGULATING

This account shall include the cost of labour, supplies and expenses incurred in the maintenance of natural gas production and gathering system measuring and regulating facilities.

EXAMPLES

Direct supervision
Repairs to measuring and regulating and other equipment
Repairs to tools, testing equipment and other general equipment
Inspecting and testing after repairs have been made
Repairs to station grounds, buildings and other structures
Repairs to access roads
Repairs to fences and signs
Repainting
Material and supplies used in repair work
Expenses such as use of automotive, trucking, aircraft and heavy work equipment, transportation of material, employee travelling and subsistence

818. PURIFICATION

This account shall include the cost of labour, supplies and expenses incurred in the maintenance of natural gas production and gathering system purification facilities.

EXAMPLES

Direct supervision
Repairs to purification equipment
Repairs to tools, testing equipment and other equipment
Material and supplies used in repair work
Expenses such as use of automotive, trucking, aircraft and heavy work equipment, transportation of material, employee travelling and subsistence

819. OTHER NATURAL GAS PRODUCTION AND GATHERING MAINTENANCE

This account shall include the cost of labour, supplies and expenses incurred in the maintenance of other natural gas production and gathering facilities not includible elsewhere.

PRODUCTS EXTRACTION—MAINTENANCE

820. SUPERVISION

This account shall include the cost of labour, supplies and expenses incurred in the general supervision and direction of maintenance of facilities used in the extraction and refining of saleable products from gas.

EXAMPLES

Salaries and wages of superintendents, supervisors, engineers, clerks, stenographers, and other field office employees
Travelling, subsistence, automotive and incidental expenses of employees
Office supplies and expenses, such as stationery, postage, drawings, telephone, telegraph, light, heat and water
Rents, janitor services and supplies, repairs to structures and equipment

NOTE A : The items of cost to be included in this account may be initially charged to account No. 620, "Supervision", and apportioned between operation and maintenance supervision on an equitable basis. The method and basis of allocation shall be maintained in subsidiary records.

NOTE B : Direct supervision of specific activities such as power plant, extraction and refining units, laboratory and warehouse facilities shall be charged to account No. 821, "Extraction and Refining".

821. EXTRACTION AND REFINING

This account shall include the cost of labour, supplies and expenses incurred in the maintenance of products extraction and refining facilities.

EXAMPLES

Direct supervision
Repairs to absorbers, stills, dehydrators, scrubbers, towers and condensers
Repairs to boilers, generators, motors, pumps and valves
Repairs to electrical, water and piping systems
Repairs to overhead cranes, trolleys and hoists
Repairs to plant grounds, fences, buildings, tanks and other structures
Repairs to regulating and measuring instruments and equipment
Repairs to tools, testing and other general equipment
Repainting
Material and supplies used in repair work
Expenses such as use of automotive, trucking, aircraft and heavy work equipment, transportation of materials, employee travelling and subsistence

MANUFACTURED GAS PRODUCTION—MAINTENANCE

830. SUPERVISION

This account shall include the cost of labour, supplies and expenses incurred in the general supervision and direction of maintenance of manufactured gas production facilities.

EXAMPLES

Salaries and wages of superintendents, supervisors, engineers, clerks, stenographers and other office employees
Travelling, subsistence, automotive and incidental expenses of employees
Office supplies and expenses, such as stationery, postage, drawings, telephone, telegraph, light, heat and water
Rents, janitor services and supplies, repairs to buildings and equipment

NOTE A : The items of cost to be included in this account may be initially charged to account No. 630, "Supervision", and apportioned between operation and maintenance supervision on an equitable basis. The method and basis of allocation shall be maintained in subsidiary records.

NOTE B : Direct supervision of specific activities such as maintenance of fuel and fuel handling, manufacture, gas holders, purification equipment and other manufactured gas production shall be charged to the appropriate account.

832. STRUCTURES AND IMPROVEMENTS

This account shall include the cost of labour, supplies and expenses incurred in the maintenance of structures and improvements of manufactured gas production plant.

EXAMPLES

Direct supervision
Repairs to buildings and other structures
Repairs to fences, grounds, etc.
Material and supplies used in repair work
Expenses such as use of automotive, trucking, aircraft and heavy work equipment, transportation of material, employee travelling and subsistence

834. GAS HOLDERS—MANUFACTURING

This account shall include the cost of labour, supplies and expenses incurred in the maintenance of gas holders used in manufacturing facilities.

EXAMPLES

Direct supervision
Repairs to holders
Painting holders
Repairs to holder machinery
Repairs to other holder equipment
Material and supplies used in repair work
Expenses such as use of automotive, trucking, aircraft and heavy work equipment, transportation of material, employee travelling and subsistence

838. PURIFICATION

This account shall include the cost of labour, supplies and expenses incurred in the maintenance of purification equipment used in manufacturing facilities.

EXAMPLES

Direct supervision
Repairs to purification equipment
Repainting
Material and supplies used in repair work
Expenses such as use of automotive, trucking, aircraft and heavy work equipment, transportation of material, employee travelling and subsistence

839. OTHER MANUFACTURED GAS PRODUCTION MAINTENANCE

This account shall include the cost of labour, supplies and expenses incurred in the maintenance of other manufactured gas production facilities not includible elsewhere.

LOCAL STORAGE—MAINTENANCE

840. SUPERVISION

This account shall include the cost of labour, supplies and expenses incurred in the general supervision and direction of maintenance of local storage facilities.

EXAMPLES

Salaries and wages of superintendents, supervisors, engineers, clerks, stenographers and other field employees
Travelling, subsistence, automotive and incidental expenses of employees
Office supplies and expenses, such as stationery, postage, drawings, telephone, telegraph, light, heat and water
Rents, janitor services and supplies, repairs to structures and equipment

NOTE A : The items of cost to be included in this account may be initially charged to account No. 640, "Supervision", and apportioned between operation and maintenance supervision on an equitable basis. The method and basis of allocation shall be maintained in subsidiary records.

NOTE B : Direct supervision of specific activities such as maintenance of gas holders and other local storage shall be charged to the appropriate account.

842. STRUCTURES AND IMPROVEMENTS

This account shall include the cost of labour, supplies and expenses incurred in the maintenance of structures and improvements for local storage facilities.

EXAMPLES

Direct supervision
Repairs to buildings
Repairs to fences and signs
Material and supplies used in repair work
Expenses such as use of automotive, trucking, aircraft and heavy work equipment, transportation of material, employee travelling and subsistence

844. GAS HOLDERS—STORAGE

This account shall include the cost of labour, supplies and expenses incurred in the maintenance of gas holders used in local storage facilities.

EXAMPLES

Direct supervision
Repairs to holders
Painting holders
Repairs to holder machinery
Repairs to other holder equipment
Material and supplies used in repair work
Expenses such as use of automotive, trucking, aircraft and heavy work equipment, transportation of material, employee travelling and subsistence

849. OTHER LOCAL STORAGE MAINTENANCE

This account shall include the cost of labour, supplies and expenses incurred in the maintenance of other local storage facilities not includible elsewhere.

UNDERGROUND STORAGE—MAINTENANCE

850. SUPERVISION

This account shall include the cost of labour, supplies and expenses incurred in the general supervision and direction of the maintenance of underground storage facilities.

EXAMPLES

Salaries and wages of superintendents, supervisors, engineers, clerks, stenographers and other field office employees
Travelling, subsistence, automotive and incidental expenses of employees
Office supplies and expenses, such as stationery, postage, drawings, telephone, telegraph, light, heat and water
Rents, janitor services and supplies, repairs to buildings and equipment

NOTE A : The items of cost to be included in this account may be initially charged to account No. 650, "Supervision", and apportioned between operation and maintenance supervision on an equitable basis. The method and basis of allocation shall be maintained in subsidiary records.

NOTE B : Direct supervision of specific activities such as exploration and development, maintenance of wells, field lines, compressor stations, measuring and regulating stations, purification equipment and other underground storage shall be charged to the appropriate account.

853. WELLS

This account shall include the cost of labour, supplies and expenses incurred in the maintenance of wells and facilities used for underground storage.

EXAMPLES

Direct supervision
Repairs to well head equipment, tools and testing equipment
Repairs to access roads, fences and signs
Material and supplies used in repair work
Expenses such as use of automotive, trucking, aircraft and heavy work equipment, transportation of material, employee travelling and subsistence

855. FIELD LINES

This account shall include the cost of labour, supplies and expenses incurred in the maintenance of underground storage system field lines and facilities.

EXAMPLES

Direct supervision
Repairs to and protection of right of way
Repairs to access roads
Repairs to fences, aerial markers, signs
Repairs to river crossings including bridges
Repairs to valves, boxes, drips, scraper traps, chemical injectors, dehydrators, cathodic protection equipment
Repairs to tools, testing equipment and other general equipment
Repairs to buildings and other structures
Repairs to pipe and fittings, renewing and replacing in kind less than a unit of line pipe
Inspecting and testing after repairs have been made
Repainting
Material and supplies used in repair work
Expenses such as use of automotive, trucking, aircraft and heavy work equipment, transportation of material, employee travelling and subsistence

NOTE : Payment of claims for damages to property of others resulting from maintenance work shall be charged to account No. 724, "Injuries and Damages". Incidental damages settled during the course of maintenance work shall be charged thereto.

856. COMPRESSOR

This account shall include the cost of labour, supplies and expenses incurred in the maintenance of underground storage system compressor stations and facilities.

EXAMPLES

Direct supervision
Repairs to compressor engines, generators and other equipment
Repairs to tools, testing equipment and other general equipment
Inspecting and testing after repairs have been made
Repairs to station grounds, buildings and other structures
Repairs to access roads
Repairs to fences and signs
Repainting
Material and supplies used in repair work
Expenses such as use of automotive, trucking, aircraft and heavy work equipment, transportation of material, employee travelling and subsistence

857. MEASURING AND REGULATING

This account shall include the cost of labour, supplies and expenses incurred in the maintenance of underground storage system measuring and regulating facilities.

EXAMPLES

Direct supervision
Repairs to measuring, regulating and other equipment
Repairs to tools, testing equipment and other general equipment
Inspecting and testing after repairs have been made
Repairs to station grounds, buildings and other structures
Repairs to access roads
Repairs to fences and signs
Repainting
Material and supplies used in repair work
Expenses such as use of automotive, trucking, aircraft and heavy work equipment, transportation of material, employee travelling and subsistence

858. PURIFICATION

This account shall include the cost of labour, supplies and expenses incurred in the maintenance of underground storage system purification facilities.

EXAMPLES

Direct supervision
Changing charts on fuel meters
Emptying, cleaning and refilling purifier boxes
Oiling dip sheets of purifier covers
Removing spent oxide to refuse piles
Revivifying oxide

Taking readings of inlet and outlet pressures and temperature
Unloading and storing glycol
Watching station and equipment
Cutting grass and weeds, and minor grading around equipment and station
Hauling operating employees, materials, supplies and tools, etc.
Inspecting and testing equipment, not specifically to determine necessity for repairs or replacements of parts
Lubricating equipment, valves, etc.
Operating and checking equipment, valves, instruments, etc.
Supplies such as liquid purifying supplies, wiping rags, charts, chemicals, light bulbs, cleaning and washroom supplies, first aid supplies, hand tools and equipment
Expenses such as use of automotive, trucking, aircraft and heavy work equipment, transportation of supplies, light, heat, water, telephone, telegraph, rents, employee travelling and subsistence, employee housing

859. OTHER UNDERGROUND STORAGE MAINTENANCE

This account shall include the cost of labour, supplies and expenses incurred in the maintenance of other underground storage facilities not includible elsewhere.

TRANSMISSION—MAINTENANCE

860. SUPERVISION

This account shall include the cost of labour, supplies and expenses incurred at a division, district or similar field office in the general supervision of the maintenance of the transmission system facilities.

EXAMPLES

Salaries and wages of superintendents, supervisors, engineers, clerks, stenographers and other field office employees
Travelling, subsistence, automotive and incidental expenses of employees
Office supplies and expenses, such as stationery, postage, drawings, telephone, telegraph, light, heat and water
Rents, janitor services and supplies, repairs to buildings and equipment

NOTE A : The items of cost to be included in this account may be initially charged to account No. 660, "Supervision", and apportioned between operation and maintenance supervision on an equitable basis. The method and basis of allocation shall be maintained in subsidiary records.

NOTE B : Direct supervision of specific activities such as maintenance of communication, pipe lines, compressor stations and measuring and regulating stations shall be charged to the appropriate account.

864. COMMUNICATION

This account shall include the cost of labour, supplies and expenses incurred in the maintenance of facilities used wholly or predominantly in connection with the transmission communication system.

EXAMPLES

Direct supervision
Inspecting and testing after repairs have been made
Material and supplies used in repair work
Repainting
Repairs to access roads, station grounds, buildings and other structures
Repairs to fences and signs
Repairs to radio and telephone equipment and to power lines
Repairs to tools, testing equipment and other general equipment
Expenses such as use of automotive, trucking, aircraft and heavy work equipment, transportation of supplies, employee and travelling subsistence

NOTE : Maintenance costs applicable to the maintenance of facilities used wholly or predominantly in the general communications system shall be included in account No. 884, "Communication".

865. PIPE LINES

This account shall include the cost of labour, supplies and expenses incurred in the maintenance of transmission system pipe lines and facilities.

EXAMPLES

Direct supervision
Repairs to and protection of right of way
Repairs to access roads
Repairs to fences, aerial markers, signs
Repairs to river crossings including bridges
Repairs to valves, boxes, drips, scraper traps, chemical injectors, dehydrators, cathodic protection equipment
Repairs to tools, testing equipment and other general equipment
Repairs to buildings and other structures
Repairs to pipe and fittings, renewing and replacing in kind less than a unit of line pipe
Inspecting and testing after repairs have been made
Repainting
Material and supplies used in repair work
Expenses such as use of automotive, trucking, aircraft and heavy work equipment, transportation of material, employee travelling and subsistence

NOTE : Payment of claims for damages to property of others resulting from maintenance work shall be charged to account No. 724, "Injuries and Damages". Incidental damages settled during the course of maintenance work shall be charged thereto.

866. COMPRESSOR

This account shall include the cost of labour, supplies and expenses incurred in the maintenance of transmission system compressor stations and facilities.

EXAMPLES

Direct supervision
Repairs to compressor engines, generators and other equipment
Repairs to tools, testing equipment and other general equipment
Inspecting and testing after repairs have been made
Repairs to station grounds, buildings and other structures
Repairs to access roads
Repairs to fences and signs
Repainting
Material and supplies used in repair work
Expenses such as use of automotive, trucking, aircraft and heavy work equipment, transportation of material, employee travelling and subsistence

867. MEASURING AND REGULATING

This account shall include the cost of labour, supplies and expenses incurred in the maintenance of transmission system measuring and regulating stations and facilities.

EXAMPLES

Direct supervision
Repairs to measuring, regulating and other equipment
Repairs to tools, testing equipment and other general equipment
Inspecting and testing after repairs have been made
Repairs to station grounds, buildings and other structures
Repairs to access roads
Repairs to fences and signs
Repainting
Material and supplies used in repair work
Expenses such as use of automotive, trucking, aircraft and heavy work equipment, transportation of material, employee travelling and subsistence

869. OTHER TRANSMISSION MAINTENANCE

This account shall include the cost of labour, supplies and expenses incurred in the maintenance of other transmission facilities not includible elsewhere.

DISTRIBUTION—MAINTENANCE

870. SUPERVISION

This account shall include the cost of labour, supplies and expenses incurred in the general supervision and direction of maintenance of the distribution system facilities.

EXAMPLES

Salaries and wages of superintendents, supervisors, engineers, clerks, stenographers and other field office employees
Travelling, subsistence, automotive and incidental expenses of employees
Office supplies and expenses, such as stationery, postage, drawings, telephone, telegraph, light, heat and water
Rents, janitor services and supplies, repairs to buildings and other structures and equipment

NOTE A : The items of cost to be included in this account may be initially charged to account No. 670, "Supervision", and apportioned between operation and maintenance supervision on an equitable basis. The method and basis of allocation shall be maintained in subsidiary records.

NOTE B : Direct supervision of specific activities such as maintenance of equipment on customers' premises, mains and services, compressor stations, measuring and regulating stations, and meters shall be charged to the appropriate account.

872. STRUCTURES AND IMPROVEMENTS

This account shall include the cost of labour, supplies and expenses incurred in the maintenance of structures and improvements for the distribution system.

EXAMPLES

Direct supervision
Repairs to buildings and other structures
Repainting
Material and supplies used in repair work
Expenses such as use of automotive, trucking, aircraft and heavy work equipment, transportation of material, employee travelling and subsistence

874. MAINTENANCE OF EQUIPMENT ON CUSTOMERS' PREMISES

This account shall include the cost of labour, supplies and expenses incurred in the maintenance of equipment owned by the company on customers' premises, such as automatic water heaters and conversion burners. See account No. 576, "Rent from Company Equipment on Customers' Premises".

EXAMPLES

Direct supervision
Material and supplies used in repair work
Expenses such as use of automotive, trucking, transportation of material, employee travelling and subsistence

875. MAINS AND SERVICES

This account shall include the cost of labour, supplies and expenses incurred in the maintenance of mains and services for the distribution system.

EXAMPLES

Direct supervision
Trenching, backfilling, etc.
Locating leaks
Repairing leaking joints
Repairing broken mains or services
Repacking valves
Restoration of pavement and/or lawn
Material and supplies used in repair work
Expenses such as use of automotive, trucking, aircraft and heavy work equipment, transportation of material, employee travelling and subsistence

NOTE : Payment of claims for damages to property of others resulting from maintenance work shall be charged to account No. 724, "Injuries and Damages". Incidental damages settled during the course of maintenance work shall be charged thereto.

876. COMPRESSOR

This account shall include the cost of labour, supplies and expenses incurred in the maintenance of compressors for the distribution system.

EXAMPLES

Direct supervision
Repairs to buildings and other structures
Repairs to fences and signs
Repairs to compressor equipment
Repainting
Material and supplies used in repair work
Expenses such as use of automotive, trucking, aircraft and heavy work equipment, transportation of material, employee travelling and subsistence

877. MEASURING AND REGULATING

This account shall include the cost of labour, supplies and expenses incurred in the maintenance of distribution system measuring and regulating facilities.

EXAMPLES

Direct supervision
Repairs to buildings and structures
Repairs to equipment
Repairs to fences and signs
Repairs to access roads
Repainting
Material and supplies used in repair work
Expenses such as use of automotive, trucking, aircraft and heavy work equipment, transportation of material, employee travelling and subsistence

878. METERS

This account shall include the cost of labour, supplies and expenses incurred in the maintenance of meters for the distribution system.

EXAMPLES

Direct supervision
Inspecting and testing meters on customers' premises or in shops in connection with repairs
Cleaning, repairing, and painting meters, and accessories and equipment
Repairing testing equipment
Rebuilding and overhauling meters without changing their rated capacities
Replacing diaphragms, springs and other defective or worn parts
Material and supplies used in repair work
Expenses such as use of automotive, trucking, aircraft and heavy work equipment, transportation of material, employee travelling and subsistence

879. OTHER DISTRIBUTION MAINTENANCE

This account shall include the cost of labour, supplies and expenses incurred in the maintenance of other distribution system facilities not includible elsewhere.

GENERAL—MAINTENANCE

884. COMMUNICATION

This account shall include the cost of labour, supplies and expenses incurred in the maintenance of facilities used wholly or predominantly in connection with the general communication system.

EXAMPLES

Direct supervision
Repairs to radio and telephone equipment and to power lines
Repairs to tools, testing equipment and other general equipment
Inspecting and testing after repairs have been made
Repairs to access roads, station grounds, buildings and other structures
Repairs to fences and signs
Repainting
Material and supplies used in repair work
Expenses such as use of automotive, trucking, aircraft and heavy work equipment, transportation of material, employee travelling and subsistence

NOTE : Maintenance costs applicable to the maintenance of facilities used wholly or predominantly in the transmission communication system shall be included in account No. 864, "Communication".

885. SYSTEM MAINTENANCE AND ENGINEERING

This account shall include the cost of labour, supplies and expenses incurred at the general offices of the company for the maintenance of the gas system.

NOTE A : The items of cost to be included in this account may be initially charged to account No. 685, "System Operation and Engineering", and apportioned between operation and maintenance on an equitable basis. The method and basis of allocation shall be maintained in subsidiary records.

NOTE B : Field supervision shall be charged to the appropriate functional accounts.

888. OTHER GENERAL MAINTENANCE

This account shall include the cost of labour, supplies and expenses incurred in the general maintenance of the gas system and facilities not provided for elsewhere.

889. GENERAL MAINTENANCE TRANSFERRED (CREDIT)

This account shall be credited with general maintenance costs transferred to other accounts, such as costs charged to overhead during construction.

CLEARING ACCOUNTS

900. WAREHOUSE EXPENSE

This account shall include expenses directly incurred in connection with handling and storing material in and distributing it from the company's warehouses, including the pay of employees in the field store departments and their travelling, office, and other expenses. The pay and expenses of men employed in inspecting a single class of material shall be added as store expenses to the cost of that particular material.

The total amount of warehouse expenses charged to this account shall be so distributed among the accounts to which material has been charged that the amounts thus distributed will be, for each account, in proportion to the value of the material consumed chargeable thereto. To avoid monthly fluctuations in the ratio of warehouse expenses to the value of material purchased or issued, the company may make a monthly apportionment on the basis of fair percentage rates, provided the warehouse expense account be adjusted and closed out at the end of each fiscal year.

The monthly balance in this account shall be included in account No. 179, "Other Deferred Charges".

901. TRANSPORTATION EQUIPMENT EXPENSE

This account shall include the expenses of maintaining and operating all transportation equipment, except as provided in account No. 903, "Aircraft Expense", including the expenses of operating garages.

This account shall be cleared by adding to the cost of the work performed through the use of such equipment such amounts as will distribute expenses equitably.

EXAMPLES

Depreciation (see note to account No. 303, "Depreciation")
Licence fees
Overages and shortages in material and supplies for transportation equipment
Repairs to transportation equipment
Supplies such as fuel, gasoline, oil, tires, tubes, tire chains, soap, waste, sponges, measures, funnels, electric power, etc., used in the operation of transportation equipment and garages
Supervisors and their office and field forces, including the pay and expenses of inspectors, testers, garage men, and other employees

NOTE : When depreciation is included herein, such amounts shall be readily identifiable.

902. HEAVY WORK EQUIPMENT

This account shall include the expenses of maintaining and operating of heavy work equipment.

This account shall be cleared by adding to the cost of the work performed through the use of such equipment such amounts as will distribute expenses equitably.

EXAMPLES

Depreciation (see note to account No. 303, "Depreciation")
Licence fees
Overages and shortages in material and supplies for heavy work equipment
Repairs to heavy work equipment
Supplies such as fuel, gasoline, oil, tires, tubes, tire chains, soap, waste, sponges, measures, funnels, electric power, etc., used in operation of heavy work equipment
Supervisors and their office and field forces, including the pay and expenses of inspectors, testers, garage men, and other employees

NOTE : When depreciation is included herein, such amounts shall be readily identifiable.

903. AIRCRAFT EXPENSE

This account shall include the expenses of maintaining and operating aircraft, including the expenses of operating hangars and maintenance shops, in connection with such aircraft.

This account shall be cleared by adding to the cost of the work performed through the use of aircraft such amounts as will distribute expenses equitably.

EXAMPLES

Depreciation (see note to account No. 303, "Depreciation")
Licence fees
Overages and shortages in material and supplies for aircraft equipment
Repairs to aircraft equipment
Supplies such as fuel, gasoline, oil, tires, tubes, tire chains, soap, waste, sponges, measures, funnels, electric power, etc., used in the operation of aircraft equipment
Supervisors and their office and field forces, including the pay and expenses of inspectors, testers, garage men, and other employees

NOTE : When depreciation is included herein, such amounts shall be readily identifiable.

904. PRINTING AND REPRODUCTION EXPENSE

This account may include the expenses incurred in the printing and reproduction of any documents where the work is performed by the company.

This account shall be cleared by adding to the cost of the work performed such amounts as will distribute expenses equitably.

O. Reg. 245/66, Sched.; O. Reg. 72/70, s. 1.

REGULATION 629

under The Ontario Food Terminal Act

COMPOSITION OF BOARD

1. The Board shall be composed of seven members. R.R.O. 1960, Reg. 461, s. 1.

REGULATION 630

under The Ontario Food Terminal Act

CONDUCT OF BUSINESS

INTERPRETATION

1. In this Regulation,

(*a*) "buyer" means a person other than a wholesaler who buys fruit and produce from a wholesaler;

(*b*) "buyers' court" means the court-yard of the Food Terminal Building;

(*c*) "cold-storage section" means that part of the Food Terminal Building used for cold storage purposes;

(*d*) "Farmers' Market" means that part of the Terminal where growers of or dealers in fruit and produce sell by wholesale to retailers and jobbers;

(*e*) "Food Terminal Building" means the building at the Terminal that is used for the handling, processing, storing and selling by wholesale, of fruit and produce;

(*f*) "holiday" means New Year's Day, Good Friday, Victoria Day, Dominion Day, the first Monday in August, Labour Day, Thanksgiving Day, Christmas Day and the 26th day of December;

(*g*) "officer" means,

(i) an officer, constable or other person appointed by the manager, subject to the approval of the Board, to enforce this Regulation,

(ii) a member of the Metropolitan Toronto Police Force, and

(iii) a member of the Ontario Provincial Police Force;

(*h*) "truck" means a commercial motor vehicle as defined in *The Highway Traffic Act*;

(*i*) "vehicle" means a vehicle as defined in *The Highway Traffic Act*;

(*j*) "wholesaler" means a tenant who rents warehouse space in the Food Terminal Building from the Board and includes his employees and sub-tenants. O. Reg. 99/65, s. 1.

OPERATION OF VEHICLES

2. For the purpose of controlling and directing vehicular traffic, the manager may erect traffic signs within the Terminal or cause such signs to be erected thereon or painted on the roadways therein in respect of,

(*a*) the direction of flow of traffic;

(*b*) subject to section 3, rates of speed;

(*c*) the parking of vehicles or any class or classes thereof; and

(*d*) the stopping of vehicles at the approach to any roadway within the Terminal. O. Reg. 99/65, s. 2.

3. No person shall drive, or cause to be driven, a vehicle within the Terminal at a rate of speed in excess of 20 miles per hour. O. Reg. 99/65, s. 3.

4.—(1) Every person driving a vehicle within the Terminal shall obey all traffic signs,

(*a*) erected thereon; or

(*b*) painted on roadways therein.

(2) Where a traffic sign bearing the word "STOP" is erected at the approach to a roadway within the Terminal, every person driving a vehicle, on approaching that roadway, shall bring the vehicle to a full stop immediately before proceeding into the roadway. O. Reg. 99/65, s. 4.

5. No person shall park or stand a vehicle within the Terminal,

(*a*) in a position or place that prevents or is likely to prevent the free and convenient movement of vehicles within the premises; or

(*b*) in any prohibited area. O. Reg. 99/65, s. 5.

6.—(1) An officer may direct traffic within the Terminal and in cases of fire, accident, traffic congestion or other emergency, may direct it into such channels as are necessary to prevent or relieve congestion or give right of way.

(2) Every person shall obey any direction given under subsection 1. O. Reg. 99/65, s. 6.

7. Subject to sections 5 and 6, no person shall operate, or park, or stand, a bicycle or vehicle

within the Terminal except upon roadways or other places designated for operating or parking bicycles or vehicles. O. Reg. 99/65, s. 7.

8. No person, other than an officer, may obstruct any person having business within the Terminal from travelling by bicycle or vehicle along or upon roadways or other places designated for travelling by bicycle or vehicle. O. Reg. 99/65, s. 8.

9. When so directed by an officer, every person in charge of a vehicle within the Terminal shall drive the vehicle, or cause it to be driven,

(*a*) to a parking area permitted for the vehicle under this Regulation;

(*b*) to a place designated by the officer; or

(*c*) from the Terminal. O. Reg. 99/65, s. 9.

10. No person shall operate a vehicle within the Terminal unless he is,

(*a*) the holder of a chauffeur's licence or an operator's licence issued under *The Highway Traffic Act;* or

(*b*) exempted from holding a chauffeur's licence or operator's licence under section 15 of *The Highway Traffic Act.* O. Reg. 99/65, s. 10.

11. No person shall drive a vehicle within the Terminal without due care and attention or without reasonable consideration for other persons using the Terminal. O. Reg. 99/65, s. 11.

12. No person shall drive or operate or permit the driving or operation within the Terminal of a vehicle that is,

(*a*) in such a dangerous or unsafe condition as to endanger the driver or operator or any occupant thereof, or any person within the Terminal; and

(*b*) not licensed under *The Highway Traffic Act.* O. Reg. 99/65, s. 12.

PARKING IN DESIGNATED AREAS

13.—(1) The manager may erect or cause to be erected, within the Terminal, signs designating any area within the Terminal as,

(*a*) a parking area for automobiles;

(*b*) a parking area for trucks; or

(*c*) a reserved parking area for automobiles or trucks.

(2) The manager may assign to any person a parking space within a reserved parking area for automobiles or trucks.

(3) No person shall,

(*a*) park any vehicle other than an automobile; or

(*b*) park an automobile for a period of time longer than twenty-four hours,

in an area designated as a parking area for automobiles.

(4) No person shall,

(*a*) park any vehicle other than a truck; or

(*b*) park a truck for a period of time longer than twenty-four hours,

in an area designated as a parking area for trucks.

(5) No person other than,

(*a*) a person who is a tenant of the parking space;

(*b*) a person who has the permission of a person mentioned in clause *a*; or

(*c*) a person to whom the parking space has been assigned by the manager,

shall park a vehicle in any parking space in an area designated as a reserved parking area for automobiles or trucks.

(6) Where the manager has assigned a parking space under subsection 2, he may issue a numbered decalcomania to the person to whom the parking space has been assigned.

(7) No person to whom a decalcomania has been issued under subsection 6 shall park any vehicle in a reserved parking area for automobiles or trucks unless the decalcomania is affixed to the lower right-hand corner of the windshield of the vehicle. O. Reg. 99/65, s. 13.

14.—(1) No person shall park or stand an automobile or truck at the rear dock of a wholesaler or at the dock of the cold-storage section except during the period of the actual loading or unloading of the automobile or truck.

(2) In subsection 1, "rear dock" means a dock of a wholesaler other than a loading dock in the buyers' court.

(3) No person shall park an automobile or truck backed to a dock in the buyers' court other than

for such period of time as may reasonably be required for the loading or unloading of the automobile or truck with fruit and produce.

(4) Except in the case of a wholesaler transferring fruit and produce to another wholesaler or to a buyer, no person shall transfer fruit and produce from one vehicle to another on the Terminal property other than in the Farmers' Market section.

(5) No person shall transfer fruit and produce in the buyers' court prior to 1 p.m. on regular market days, other than a wholesaler transferring produce from his warehouse to a buyer.

(6) No person shall transport fruit and produce to or from an automobile or truck in the buyers' court unless the automobile or truck is backed to a dock.

(7) No person, other than a buyer, shall park an automobile or truck in the buyers' court,

(*a*) between the hours of 5.45 a.m. and 10.00 a.m. from the first Monday in May to the Saturday before the first Monday in October; and

(*b*) between the hours of 6.45 a.m. and 10.00 a.m. from the first Monday in October to the Saturday before the first Monday in May,

standard time or daylight saving time, as the case may be, in the local municipality.

(8) No person shall park an automobile or truck in the buyers' court,

(*a*) between the hours of midnight and 5.45 a.m. from the first Monday in May to the Saturday before the first Monday in October; and

(*b*) between the hours of midnight and 6.45 a.m. from the first Monday in October to the Saturday before the first Monday in May,

standard time or daylight saving time, as the case may be, in the local municipality.

(9) Any person may park an automobile or truck in the centre area in the buyers' court from 10.00 a.m. to midnight, standard time or daylight saving time, as the case may be, in the local municipality. O. Reg. 99/65, s. 14.

ACCIDENTS

15. Every driver of a vehicle involved in an accident causing personal injury or property damage on the premises shall immediately notify an officer or the manager of the accident. O. Reg. 99/65, s. 15.

SELLING BY WHOLESALE ONLY

16. No person shall sell or offer for sale fruit and produce at the Terminal in any manner other than by wholesale. O. Reg. 99/65, s. 16.

17. Except as authorized by the Board, no person shall sell or offer for sale at the Terminal any goods, wares or merchandise, other than fruit and produce. O. Reg. 99/65, s. 17.

18. No person other than a tenant shall sell or offer for sale at the Terminal any goods, wares or merchandise. O. Reg. 99/65, s. 18.

HOURS OF OPERATION

19.—(1) Subject to subsections 2, 3 and 4, the Terminal shall be open for selling fruit and produce every day,

(*a*) commencing on the first Monday in May to the Saturday immediately before the first Monday in October, from 5.45 a.m. to 2 p.m.; and

(*b*) commencing on the first Monday in October to the Saturday immediately before the first Monday in May, from 6.45 a.m. to 3 p.m.,

standard time or daylight saving time, as the case may be, in the local municipality.

(2) For eight weeks commencing on the Monday preceding the 30th day of September, the Terminal shall remain open for selling grapes on each day that the Terminal is prescribed to be open under subsection 1, until 8 p.m., standard time or daylight saving time, as the case may be, in the local municipality.

(3) The Terminal shall not be open for selling fruit and produce on a Sunday or holiday.

(4) The Terminal, other than the Farmers' Market section thereof, shall not be open for selling fruit and produce on a Saturday.

(5) The Farmers' Market section of the Terminal shall not be open for selling fruit and produce on a Saturday in November, December, January, February, March and April and the first Saturday in May. O. Reg. 99/65, s. 19.

ENTRY TO THE TERMINAL

20.—(1) Subject to subsection 2, no buyer shall enter the Terminal on any day,

(*a*) before the time of opening of the Terminal; or

(*b*) later than one hour before the time of closing of the Terminal,

and no buyer shall remain in the Terminal after the time of closing of the Terminal as prescribed in section 19.

(2) A buyer may enter or remain in the Terminal under a permit from the manager for a time stated therein, but no permit to enter the Terminal shall be required when the Terminal is open as prescribed in section 19.

(3) A permit shall be in Form 1. O. Reg. 99/65, s. 20.

21. Subject to section 22, a person may enter the Terminal at any time for the purpose of,

(*a*) delivering fruit and produce at premises of tenants in the Terminal; or

(*b*) loading or unloading fruit and produce at the cold-storage section. O. Reg. 99/65, s. 21.

22. No fruit and produce from the cold-storage section shall be released on a Saturday, Sunday or holiday to any person, other than a tenant in the Farmers' Market section or a wholesaler. O. Reg. 99/65, s. 22.

23.—(1) Subject to subsection 2, no tenant of the Board shall make delivery from the Terminal of fruit and produce at any time on any day other than the time during which the Terminal is open as prescribed in section 19 and during a period of two hours immediately following the time of closing on that day.

(2) Under a permit from the manager in Form 1, a tenant of the Board may make delivery from the Terminal of fruit and produce at times other than the times permitted under subsection 1. O. Reg. 99/65, s. 23.

24. No tenant in the Farmers' Market section shall receive fruit and produce at his stall other than from a vehicle owned or leased by him. O. Reg. 99/65, s. 24.

25. No person shall enter or leave the Terminal from Park Lawn Road on any day later than the time of closing of the Terminal without the permission of the manager. O. Reg. 99/65, s. 25.

26. Without the permission of the manager no person shall enter the Terminal from The Queensway on any day when the entrance is barricaded. O. Reg. 99/65, s. 26, *revised*.

DAMAGE TO PROPERTY

27.—(1) No person shall,

(*a*) damage in any manner; or

(*b*) mark or deface,

any property of the Board.

(2) No person shall,

(*a*) misuse corridors, washrooms or other public parts of the Food Terminal Building;

(*b*) create a nuisance in the Terminal;

(*c*) remove or damage or interfere with any barricade or traffic sign in the Terminal;

(*d*) climb, remove or damage any fence in the Terminal; or

(*e*) interfere with the use or operation of any gates, locks, equipment or supplies of the Board.

(3) No person shall,

(*a*) throw or dump, or cause to be thrown or dumped, any refuse, any fruit and produce, or any fruit and produce containers; or

(*b*) litter the premises with any material,

in the Terminal.

(4) No person shall permit a dog, horse or other animal to be in the Terminal. O. Reg. 99/65, s. 27.

PREMISES OF WHOLESALERS

28.—(1) Every wholesaler shall provide metal containers with proper covers therefor of sufficient number and size to contain all garbage and refuse on that part of the Terminal of which he is the tenant, but no container shall have a capacity of more than fifteen gallons.

(2) Every wholesaler shall place all garbage and refuse on his premises in containers. O. Reg. 99/65, s. 28.

29. No wholesaler shall permit any unsanitary condition to exist on his premises. O. Reg. 99/65, s. 29.

EQUIPMENT ON PREMISES

30. No person shall maintain, operate or allow to be operated on the premises,

(*a*) hand trucks, tow motors or other equipment having iron or steel wheels in contact with; or

(*b*) any equipment that may deface or damage,

the floors or docks of the Food Terminal Building. O. Reg. 99/65, s. 30.

STORAGE AND DISPLAY ON DOCKS

31. No person shall use the docks in the buyers' court for the purposes of storage. O. Reg. 99/65, s. 31.

32. No person shall use the docks of the Food Terminal Building for storage beyond a distance of four feet from the wall of the building. O. Reg. 99/65, s. 32.

33. Where a property line on the docks in the buyers' court marks the limits of premises leased by the tenants, no tenant shall keep for sale or display any merchandise on a dock other than that part of the dock located on the side of the property line next to his premises. O. Reg. 99/65, s. 33.

Form 1

The Ontario Food Terminal Act

PERMIT TO ENTER AND REMAIN IN, OR MAKE DELIVERIES FROM, THE TERMINAL

Under *The Ontario Food Terminal Act* and the regulations pursuant thereto and subject to the limitations thereof, this permit is issued to

.....
(name)

to enter and remain in the Terminal, or for the purpose of making delivery of fruit and produce from the Terminal during the time from.....

to.....on the.....day of.....,

19....

Dated the.....day of....., 19....

.....
Manager of Terminal

O. Reg. 99/65, Form 1.

REGULATION 631

under The Ontario Food Terminal Act

PROCEDURE OF THE BOARD

MEETINGS

1. Meetings of the Board may be called at any time by the chairman or, in his absence, by the vice-chairman. R.R.O. 1960, Reg. 463, s. 1.

2. Notice of all meetings of the Board shall be given to the office of each member of the Board at least twenty-four hours before the meeting, but no notice is necessary when all members of the Board, either before or after the meeting, sign a waiver of notice. R.R.O. 1960, Reg. 463, s. 2.

3. Four members of the Board constitute a quorum at any meeting of the Board. R.R.O. 1960, Reg. 463, s. 3.

EXECUTION OF DOCUMENTS

4. All cheques, notes and orders for the payment of money shall be signed by,

(*a*) the chairman or such other member of the Board as the Board by resolution appoints for the purpose of signing; and

(*b*) the secretary, treasurer, manager or such other person as the Board by resolution appoints for the purpose of signing. R.R.O. 1960, Reg. 463, s. 4.

5. Contracts, documents and instruments in writing requiring execution by the Board may be signed by the chairman and the secretary, or the Board by resolution may appoint two persons, at least one of whom shall be a member of the Board, to sign contracts, documents and instruments in writing. R.R.O. 1960, Reg. 463, s. 5.

6. The seal of the Board shall be in the form of two concentric circles with the words "Ontario Food Terminal Board" inserted in the space between the two circles, and when used shall be authenticated as provided by section 5. R.R.O. 1960, Reg. 463, s. 6.

OFFICERS

7.—(1) There shall be a secretary of the Board.

(2) There shall be a treasurer of the Board.

(3) The same person may be appointed secretary and treasurer. R.R.O. 1960, Reg. 463, s. 7.

8. The manager shall,

(*a*) enforce the Act and this Regulation and the rules made by the Board with respect to the operation of the Terminal; and

(*b*) make a report to the Board at each meeting of the Board showing,

(i) all alleged violations of the Act, this Regulation and the rules made by the Board, since the date of the meeting last held by the Board,

(ii) all accidents occurring at the Terminal reported to him since the date of the meeting last held by the Board,

(iii) particulars of changes in the tenancies at the Terminal,

(iv) all other matters that he deems to be of interest to the Board, and

(v) any other matter on which the Board or any member thereof requests a report or information. R.R.O. 1960, Reg. 463, s. 8.

9. The secretary shall,

(*a*) attend all meetings of the Board and keep true minutes thereof;

(*b*) conduct the correspondence of the Board;

(*c*) keep a record of all business transactions of the Board;

(*d*) assist the chairman and vice-chairman in carrying out their duties; and

(*e*) carry out such further duties as are assigned to him by the Board. R.R.O. 1960, Reg. 463, s. 9.

10. The treasurer shall,

(*a*) receive all moneys paid to the Board and forthwith deposit them to the credit of the Board in a chartered bank or in a branch of The Province of Ontario Savings Office, as the Board may by resolution direct;

(*b*) keep the securities of the Board in safe custody;

(*c*) keep or cause to be kept proper books of account and make or cause to be made therein entries of all receipts and expenditures of the Board;

(*d*) prepare the annual financial statement of the Board; and

(*e*) prepare reports showing the financial position of the Board, as the Board from time to time directs. R.R.O. 1960, Reg. 463, s. 10.

11.—(1) The treasurer shall be bonded by a bond of a guarantee company approved under *The Guarantee Companies Securities Act* in an amount satisfactory to the Board.

(2) The Board shall pay the cost of the bond. R.R.O. 1960, Reg. 463, s. 11.

REGULATION 632

under The Ontario Highway Transport Board Act

RULES OF PROCEDURE

1. In this Regulation,

(*a*) "file" means file with the Board;

(*b*) "respondent" means a person who files an objection under section 5 and includes such other person as the Board directs to be added under section 18. R.R.O. 1960, Reg. 464, s. 1.

2. An application before the Board shall be verified by affidavit. R.R.O. 1960, Reg. 464, s. 2.

3.—(1) Upon receipt by the Board of an application or reference made under *The Public Vehicles Act*, *The Public Commercial Vehicles Act* or any other Act, other than an application for approval of the issuance of a temporary operating licence or a reference of an operating licence by the Minister with the recommendation that the terms and conditions be reviewed, and subject to section 8, the Board shall cause a notice of hearing to be published in *The Ontario Gazette*.

(2) The notice of hearing shall,

(*a*) state the nature of the application or reference; and

(*b*) fix the time, date and place of the hearing. R.R.O. 1960, Reg. 464, s. 3.

4. Subject to section 5, any person may make representations to the Board in respect of an application or reference. R.R.O. 1960, Reg. 464, s. 4.

5.—(1) Any person who wishes to oppose the granting of the licence in respect of which an application or reference has been made shall file an objection.

(2) A respondent shall serve upon the applicant or person named in the reference, on or before the day on which the objection is filed,

(*a*) the objection; and

(*b*) a certified copy of the operating licence, if any, of the respondent.

(3) The objection shall,

(*a*) be filed in quadruplicate at least fifteen days before the date set for the hearing;

(*b*) be signed by the respondent or by his solicitor on his behalf;

(*c*) contain a clear and concise statement of the grounds upon which the application is opposed;

(*d*) contain the name and address of the respondent and of his solicitor, if any; and

(*e*) contain proof of service under subsection 2. R.R.O. 1960, Reg. 464, s. 5.

6.—(1) The applicant or person named in the reference may file a reply to each objection and shall serve each respondent with the reply to his objection on or before the day on which the reply is filed.

(2) The reply shall,

(*a*) be filed in quadruplicate at least five days before the date set for the hearing;

(*b*) be signed by the applicant or person named in the reference or by his solicitor on his behalf; and

(*c*) contain proof of service under subsection 1. R.R.O. 1960, Reg. 464, s. 6.

7. Where an applicant under the Act or any other Act withdraws his application, he shall forthwith,

(*a*) serve each respondent with a notice of the withdrawal; and

(*b*) file the notice of withdrawal and proof of service under clause *a*. R.R.O. 1960, Reg. 464, s. 7.

8.—(1) The Board may, in its discretion, publish notice of an application or reference in *The Ontario Gazette* without fixing a day for a hearing.

(2) If no objection is served and filed in the manner prescribed by section 5 within fifteen days of the publication, the Board may dispose of the application or reference summarily.

(3) If an objection is served and filed within fifteen days of the publication, the Board shall fix a date for the hearing with notice to all parties, and the procedure is thenceforth the same as for a proceeding to which this section does not apply. R.R.O. 1960, Reg. 464, s. 8.

9.—(1) Where,

(*a*) the Minister refers an operating licence to the Board with a recommendation that the terms and conditions be reviewed; or

(*b*) the Board rehears an application under section 17 of the Act,

the Board shall cause a notice of hearing to be published in *The Ontario Gazette*.

(2) The notice of hearing shall,

(*a*) name the holder of the operating licence that is the subject of the review, or the applicant in the application being reheard;

(*b*) state the nature of the matter to be determined; and

(*c*) fix the time, date and place of the hearing.

(3) The Board shall cause the notice of hearing to be served upon the person named in the notice within five days of its publication. R.R.O. 1960, Reg. 464, s. 9.

10.—(1) Any person who wishes to make representations to the Board in respect of a rehearing or review shall file a statement.

(2) The statement shall,

(*a*) be filed in quadruplicate at least ten days before the date set for the hearing;

(*b*) be signed by the person who wishes to make representations or by his solicitor on his behalf;

(*c*) contain a clear and concise statement of the representations to be made at the hearing; and

(*d*) contain the name and address of the person who wishes to make the representations and his solicitor, if any. R.R.O. 1960, Reg. 464, s. 10.

11.—(1) Where a party to proceedings before the Board applies under subsection 1 of section 20 of the Act for a stated case, he shall file,

(*a*) a clear and concise statement of the facts upon which he applies to have a question of law determined; and

(*b*) the question of law which he applies to have determined.

(2) Where the Board directs that a case be stated, it shall cause a copy of the case to be stated to be served upon all parties to the proceedings to which the stated case pertains. R.R.O. 1960, Reg. 464, s. 11.

12.—(1) Where any person is required to serve any notice, document or paper in proceedings before the Board, he shall serve it by delivering a true copy to the person to be served personally or by sending it to him by registered mail at his address for service or, if there is no address for service, at his last-known or usual address.

(2) Where the name and address of a solicitor of a party to a proceeding is shown in an application, objection or reply, any notice, document or paper may be served upon the party by delivering a true copy to the solicitor personally or by sending it to him by registered mail at his last-known or usual address, and that service shall be deemed to be good and sufficient service.

(3) Where,

(*a*) the number of persons affected by an application is so large that in the opinion of the Board it is not practicable to serve the persons under subsections 1 and 2; or

(*b*) the party required to effect service proves to the satisfaction of the Board that service cannot be effected or that it is not expedient to effect service under subsections 1 and 2,

the Board may direct that service be made by publication of the notice, document or paper to be served in a publication named in the direction of the Board, and the service shall be deemed to be good and sufficient service and to have been made on the date of publication. R.R.O. 1960, Reg. 464, s. 12.

13. Any notice, document or paper required to be filed may be filed by,

(*a*) depositing it at the office of the Board in the City of Toronto; or

(*b*) mailing it by registered mail addressed to the Secretary of the Board at its office in the City of Toronto. R.R.O. 1960, Reg. 464, s. 13.

14.—(1) Service by registered mail shall be deemed to have been made on the date of mailing.

(2) Filing by registered mail shall be deemed to have been made on the date of receipt at the office of the Board. R.R.O. 1960, Reg. 464, s. 14.

15. A summons under subsection 1 of section 10 of the Act shall be in Form 1. R.R.O. 1960, Reg. 464, s. 15.

16.—(1) An application, objection, reply or statement may be amended at the hearing by leave of the Board upon such terms and conditions as the Board considers advisable.

(2) No proceeding shall be deemed invalid by reason of any irregularity or defect in form. R.R.O. 1960, Reg. 464, s. 16.

17.—(1) The Board may, if it considers it advisable, adjourn any hearing before it for such time and to such place and upon such terms as it thinks fit.

(2) The Board may, upon such terms as it thinks fit, enlarge the time prescribed by this Regulation for doing any act, serving or filing any notice, document or paper or taking any proceeding and may exercise the power although application therefor is not made until after the expiration of the time prescribed.

(3) The Board may, upon such terms and conditions as it thinks fit, abridge the time prescribed by this Regulation for doing any act, serving or filing any notice, document or paper or taking any proceeding. R.R.O. 1960, Reg. 464, s. 17.

18. The Board may direct that service be made upon any person who is not a party to the proceedings, and may add any person as a respondent at any time upon such terms as it considers just. R.R.O. 1960, Reg. 464, s. 18.

Form 1

The Ontario Highway Transport Board Act

SUMMONS TO A WITNESS BEFORE THE ONTARIO HIGHWAY TRANSPORT BOARD

RE:

TO:

You are summoned and required to attend before the Ontario Highway Transport Board at a hearing

to be held at.....in the.....

of.....on.....day, the.....day of

....., 19... at the hour of.....o'clock in

the.....noon, and so from day to day until the hearing is concluded, to give evidence on oath touching the matters in question in the proceedings and to bring with you and produce at the time and place

Dated this.....day of....., 19...

ONTARIO HIGHWAY TRANSPORT BOARD:

.....
Chairman or Vice-Chairman

R.R.O. 1960, Reg. 464, Form 1.

REGULATION 633

under The Ontario Human Rights Code

FORM OF COMPLAINT

1.—(1) A complaint made under section 1 of the Act shall be in Form 1.

(2) A complaint made under section 2 of the Act shall be in Form 2.

(3) A complaint made under section 3 of the Act shall be in Form 3.

(4) A complaint made under subsection 1 or 2 of section 4 of the Act shall be in Form 4.

(5) A complaint made under subsection 3 of section 4 of the Act shall be in Form 5. O. Reg. 130/62, s. 1, *amended*.

Form 1

The Ontario Human Rights Code

COMPLAINT

(Discrimination by Publications)

To:

Ontario Human Rights Commission

I, ...,
(print name in full)

.....,
(address in full)

.....,
(telephone number: business home)

complain under *The Ontario Human Rights Code*, that:

.....,
(name in full)

.....,
(address in full)

on .....,
(day) (month) (year)

(*a*) published ☐ displayed ☐

OR

(check proper square) (*b*) caused to be *published / displayed ☐

OR

(*c*) permitted to be *published / displayed ☐

(check proper square) ☐ notice ☐ sign ☐ symbol ☐ emblem ☐ ..... (specify other representation not mentioned) } as annexed, if possible

indicating *discrimination / an intention to discriminate against

.....,
(name in full of person, or class of persons)

.....,
(address in full of person)

for any purpose because of the

(check proper square) ☐ race ☐ nationality ☐ creed ☐ ancestry ☐ colour ☐ place of origin

of the *person / class of persons

and in support thereof allege the following facts:

.....
(state the particulars of the event complained of‡)

.....

.....

.....

Dated at.....on the.....of....., 19...

†.....
(signature of complaint)

*Strike out any word(s) not applicable.

‡Reverse side of form may be used for further particulars of complaint.

†Section 1 of the Act reads as follows:

1.—(1) No person shall publish or display or cause to be published or displayed or permit to be published or displayed any notice, sign, symbol, emblem or other representation indicating discrimination or an intention to discriminate against any person or any class of persons for any purpose because of the race, creed, colour, nationality, ancestry or place of origin of such person or class of persons.

(2) Nothing in this section shall be deemed to interfere with the free expression of opinion upon any subject. O. Reg. 130/62, Form 1.

COMPLAINT

(Discrimination in Public Places)

To:

Ontario Human Rights Commission

I,.....,
(print name in full)

.....,
(address in full)

.....,
(telephone number: business home)

complain under *The Ontario Human Rights Code* that:

1. I was denied ☐

(check proper square) *OR*

.....was denied ☐
(state class of persons)

OR

2. I was discriminated against ☐

OR

.....was discriminated against ☐
(state class of persons)

*the _____

with respect to the

(check proper square)
☐ accommodation
☐ services
☐ facilities

available in.....,
(name in full of place)

.....,
(address in full)

to which the public is customarily admitted,

by.....,
(name of person who is the subject of complaint)

.....,
(position)

on....., at .....*a.m. / p.m.
(day) (month) (year)

because of *my / the class of persons'

(check proper square)
☐ race ☐ nationality
☐ creed ☐ ancestry
☐ colour ☐ place of origin

and in support thereof allege the following facts:

.....
(state the particulars of the event complained of‡)

.....

.....

.....

Dated at.....on the.....of....., 19...

†.....
(signature of complainant)

*Strike out any letter or word(s) not applicable.

‡Reverse side of form may be used for further particulars.

†Section 2 of the Act reads as follows:

2. No person, directly or indirectly, alone or with another, by himself or by the interposition of another, shall,

(*a*) deny to any person or class of persons the accommodation, services or facilities available in any place to which the public is customarily admitted; or

(*b*) discriminate against any person or class of persons with respect to the accommodation, services or facilities available in any place to which the public is customarily admitted,

because of the race, creed, colour, nationality, ancestry or place of origin of such person or class of persons or of any other person or class of persons.

O. Reg. 130/62, Form 2, *amended*.

Form 3

The Ontario Human Rights Code

COMPLAINT

(Discrimination as to Occupancy of Apartment)

To:
Ontario Human Rights Commission

I, ...,
(print name in full)

.....,
(address in full)

.....,
(telephone number: business home)

complain under *The Ontario Human Rights Code* that:

1. I was denied ☐

(check proper square) .....was denied ☐
(state class of persons)

OR

2. I was discriminated against ☐

OR

.....was discriminated against ☐
(state class of persons)

*occupancy

with respect to any term or condition of occupancy of an apartment in.....
(name in full of building)

.....,
(address in full)

that contains more than six self-contained dwelling units,

by.....,
(name of person who is subject of complaint)

.....,
(position)

on....., at..... *a.m. / p.m.
(day) (month) (year)

because of *my / the class of persons'

(check proper square)
☐ race ☐ nationality
☐ creed ☐ ancestry
☐ colour ☐ place of origin

and in support thereof allege the following facts:

.....
(State the particulars of the event complained of‡)

.....

.....

Dated at.....on the.....of....., 19...

†.....
(signature of complainant)

*Strike out any letters or word(s) not applicable.

‡Reverse side of form may be used for further particulars.

†Section 3 of the Act reads as follows:

3. No person, directly or indirectly, alone or with another, by himself or by the interposition of another, shall,

(*a*) deny to any person or class of persons occupancy of any commercial unit or any self-contained dwelling unit;

(*b*) discriminate against any person or class of persons with respect to any term or condition of occupancy of any commercial unit or any self-contained dwelling unit,

because of the race, creed, colour, nationality, ancestry or place of origin of such person or class of persons.

O. Reg. 130/62, Form 3.

Form 4

The Ontario Human Rights Code

COMPLAINT

(Discrimination in Employment)

To:

Ontario Human Rights Commission

I, ...,
(print name in full)

.....,
(address in full)

.....,
(telephone number: business home)

complain under *The Ontario Human Rights Code* that:

1. I was refused employment ☐

OR

(check proper square) I was refused continuation of employment ☐

OR

I was discriminated against with regard to,

(*a*) employment ☐ ;

(*b*) a term of employment ☐ ;

(*c*) a condition of employment ☐ ;

OR

2. I was excluded from membership ☐

OR

(check proper square) I was expelled ☐

OR

I was suspended ☐

OR

I was discriminated against ☐

by.....
(name in full of employer or trade union)

.....,
(union local number, if any)

....., ...,
(address in full) (telephone number)

by.....,
(name in full of person acting on behalf of employer, if any)

.....,
(position)

.....,
(day) (month) (year)

at.....,

because of my

(check proper square)

☐ race ☐ nationality

☐ creed ☐ ancestry

☐ colour ☐ place of origin

and in support thereof allege the following facts:

.....
(state the particulars of the event complained of*)

.....

.....

.....

.....

Dated at.....on the.....of....., 19...

‡.....
(signature of complainant)

---

*Reverse side of form may be used for further particulars of complaint.

‡1. Use this form for one complaint only.

2. Subsections 1 and 2 of section 4 of the Act read as follows:

4.—(1) No employer or person acting on behalf of an employer shall refuse to employ or to continue to employ any person or discriminate against any person with regard to employment or any term or condition of employment because of his race, creed, colour, nationality, ancestry or place of origin.

(2) No trade union shall exclude from membership or expel or suspend any person or member or discriminate against any person or member because of race, creed, colour, nationality, ancestry or place of origin.

3. Subsection 4 of section 4 of the Act reads as follows:

(4) This section does not apply,

(*a*) to a domestic employed in a private home;

(*b*) to an exclusively religious, philanthropic, educational, fraternal or social organization that is not operated for private profit or to any organization that is operated primarily to foster the welfare of a religious or ethnic group and that is not operated for private profit, where in any such case race, colour, creed, nationality, ancestry or place of origin is a reasonable occupational qualification.

O. Reg. 130/62, Form 4, *amended*.

Form 5

The Ontario Human Rights Code

COMPLAINT

(Discrimination in Employment Applications and Advertisements)

To:

Ontario Human Rights Commission

I, ...,
(print name in full)

.....,
(address in full)

.....,
(telephone number: business home)

complain under *The Ontario Human Rights Code* that*:

.....,
(name in full)

.....,
(address in full)

on .....,
(day) (month) (year)

(check proper square)

(*a*) used / circulated a form of application for employment, as annexed ☐

(*b*) published an advertisement in connection with employment / prospective employment, as annexed ☐

(*c*) made a written inquiry, as annexed ☐

(*d*) made an oral inquiry ☐

that expresses directly / indirectly a limitation / specification as to the preference

(check proper square)

☐ race ☐ nationality
☐ creed ☐ ancestry
☐ colour ☐ place of origin

of a person

OR

that requires an applicant to furnish information concerning

(check proper square)

☐ race ☐ nationality
☐ creed ☐ ancestry
☐ colour ☐ place of origin

and in support thereof allege the following facts:

.....,
(state the particulars of the event complained of‡)

.....

.....

.....

Dated at.....on the.....of....., 19...

†.....
(signature of complainant)

---

*Strike out any word(s) not applicable.

‡Reverse side of form may be used for further particulars of complaint.

†1. Use this form for one complaint only.

2. Subsections 3 and 4 of section 4 of the Act read as follows:

(3) No person shall use or circulate any form of application for employment or publish any advertisement in connection with employment or prospective employment or make any written or oral inquiry that expresses either directly or indirectly any limitation, specification or preference as to the race, creed, colour, nationality, ancestry or place of origin of any person or that requires an applicant to furnish any information concerning race, creed, colour, nationality, ancestry or place of origin.

(4) This section does not apply,

(*a*) to a domestic employed in a private home;

(*b*) to an exclusively religious, philanthropic, educational, fraternal or social organization that is not operated for private profit or to any organization that is operated primarily to foster the welfare of a religious or ethnic group and that is not operated for private profit where in any such case race, colour, creed, nationality, ancestry or place of origin is a reasonable occupational qualification.

O. Reg. 130/62, Form 5, *amended*.

REGULATION 634

under The Ontario Institute for Studies in Education Act

GENERAL

1. The number of members of the Board to be appointed under clause *b* of subsection 2 of section 4 of the Act shall be as follows:

1. Three representatives of the teacher-training institutions of Ontario.
2. Two representatives of the University of Toronto.
3. Two representatives of the provincially-assisted universities and colleges of Ontario.
4. Four representatives of the Department of Education.
5. Six representatives of the Ontario Teachers' Federation.
6. Four representatives of the Ontario School Trustees' Council.
7. Three representatives of provincial associations of directors of education, school superintendents and inspectors.
8. Six persons who are residents of Ontario.
9. Four members of the administrative and instructional staff of the Institute. O. Reg. 174/65, s. 1; O. Reg. 327/65, s. 1.

2.—(1) The members of the Board referred to in paragraphs 1 to 8, both inclusive, of section 1 shall hold office for three years, except that an appointment made in the first instance shall be for the term specified in the appointment.

(2) The members of the Board referred to in paragraph 9 of section 1 shall hold office for a term of one year.

(3) A member of the Board continues to hold office until his successor is appointed.

(4) A member of the Board is eligible for reappointment. O. Reg. 174/65, s. 2 (1-4).

(5) Where a member of the Board appointed by the Lieutenant Governor in Council,

(*a*) ceases to have his customary place of residence in Ontario;

(*b*) becomes, through illness, incapable of acting as a member; or

(*c*) not having been granted leave of absence by the Board, attends in any fiscal year of the Board fewer than one-third of the meetings of the Board held subsequent to the date of his appointment to the Board,

the Board shall by resolution declare his office vacant. O. Reg. 174/65, s. 2 (5); O. Reg. 327/65, s. 2.

(6) A resolution under subsection 5 entered in the minutes of the Board is conclusive evidence that a vacancy on the Board exists.

(7) Where a vacancy on the Board occurs in the office of a member appointed by the Lieutenant Governor in Council before the term of office for which the member has been appointed expires, the vacancy shall be filled by the Lieutenant Governor in Council on the recommendation of the Minister, and the member so appointed shall hold office for the remainder of the term of office of the member whose office is vacant. O. Reg. 174/65, s. 2 (6, 7).

REGULATION 635

under The Ontario Labour-Management Arbitration Commission Act

GENERAL

1. In this Regulation,

(*a*) "arbitrator" includes a chairman of a board of arbitrators;

(*b*) "party" means a party to a collective agreement and includes the nominee of a party to a board of arbitration;

(*c*) "Registrar" means the person appointed as Counsel and Registrar by the Commission under the Act. O. Reg. 143/70, s. 1.

2.—(1) An application for approval as an arbitrator shall be in Form 1.

(2) An approval of a person as an arbitrator shall be in Form 2. O. Reg. 143/70, s. 2.

3.—(1) The Registrar shall maintain a register of approved arbitrators.

(2) Where a person is approved as an arbitrator after the date on which this Regulation comes into force, the Registrar shall enter, or cause to be entered, the name of the person in the register.

(3) When so directed by the Commission, the Registrar shall remove, or cause to be removed, from the register the name of any person whose approval has been revoked or suspended by the Commission.

(4) Where the revocation or suspension of the approval of an approved arbitrator has been rescinded, the Registrar shall restore his name to the register.

(5) Where an approved arbitrator,

(*a*) dies; or

(*b*) requests the Commission to remove his name from the register,

the Registrar shall remove, or cause to be removed from the register the name of the deceased arbitrator or the name of the arbitrator requesting removal of his name, as the case may be. O. Reg. 143/70, s. 3.

4.—(1) Where a party applies to the Commission for a list of arbitrators, the Registrar shall mail to each party a list of five names.

(2) Where a party does not notify the other party and the Commission of his acceptance or non-acceptance of a person named on the list within ten days from the date it is mailed to him by the Commission, the party shall be deemed to have accepted any of the persons named on the list as an arbitrator.

(3) Where one of the persons named on the list is acceptable, the parties may request the Registrar to ask that person to act as arbitrator.

(4) Where more than one person has been accepted, such persons shall be asked to act as arbitrator in the order in which their names appear on the list, unless the parties have agreed to an order of preference.

(5) Where two or more persons are accepted but the parties have not agreed on the order of acceptability, the Registrar shall inform the parties of this fact and request their agreement on the choice of one of the persons, and if they fail to so agree, subsection 6 shall apply.

(6) Where,

(*a*) a party informs the Commission that the persons named on the list are not acceptable to him; or

(*b*) the person or persons accepted or deemed to have been accepted, as the case may be, under subsection 2, 3 or 4 are unable to act,

the Registrar shall arrange for an arbitrator, if the parties so agree, but the arbitrator so named shall not be one of the persons whose name was on the list.

(7) An application for a list of arbitrators shall be in Form 3.

(8) The list of arbitrators shall be in Form 4. O. Reg. 143/70, s. 4.

5.—(1) Where the parties do not join in an application in Form 3, the party applying shall,

(*a*) state whether the other party has concurred in the application;

(*b*) set out in the application the nature of the grievance; and

(*c*) attach a copy of the grievance and of the collective agreement to the application.

(2) Where the other party has not concurred in the application, the applicant party shall mail a copy of the application to the party who has not so concurred on the same date as the application is mailed to the Commission.

(3) The Registrar shall forward a copy of the grievance and collective agreement to the arbitrator forthwith after his appointment. O. Reg. 143/70, s. 5.

6.—(1) Where an arbitrator has been appointed by the parties without an application therefor having been made to the Commission, the arbitrator shall notify the Commission of the appointment within ten days thereof.

(2) Every arbitrator shall, within ten days of issuing an award, file a copy thereof with the Commission.

(3) The Registrar shall maintain a record of each award filed with him and shall, upon payment of the prescribed fee, supply a copy thereof to any person applying therefor. O. Reg. 143/70, s. 6.

7.—(1) The fees for services provided to employers and employees by the Commission shall be those prescribed in Part 1 of the Schedule but a party may elect to pay, in lieu of the fees in Part 1, an annual fee set out in Part II of the Schedule.

(2) Where a party does not pay an annual fee, the prescribed fee shall,

(*a*) in the case of an application in Form 3, accompany the application; and

(*b*) where the arbitrator requests the assistance of the Commission to make the administrative arrangements required for the conduct of an arbitration, accompany the request.

(3) The prescribed fees shall be paid by the party making the applications.

(4) Where an arbitrator makes a request referred to in clause *b* of subsection 2, he shall pay the fees of each party and shall be entitled to charge each party for its share of the fee. O. Reg. 143/70, s. 7.

Schedule

PART I

1. For services rendered in receiving a request for a list of arbitrators, for delivering such a list, where necessary, appointing an arbitrator where parties fail to agree on the person to be appointed	$ 25.00
2. For services rendered at the request of an arbitrator for the assistance referred to in clause *b* of section 5 of the Act, each party	5.00
3. For copies of an award, each page	.50

PART II

Where a party elects to pay an annual fee, the ee in the case of a party,

(*a*) with less than 100 employees subject to the collective agreement, shall be	$ 25.00
(*b*) with 100 but less than 500 employees subject to the collective agreement, shall be	50.00
(*c*) with 500 but less than 1000 employees subject to the collective agreement, shall be	100.00
(*d*) with 1000 but less than 2000 employees subject to the collective agreement, shall be	150.00
(*e*) with 2000 or more employees subject to the collective agreement, shall be	200.00

O. Reg. 143/70, Sched.

Form 1

The Ontario Labour-Management Arbitration Commission Act

APPLICATION FOR APPROVAL AS AN ARBITRATOR

Name.....
Given Names Surname

Residence Address..... Phone No.....

Business Address..... Phone No.....

applies for approval as an arbitrator.

1. Date of Birth.....

2. Education

Degrees or Certificates	Year Obtained	Institution		
		Name	Place	Province/State

3. Record of Employment

Name of Employer Address Employed from to	Type of Employment
Name of Employer Address Employed from to	Type of Employment
Name of Employer Address Employed from to	Type of Employment
Name of Employer Address Employed from to	Type of Employment

4. Other relevant experience:

5. Arbitration experience. Yes ☐ No ☐

If "yes", capacity as

(*a*) arbitrator.....times;
(number)

(*b*) in labour arbitrations, nominee for Company.....times;
(number)

nominee for Union.....times;
(number)

(*c*) in other arbitrations, nominee for....., ...times;
(state whom) (number)

nominee for....., ...times;
(state whom) (number)

(*d*) representing a party.....times.
(number)

6. Specialized training or knowledge:

7. Do you have preference for arbitrations in this particular specialty? Yes ☐ No ☐

8. Number of days a month you will be able to devote to arbitration cases.

Approx.....days.

.....
(signature of applicant)

O. Reg. 143/70, Form 1.

Form 2

The Ontario Labour-Management Arbitration Commission Act,

APPROVAL AS ARBITRATOR

This is to certify that The Ontario Labour-Management Arbitration Commission has issued its approval under the Act to

.....
(name)

to act as arbitrator.

.....
Registrar

Dated at....., this.....day of....., 197..

O. Reg. 143/70, Form 2.

Form 3

The Ontario Labour-Management Arbitration Commission Act,

To; The Registrar of The Ontario
Labour-Management Arbitration
Commission,
Parliament Buildings,
Toronto, Ontario.

.....applies to The Ontario
(name of applicant)

Labour-Management Arbitration Commission for a list of arbitrators to arbitrate the dispute between the parties with reference to the grievance of.....
(name of

.....
grievor or grievors)

The nature of the grievance is.....
(state whether

.....
discharge, seniority or other)

The Union/Employer has/has not concurred in this application.
(strike out words not applicable)

Copy mailed to.....
(strike out if not applicable)

on the date hereof.

Dated at....., this.....day of
(day)

....., 197...
(month)

.....
(name of employer)

.....
(Person signing on behalf of employer and his capacity)

.....
(postal address)

.....
(name of union)

.....
(Person signing on behalf of employer and his capacity)

.....
(postal address)

O. Reg. 143/70, Form 3.

Form 4

The Ontario Labour-Management Arbitration Commission Act,

To.....

And.....

The following list of approved arbitrators is submitted for your acceptance in answer to your application therefor dated .....

.....

.....

.....

.....

.....

Attached is a brief history of each of the above-named persons.

.....
Registrar

NOTE—FAILURE TO NOTIFY THE OTHER PARTY AND THE COMMISSION, WITHIN 10 DAYS FROM THE DATE OF MAILING, OF YOUR ACCEPTANCE OR REJECTION OF ANY OF THE ABOVE-NAMED IS DEEMED TO SIGNIFY YOUR CHOICE OF ALL THE ABOVE-NAMED PERSONS.

O. Reg. 143/70, Form 4.

REGULATION 636

under The Ontario Municipal Board Act

COMPOSITION OF BOARD

1. The Board shall be composed of nine members. R.R.O. 1960, Reg. 465, s. 1.

REGULATION 637

under The Ontario Municipal Board Act

PROCEDURE

INTERPRETATION

1. In these Rules,

(*a*) "applicant" includes a complainant and any person or corporation applying to the Board to hear and determine any matter or thing;

(*b*) "applicant" includes a complaint and any other proceeding, matter or thing that the Board can hear and determine;

(*c*) "respondent" includes any person or corporation adverse in interest to an applicant. R.R.O. 1960, Reg. 466, s. 1.

2. Where any matter is not expressly provided for by these Rules, the Rules of Practice under *The Judicature Act* shall be followed as far as they are applicable, as determined by the Board. R.R.O. 1960, Reg. 466, s. 2.

3. *The Interpretation Act* and the interpretation clauses of *The Judicature Act* and of *The Railway Act* apply to these Rules unless the context otherwise requires. R.R.O. 1960, Reg. 466, s. 3.

APPLICATIONS

4. Applications to the Board shall be by notice in writing in Form 1, divided into paragraphs numbered consecutively and shall set forth clearly and concisely the nature of the application and the relief or remedy sought. R.R.O. 1960, Reg. 466, s. 4.

5. Where a notice is given by a solicitor, it shall contain the solicitor's name and his address where documents may be served. R.R.O. 1960, Reg. 466, s. 5.

6. Where proceedings are instituted in person, the notice shall contain the address for service of the person giving the notice and if the person instituting the proceedings does not comply with the requirements of this section, the opposite party may serve him with a document by posting the document in the offices of the Board in the City of Toronto. R.R.O. 1960, Reg. 466, s. 6.

7. The notice commencing proceedings before the Board shall be mailed to or filed with the secretary of the Board at the offices of the Board in the City of Toronto, and shall be served upon the respondent in the manner provided by section 76 of the Act. R.R.O. 1960, Reg. 466, s. 7.

REPLY

8.—(1) Where a reply is directed to be filed and served, it shall be in Form 3 and shall set forth clearly and concisely the respondent's answer to the application, divided into paragraphs and numbered consecutively, and shall admit such parts of the application as are not in dispute.

(2) The reply shall contain the respondent's address for service if filed in person, and that of his solicitor if filed by a solicitor. R.R.O. 1960, Reg. 466, s. 8.

9. The reply shall be delivered to the secretary of the Board or mailed to him by prepaid mail, and a copy thereof shall be served upon the applicant in the manner provided by section 76 of the Act or upon the solicitor of the applicant at his address set forth in the notice. R.R.O. 1960, Reg. 466, s. 9.

HEARING

10. At least ten days after the service on the respondent of the notice of application, either party may apply to the Board on notice of motion in writing for an order fixing the time, place and manner of hearing the application and the order may direct the respondent to file and serve a reply, and if the opposite party does not appear on the motion the order shall be served upon the said opposite party or his solicitor at least ten days before the hearing. R.R.O. 1960, Reg. 466, s. 10.

11. The Board may direct that affidavits filed with the secretary and such other documentary evidence as the parties may adduce shall be received in evidence. R.R.O. 1960, Reg. 466, s. 11.

12. The party commencing proceedings before the Board shall, at least two clear days before the hearing, deposit with the secretary of the Board three copies of the notice of application and reply, if any. R.R.O. 1960, Reg. 466, s. 12.

13.—(1) Where an affidavit is to be offered in evidence in support of an application, a copy shall be served with the order for hearing, and any affidavits in defence shall be filed with the secretary and served on the opposite party within eight days of the filing.

(2) Any affidavits in answer to the affidavits filed in defence shall be filed and served by the applicant upon the respondent within four days after the service of the affidavits in defence. R.R.O. 1960, Reg. 466, s. 13.

14. At least ten days after the respondent is served with the notice of application, the Board may make orders for production of documents, for inspection, for examinations for discovery, for the examination of witnesses who cannot attend the hearing by reason of sickness or other unavoidable cause, and for the examination of witnesses residing outside Ontario, as the nature of the application requires and upon such terms as the Board orders or directs. R.R.O. 1960, Reg. 466, s. 14.

15. Any party may give another party notice in writing to produce any document that relates to any matter in question before the Board and that is in his custody, power or possession, and if the notice is not complied with, secondary evidence of the documents may be given. R.R.O. 1960, Reg. 466, s. 15.

16. A party may, by notice in writing, call upon any other party to admit any document that requires to be proved and in default of notice to admit, the costs of proving the document shall not be allowed except where, in the opinion of the Board, the omission to give the notice was a saving of expense. R.R.O. 1960, Reg. 466, s. 16.

17. At the hearing of an application, the party commencing the proceedings shall begin and, after the evidence in defence is given, has the right to reply. R.R.O. 1960, Reg. 466, s. 17.

18.—(1) There shall be at least two clear days between the service of a notice of motion and the day fixed for a hearing, unless the Board gives leave to serve short notice.

(2) In the computation of the two clear days, Sundays and days on which the offices are closed shall not be reckoned.

(3) No notice of motion shall be served unless an appointment has been first obtained from the Board for hearing the motion. R.R.O. 1960, Reg. 466, s. 18.

TIME

19. No trial or hearing shall take place or motion be heard during the long vacation or the Christmas vacation observed by the Supreme Court of Ontario, unless otherwise directed by the Board in case of urgency, and such vacations shall not be reckoned in the computation of the times allowed by these Rules for filing or delivering a notice of application or a reply. R.R.O. 1960, Reg. 466, s. 19.

20. In all cases in which any particular number of days, not expressed to be clear days, is prescribed by these Rules, the number shall be reckoned by excluding the first day and including the last day. R.R.O. 1960, Reg. 466, s. 20.

POWERS OF BOARD

21. Where, in the opinion of the Board, an amendment to any document filed with the Board is necessary for determining the real question at issue between the parties, the Board may direct the amendment upon such terms as the Board in its discretion considers just. R.R.O. 1960, Reg. 466, s. 21.

22. The Board may enlarge or abridge the time appointed by these Rules for doing anything or taking any proceeding, upon such terms as the Board considers just. R.R.O. 1960, Reg. 466, s. 22.

23. The Board may from time to time adjourn any proceeding before it. R.R.O. 1960, Reg. 466, s. 23.

GENERAL

24. No proceeding before the Board shall be defeated or affected by any technical objection or by any objection based upon defects in form. R.R.O. 1960, Reg. 466, s. 24.

25.—(1) Unless otherwise ordered by the Board, the applicant or his solicitor shall prepare the formal order made by the Board and submit it to the respondent or his solicitor for approval, and, if the parties fail to agree on the form of the order, the order shall be settled by the secretary of the Board.

(2) When settled, the order shall be engrossed in duplicate and left with the secretary to be signed and sealed and entered by him in the book kept for that purpose. R.R.O. 1960, Reg. 466, s. 25.

26. The forms hereto are prescribed for use with such variations as circumstances or the nature of the application require and, where no form is prescribed, the forms prescribed by the Rules of Practice under *The Judicature Act* may be adopted. R.R.O. 1960, Reg. 466, s. 26.

Form 1

The Ontario Municipal Board Act

ONTARIO MUNICIPAL BOARD

Between:

Applicant,

and

Respondent.

NOTICE OF APPLICATION

1. The Applicant is (here give a general description of the Applicant):

2. The Respondent is (here give a general description of the Respondent):

3. (Here follows the complaint or application):

4. (Here follows the nature of the relief or remedy sought):

5. This application will be heard by the Board after ten days from the service hereof, at such time and place and in such manner as the Board orders and directs.

6. This notice is given by.....of the .....of.....in the County of....., Solicitor for the Applicant (or this Notice is given by.....of the .....the Applicant in person).

Signature: Solicitor's or Applicant's.

R.R.O. 1960, Reg. 466, Form 1.

Form 2

The Ontario Municipal Board Act

Form of Application where there is no Opposite Party.

ONTARIO MUNICIPAL BOARD

In the matter of the Application of..... of the.....of.....in the County, etc. of.....for and order for .....

The Applicant hereby applies to the Board for an order under (citing the legislation) for (here set forth the nature of the application and order asked for):

This Application is made by.....of the.....of.....in the County, etc. of.....

Solicitor for the Applicant: (or) this Application is made by (the Applicant in person).

Signature of Solicitor or Applicant.

R.R.O. 1960, Reg. 466, Form 2.

Form 3

The Ontario Municipal Board Act

REPLY

Style of Cause as in Form 1.

1. The reply of the above named Respondent to the Notice of Application of the above named Applicant.

2. The Respondent admits paragraphs 1, 2 or 3 (as the case may be) of the Notice.

3. The Respondent says that (here set forth reply).

4. The Respondent says that the Applicant is not entitled to the relief or remedy sought or he is only entitled to the following relief or remedy (as the case may be).

5. This reply is made by.....of ....., Solicitor for the above named Respondent: (or) this reply is made by..... of.....(the Respondent in person).

Signature of Solicitor or Respondent (as the case may be).

R.R.O. 1960, Reg. 466, Form 3.

Form 4

The Ontario Municipal Board Act

FORM OF ORDER FOR PRODUCTION

Style of Cause same as in Form 1.

Upon the application of the.....

It is ordered that the.....

do within ten days after the service of this Order make discovery on oath of the documents which

are or have been in..... possession or power relating to any matters in question in this application and do produce to and deposit the same with the Secretary of the Board at Toronto for the usual purposes.

Dated this.....day of....., 19...

R.R.O. 1960, Reg. 466, Form 4.

Form 5

The Ontario Municipal Board Act

FORM OF AFFIDAVIT AS TO PRODUCTION OF DOCUMENTS

Style of Cause same as in Form 1.

I,.....

the above named....., make oath and say as follows:

1. I have in my possession or power the documents relating to the matters in question in this application set forth in the Parts I and II of Schedule 1 hereto.

2. I object to producing the documents set forth in Part II of Schedule 1 hereto.

3. That

4. I have had, but have not now, in my possession or power the documents relating to the matters in question in this application set forth in Schedule 2 hereto.

5. The last mentioned documents were last in my possession or power on.....

6. That

7. According to the best of my knowledge, information and belief, I have not now and never had in my possession, custody or power, or in the possession, custody or power of my solicitor or agent, or in the possession, custody or power of any other person or persons on my behalf, any deed, account, book of account, voucher, receipt, letter, memorandum, paper or writing, or any copy of or extract from any such document, or any other document whatsoever, relating to the matters in question in this application, or any of them, or wherein any entry has been made relative to such matters or any of them, other than and except the documents set forth in schedules 1 and 2, and the pleadings and other proceedings in the application.

Sworn at.....
in the.....of.....
this.....day of.....
19...

Before me,
A Commissioner, etc.

SCHEDULE 1

PART I—Showing documents in my possession that I do not object to producing.

PART II—Showing documents in my possession that I object to producing.

SCHEDULE 2

Showing documents that I have had, but have not now, in my possession or power.

R.R.O. 1960, Reg. 466, Form 5.

Form 6

The Ontario Municipal Board Act

FORM OF ORDER FOR EXAMINATION FOR DISCOVERY

Style of Cause same as in Form 1.

Upon the application of the.....

IT IS ORDERED THAT THE

above named.....do attend

before.....at such time and place as he shall by writing hereon endorsed appoint, and submit to be examined *viva voce* upon oath touching his knowledge of the matters in question in the application. And the cost of this order and costs of such examination are reserved.

Dated this.....day of....., 19...

Pursuant to the within Order, ...do

hereby appoint.....the.....day of

....., 19..., at the hour of.....

o'clock in the.....noon at.....

for the examination of the within named.....

Dated this.....day of....., 19...

R.R.O. 1960, Reg. 466, Form 6.

Form 7

The Ontario Municipal Board Act

FORM OF NOTICE TO PRODUCE

Style of Cause same as in Form 1.

Take notice that you are hereby required to produce and show to the Board at the hearing of this application all books, papers, letters, copies of

letters and other writings and documents in your custody, possession or power containing any entry, memorandum or minute relating to the matters in question in this application and particularly those hereinafter specified.

Dated this.....day of....., 19....

To the above named

Solicitor or Agent.

Solicitor for the above named

Description of Documents	Dates

R.R.O. 1960, Reg. 466, Form 7.

Form 8

The Ontario Municipal Board Act

FORM OF NOTICE TO ADMIT

Style of Cause same as in Form 1.

Take notice that the.....purpose to adduce in evidence the several documents hereinunder specified and that the same may be inspected

by the.....himself, his solicitor.....

or agent....., at.....on.....

day, the.....day of.....between

the hours of.....and.....in the.....

noon, and the.....is hereby required, within four days from the said day to admit that such of the said documents as are specified to be originals were respectively written, signed or executed, as they purport respectively to have been; that such as are specified as copies are true copies; and that such documents as are stated to have been served were served or delivered respectively; saving all just exceptions to the admissibility of all such documents as evidence on this application.

Dated this.....day of....., 19...

To the above named.....

Yours, etc.

and to.....

Solicitor or Agent.

his Solicitor or agent.

ORIGINALS

Description of Documents	Dates

COPIES

Description of Documents	Dates	Original or Duplicate served, sent or delivered, when, how and by whom

R.R.O. 1960, Reg. 466, Form 8.

Form 9

The Ontario Municipal Board Act

SUMMONS TO WITNESS

Re:

To:

You are summoned and required to attend before the Ontario Municipal Board at a hearing to be held

at.....in the.....

of.....on.....day, the.....day

of....., 19...at the hour of.....o'clock

in the.....noon, and so from day to day until the hearing is concluded, to give evidence on oath touching the matters in question in the proceedings and to bring with you and produce at the time and place

Dated this.....day of....., 19...

Ontario Municipal Board:

.....

Secretary

R.R.O. 1960, Reg. 466, Form 9.

Form 10

The Ontario Municipal Board Act

FORM OF FINAL ORDER

ONTARIO MUNICIPAL BOARD

BEFORE:

.....
Chairman,

.....
Vice-Chairman, and

.....
Commissioner.

.....the.....

day of....., 19....

BETWEEN:

Applicant,

and

Respondent.

UPON THE APPLICATION of the above named Applicant, in the presence of the Applicant and Respondent, upon hearing the evidence adduced on behalf of the Applicant and Respondent and upon hearing counsel for the Applicant and Respondent (or upon hearing the Applicant and Respondent in person, as the case may be),

THE BOARD ORDERS:

(here set forth what the Board orders).

R.R.O. 1960, Reg. 466, Form 10.

REGULATION 638

under The Ontario Municipal Employees Retirement System Act

GENERAL

INTERPRETATION

1. In this Regulation,

(*a*) "actuarially equivalent" means of equal value according to the actuarial assumptions prescribed by the actuary;

(*b*) "actuary" means the actuary appointed by the Board;

(*c*) "beneficiary" means a beneficiary designated under this Regulation;

(*d*) "contributory earnings" means the earnings of a member on which the contributions under section 9 have been made and have not been refunded.

(*e*) "effective date" means the date upon which an employer commences to participate in the System according to the Act and this Regulation;

(*f*) "present value" means an amount that is actuarially equivalent to a payment or payments that become due in the future;

(*g*) "prior service agreement" means an agreement entered into under this Regulation for the provision of benefits in respect of prior service.

(*h*) "retire" means retire from service and "retirement" has a corresponding meaning;

(*i*) "secretary-treasurer" means the secretary treasurer appointed by the Board.

(*j*) "supplementary agreement" means an agreement entered into under this Regulation for the provision of supplementary benefits. O. Reg. 168/62, s. 1; O. Reg 88/65, s. 1; O. Reg. 8/66, ss. 1, 2; O. Reg. 397/67, s. 1.

MANAGEMENT AND ADMINISTRATION

2.—(1) The Board shall be composed of,

(*a*) four officials of the Province of Ontario;

(*b*) two persons who are members of the council of a participating municipality or of a participating local board of a municipality; and

(*c*) five persons who are employees of a participating municipality or of a participating local board of a municipality, two of whom shall be officers of such a municipality or such a local board. O. Reg. 435/67, s. 2 (1); O. Reg. 42/70, s. 1.

(2) The members of the Board shall be appointed by the Lieutenant Governor in Council and shall hold office for three years and until their successors are appointed. O. Reg. 435/67, s. 2 (2).

(3) If any member of the Board ceases to hold the qualifications necessary for his appointment, he thereupon ceases to be a member of the Board and another eligible person shall be appointed as soon as is practicable and the person so appointed shall hold office for the unexpired portion of the term of the member he replaces.

(4) A majority of the members of the Board constitutes a quorum.

(5) The Board shall elect from its members a chairman and a vice-chairman. O. Reg. 168/62, s. 3 (4-6).

(6) Every cheque issued by the Board shall be signed by the secretary-treasurer or, in his absence, by an employee designated by the Board, and by such member of the Board as is designated by the Board and the member of the Board so designated shall satisfy himself that the issuance thereof is authorized by the Board and the signatures may be written or mechanically reproduced on the cheques. O. Reg. 317/69, s. 1.

(7) The fiscal year of the Board is the calendar year.

(8) The Board shall forward a copy of the annual report to every participating employer and may furnish a copy to any member upon request. O. Reg. 168/62, s. 3 (8-9).

DUTIES OF THE SECRETARY-TREASURER

3.—(1) The secretary-treasurer,

(*a*) shall maintain the books of account, records and documents of the Board and whatever information is necessary for the financial, administrative and actuarial requirements of the Board;

(*b*) shall receive, deposit and pay all moneys of the Fund in such manner as the Board directs;

(*c*) may invest any money of the Fund temporarily available in treasury bills or short-term bonds of the Government of Canada or of a Province of Canada or in fixed term deposits with any chartered bank, as provided by the Board;

(*d*) shall receive, keep safely and deliver all securities of the Fund in such manner as the Board directs;

(*e*) may borrow from time to time, as approved by the Board, such sums as are necessary to meet the needs of the Board and may furnish securities of the Fund as security therefor, if required;

(*f*) shall determine whether or not a benefit is payable and the amount of a benefit that is payable under this Regulation; and

(*g*) shall prepare an annual report to the Board on the affairs of the System. O. Reg. 168/62, s. 4 (1); O. Reg. 8/66, s. 3 (1, 2).

(2) Any person who considers himself aggrieved by a determination made by the secretary-treasurer or by the failure of the secretary-treasurer to make a determination under clause *f* of subsection 1 may appeal to the Board from such determination or failure to make a determination and the decision of the Board is final. O. Reg. 8/66, s. 3 (3).

DUTIES OF THE ACTUARY

4. The actuary shall, at the request of the secretary-treasurer, prepare and advise on whatever actuarial calculations, schedules or tables are necessary for the proper administration of the System.

DUTIES OF THE EMPLOYER

5.—(1) All contributions in respect of the earnings of a member shall be paid by the employer to the Board at its office in Toronto on or before the last day of the month next following the month in respect of which the contributions were made.

(2) When an employer fails to pay to the Board the contributions within the time limited in subsection 1 there shall be charged to the employer one-half of 1 per cent of the amount of the unpaid contributions on the first day of each subsequent month until the total amount due has been paid.

(3) An employer shall provide the secretary-treasurer with the name, sex, date of birth, marital status, earnings and service of each member and such other information as may be necessary for the administration of the System. O. Reg. 8/66, s. 4.

(4) Every employee who is a member shall be provided with an explanation, in writing, of the contributions required and of the pension benefits provided under the Act and this Regulation. O. Reg. 42/70, s. 2.

PARTICIPATION BY EMPLOYERS

6.—(1) An employer may participate in the System by submitting an election in writing to the secretary-treasurer. O. Reg. 168/62, s. 7 (1).

(2) The effective date with respect to an employer may be the first day of any month within the year in which the secretary-treasurer receives the employer's election to participate in the System. O. Reg. 396/67, s. 1.

(3) Where an employer has elected to participate in the System a contribution is not payable and shall not be paid under an approved pension plan by or on behalf of an employee who is, or is entitled to be, a member of the System unless the contribution is for the purpose of providing a benefit that is not available under this Regulation. O. Reg. 8/66, s. 5.

MEMBERSHIP OF EMPLOYEES

7.—(1) Subject to subsection 2, every employee who is employed on a continuous full-time basis by an employer who has elected to participate in the System,

(*a*) if his employment on such basis commenced before the effective date, is entitled to become a member on or after a day fixed by the employer if 75 per cent of the employees who are,

(i) not employees to whom subsection 2 applies,

(ii) employed on a continuous full-time basis, and

(iii) under normal retirement age,

apply to become members; and

(*b*) if his employment on such basis commenced after the effective date, shall become a member on a day fixed by the employer that is within twelve months after the day on which the employee became employed on a continuous full-time basis. O. Reg. 133/65, s. 1; O. Reg. 8/66, s. 6 (1).

(2) If on the effective date the employer is required to make contributions to an approved pension plan under the terms of a bargaining agreement, an employee to whom the agreement applies,

(*a*) if his employment on a continuous full-time basis commenced before the date the agreement is terminated or before the 1st day of July, 1968, whichever is earlier, is entitled to become a member on or after a day fixed by the employer if 75 per cent of such employees who are under normal retirement age, apply to become members; and

(*b*) if his employment on a continuous full-time basis commenced after the date the agreement is terminated or after the 1st day of July, 1968, whichever is earlier, shall become a member on a day fixed by the employer that is within twelve months after the day on which the employee became employed on a continuous full-time basis. O. Reg. 396/67, s. 2.

8. Notwithstanding section 7, every person who, on the 31st day of December, 1965 was contributing to a pension plan established under *The Power Commission Insurance Act* and is employed by an employer who has elected to participate in the System is entitled to become a member on a day fixed by the employer. O. Reg. 216/65, s. 1, *amended*.

9.—(1) Every member shall contribute to the Fund by payroll deduction a percentage of his earnings while he is an employee of an employer who participates in the System.

(2) The amount of contributions payable by a member under subsection 1 in respect of his earnings in any pay period shall in the case of a member whose normal retirement age is,

(*a*) 65 years, be 4 per cent of that portion of his earnings in the pay period which if computed on an annual basis would not exceed the Year's Maximum Pensionable Earnings as defined in the *Canada Pension Plan* and 5½ per cent of his earnings in the pay period in excess of such portion; or

(*b*) 60 years, be 5 per cent of that portion of his earnings in the pay period which if computed on an annual basis would not exceed the Year's Maximum Pensionable Earnings as defined in the *Canada Pension Plan* and 6½ per cent of his earnings in the pay period in excess of such portion.

(3) At the option of the employer, the amount of contribution payable by a member under subsection 1 shall, instead of being computed in accordance with subsection 2, for ranges in earnings not exceeding $10 monthly be computed on the average of the highest and lowest amounts in the range.

(4) Contributions made by members shall not be withdrawn from the Fund in whole or in part while the member remains an employee. O. Reg. 249/65, s. 1.

(5) In addition to the contributions payable by a member under this section, the member shall pay into the Fund such special contributions as may be payable by the member under section 10. O. Reg. 42/70, s. 3.

10.—(1) The Board, on the advice of the actuary, shall from time to time fix,

(*a*) the rates to be used to calculate the amount of contributions to be paid into the Fund by an employer in respect of the earnings of members; and

(*b*) the special contribution to be paid into the Fund in respect of each employee of an employer,

(i) on whose behalf a contribution has been made to an approved pension plan by the employer, after the 1st day of January, 1969, and

(ii) who becomes a member after the 1st day of January, 1969.

(2) The rates fixed under this section shall be a percentage of the earnings of the members after a date prescribed by the Board and shall be basic rates applicable to all employers,

(*a*) in respect of members whose normal retirement age is sixty-five years; and

(*b*) in respect of members whose normal retirement age is sixty years.

(3) The special contributions fixed under this section shall be the amount by which the contributions that would have been paid by the employer and the member in respect of the earnings of the member for service in the employment of the employer after the 1st day of January, 1969 and before the date upon which he becomes a member, plus interest thereon as determined by the Board, exceed the present value of the benefits in respect of such earnings.

(4) A special contribution under this section is payable by the employer or the member or by both of them in the proportion agreed to by the employer and a majority of the members or, failing an agreement, in equal shares.

(5) The contributions to be paid by the employer to the Fund each month in respect of rates fixed under this section shall be determined by multiplying the monthly earnings of the members employed by the employer by the rates fixed by the Board under this section.

(6) A special contribution under this section is payable to the Fund on or before the last day of the month next following the month in which the employee becomes a member, or in five equal annual instalments commencing in such month, plus interest thereon as determined by the Board, or in such manner as may be agreed upon by the Board and the employer.

(7) The rates under this section shall be such that, in the opinion of the actuary, the contributions to be paid by the employers, together with,

(*a*) the special contributions to be paid under this section;

(*b*) the contributions to be paid by the members under section 9; and

(*c*) the interest earned on the investments of the Fund,

shall provide for the payment of the benefits and the expenses under this Regulation. O. Reg. 42/70, s. 4.

11.—(1) The normal retirement age of a member is,

(*a*) sixty-five years; or

(*b*) sixty years when a member is a policeman or fireman and the employer files proof acceptable to the secretary-treasurer that all policemen or firemen of the employer are entitled to retire at age sixty. O. Reg. 8/66, s. 8.

(2) The normal retirement date of a member is the last day of the month in which the member attains his normal retirement age. O. Reg. 168/62, s. 11 (2).

NORMAL RETIREMENT PENSIONS

12.—(1) Every member who retires on or after his normal retirement date is entitled to receive a pension in respect of his contributory earnings.

(2) A pension under this section is payable to a member for his life commencing on the first day of the month next following the month of his retirement. O. Reg. 168/62, s. 12 (1,2).

(3) The annual amount of pension payable to a member under this section is 2 per cent of his contributory earnings before the 1st day of January, 1968 and 2.2 per cent of his contributory earnings on and after the 1st day of January, 1968 reduced for each year in the same proportion that the contributions of the member in the year under section 9 are reduced,

(*a*) to 4 per cent, if he is a member whose normal retirement age is 65 years; and

(*b*) to 5 per cent, if he is a member whose normal retirement age is 60 years. O. Reg. 293/68, s. 1.

DISABILITY RETIREMENT PENSIONS

13.—(1) Every member who retires because of total and permanent disability is entitled to receive a pension in respect of his contributory earnings if he has completed ten years of service. O. Reg. 8/66, s. 9.

(2) A pension under this section is payable to the member for his life, commencing on the first day of the month next following,

(*a*) the month of his retirement; or

(*b*) the month in which the secretary-treasurer finds that the member is totally and permanently disabled,

whichever is the later month, and if the member ceases to be totally and permanently disabled before his normal retirement date his pension shall be suspended until,

(*c*) the month in which a pension under section 12 or 15 becomes payable; or

(*d*) the month in which the secretary-treasurer again finds that the member is totally and permanently disabled,

whichever is the earlier month. O. Reg. 8/66, s. 9.

(3) The annual amount of pension payable to a member under this section shall be calculated in the manner prescribed in subsection 3 of section 12. O. Reg. 249/65, s. 3.

(4) A member shall be considered to be totally and permanently disabled if found by the secretary-treasurer, on the advice of a legally qualified medical practitioner appointed by the Board to be incapable of engaging in gainful employment during the remainder of his lifetime because of mental or physical impairment of the member. O. Reg. 8/66, s. 9.

(5) Every member who is receiving a pension under this section shall, at the request of the secretary-treasurer and at the expense of the Fund, submit from time to time to a medical examination by a legally qualified medical practitioner appointed by the Board, but such an examination shall not be required more frequently than once a year and not after the normal retirement date of the member. O. Reg. 8/66, s. 9.

(6) If a member fails within thirty days of a request to submit to a medical examination in accordance with subsection 5, the member shall be deemed not to be totally and permanently disabled.

(7) Notwithstanding subsection 3, the amount of pension paybale to a member in any month before his normal retirement date, under this section, together with any amount of compensation payable to the member with respect to that month under *The Workmen's Compensation Act* shall not exceed 75 per cent of the monthly rate of earnings of the member immediately preceding his retirement.

(8) A member may appeal to the Board any decision of the secretary-treasurer under this section and the decision of the Board is final. O. Reg. 168/62, s. 13 (6-8).

PENSIONS TO WIDOWS OR CHILDREN

14.—(1) A pension is payable under this section on the death of a member before or after the commencement of his pension,

(*a*) to the widow of the member, if she married the member before his sixtieth birthday and before his pension became payable;

(*b*) to the widower of the member, if,

(i) he is totally and permanently disabled in the same way as a member is considered to be totally and permanently disabled under subsection 4 of section 13,

(ii) he was mainly dependent upon the member at the time of her death, as determined by the secretary-treasurer, and

(iii) the widower married the member before her sixtieth birthday and before her pension became payable; and

(*c*) to each child of the deceased member under the age of eighteen years and to each child of the deceased member who is under the age of twenty-one years and who is attending, on a full time basis, an educational institution of a class determined by the Board, where,

(i) at the death of the member there is no widow or widower of the member entitled to receive a pension under this section, or

(ii) the widow or widower of the member who was entitled to a pension under this section has died or remarried.

(2) A pension payable to a person under this section is payable on the first day of the month next following the month in which the person becomes entitled to the pension and is payable monthly thereafter,

(*a*) to a widow or widower until her or his death or remarriage; and

(*b*) to a child until his death or his eighteenth birthday, or until his twenty-first birthday so long as he is attending an educational institution as provided for in clause *c* of subsection 1.

(3) The annual amount of pension payable under this section.

(*a*) to a widow or widower shall be one-half of the annual amount of pension determined in accordance with subsection 3 of section 12 in respect of the contributory earnings of the member, but the pension payable to the widow or widower shall be reduced by 2½ per cent for each complete year that her or his age is more than ten years less than the age of the deceased member; and

(*b*) to a child shall be one-half of the annual amount of pension determined in accordance with subsection 3 of section 12, divided by the number of children of the member who are then surviving and are under the age of eighteen years or twenty-one years so long as the child is attending an educational institution as provided for in clause *c* of subsection 1.

(4) A member may appeal to the Board any decision or determination of the secretary-treasurer under this section and the decision of the Board is final. O. Reg. 42/70, s. 5.

DEFERRED PENSIONS AND EARLY RETIREMENT PENSIONS

15.—(1) If a member ceases to be employed by an employer before his normal retirement date the member is entitled to receive a deferred pension in respect of his contributory earnings. O. Reg. 8/66, s. 11.

(2) A deferred pension under this section is payable to a member for his life commencing on the day immediately following his normal retirement date if he is then living. O. Reg. 282/62, s. 15 (2).

(3) The annual amount of deferred pension payable to a member under this section shall be calculated in the manner prescribed in subsection 3 of section 12. O. Reg. 249/65, s. 5.

(4) Where a member has become entitled to a deferred pension under this section, he may in lieu thereof elect to receive an early retirement

pension payable for his life, commencing on the first day of any month within the ten-year period before his normal retirement date but after the receipt by the secretary-treasurer of the election of the member, in which event the monthly amount of pension payable to the member shall be actuarially equivalent to the benefits otherwise payable to the member under this section. O. Reg. 8/66, s. 11.

OPTIONAL SETTLEMENTS

16.—(1) A member may, by written notice to the secretary-treasurer, elect in lieu of any pension under section 12 to receive either,

(*a*) an increased annual amount of pension payable during his life until he is entitled to a pension under the *Old Age Security Act* (Canada) at which time the increased annual amount of pension shall be reduced by the annual amount of his pension under the *Old Age Security Act* (Canada) which was taken into account in the determination of his increased annual amount of pension; or

(*b*) an annual pension of 2 per cent of his contributory earnings before the 1st day of January, 1968 and 2.2 per cent of his contributory earnings on and after the 1st day of January, 1968 payable during his life until he is entitled to a pension under the *Canada Pension Plan* at which time the pension of the member shall be adjusted to take into account the amount by which the annual amount of pension under this clause has exceeded the amount that would have been payable to the member under section 12. O. Reg. 8/66, s. 12; O. Reg. 293/68, s. 2.

(2) For the purposes of this section a member shall be entitled to a pension under the *Old Age Security Act* (Canada) and under the Canada Pension Plan in the month in which the member would, on submission of a proper application therefor, be entitled to receive a pension under the *Old Age Security Act* (Canada) and the Canada Pension Plan. O. Reg. 8/66, s. 12.

(3) The amount of pension payable to a member under this section shall be actuarially equivalent to the amount of pension otherwise payable to the member under section 12. O. Reg. 8/66, s. 12.

(4) An election under this section by a member shall not be valid if,

(*a*) the election is made after a pension has become payable to the member;

(*b*) the member commences to receive a pension before his normal retirement date; or

(*c*) the member revokes the election before a pension becomes payable to him. O. Reg. 8/66, s. 12.

PAYMENT OF BENEFITS

17.—(1) Pensions are payable in equal monthly instalments, but if the monthly instalment is less than $10 the secretary-treasurer may pay the actuarially equivalent amount in quarterly, half-yearly or yearly instalments. O. Reg. 282/62, s. 17 (1); O. Reg. 88/65, s. 6.

(2) Where a member who is in receipt of a pension in respect of his contributory earnings is employed by an employer, the payment of the pension shall be suspended during the period of the employment. O. Reg. 8/66, s. 13.

(3) Notwithstanding subsection 1 of section 18, a member who ceases to be employed by an employer after he has attained forty-five years of age and after he has completed ten years of continuous service with the employer or ten years of membership in the System may, if his pension commencing on the day immediately following his normal retirement date is less than $10 monthly, elect to receive in lieu of his benefits the lump sum amount that is actuarially equivalent to such benefits. O. Reg. 396/67, s. 3.

REFUND OF CONTRIBUTIONS BY MEMBERS

18.—(1) On receipt by the secretary-treasurer of a written request from the payee the contributions paid into the Fund by a member under section 9, plus interest thereon less the amount of benefits that have been paid in respect of his contributory earnings, shall be paid to,

(*a*) the member, if for reasons other than his death or retirement he ceases to be employed by an employer before his normal retirement age but, subject to section 17, the contributions made by the member after the 1st day of January, 1965, shall not be refunded if such employment is terminated after the member has attained the age of forty-five years and has completed ten years of continuous service with the employer or has completed ten years of membership in the System;

(*b*) the widow of the member, if she is entitled to a pension under section 14 in respect of the contributory earnings of the member; or

(*c*) the beneficiary of the member, if at any time after the death of the member there is no person who is entitled to receive a pension under section 14 in respect of the contributory earnings of the member. O. Reg. 396/67, s. 4; O. Reg. 42/70, s. 6.

(2) If the person designated as the beneficiary of a member is not living, or if no beneficiary has been designated, any amount that would have

been payable to the beneficiary under this section is payable to the estate of the member. O. Reg. 8/66, s. 14.

(3) For the purposes of this section, interest on a contribution shall be calculated at the rate of 3 per cent per annum compounded yearly in respect of the completed months from the end of the year in which the contribution was paid into the Fund until the first day of the month in which,

(*a*) the contribution is refunded; or

(*b*) a pension in respect of the contributory earnings of the member has become payable,

whichever is the earlier month. O. Reg. 8/66, s. 14.

19. The secretary-treasurer may from time to time require such proof of the age, retirement, employment, marital status and death of a member, his widow and his children and such proof of the identity of any person as is necessary for the purpose of making a determination under clause *f* of subsection 1 of section 4. O. Reg. 8/66, s. 15.

20. Every member, by filing a notice with the secretary-treasurer, may designate a person as his beneficiary to receive such sums of money as may become payable to his beneficiary under this Regulation and may revoke any such notice and designate another person as his beneficiary. O. Reg. 8/66, s. 16.

21.—(1) Every employer who has elected to participate in the System may by by-law or resolution, approved by the Department of Municipal Affairs, enter into or amend an agreement with the Board for the payment of benefits from the Fund in respect of the prior service of employees of the employer who have become members and every such by-law or resolution shall be filed with the secretary-treasurer. O. Reg. 8/66, s. 21; O. Reg. 42/70, s. 7.

(2) The contributions to the Fund in respect of an employee under a prior service agreement may be paid by the employee, or by the employer or by either or both of them, and when such a contribution is paid into the Fund, the employer shall stipulate the amount therein that is, or is deemed, to be a contribution by the employee. O. Reg. 8/66, s. 21.

(3) The form and content of a prior service agreement shall be determined by the Board and shall provide,

(*a*) for the payment of pension benefits to or with respect to each employee covered thereunder; and

(*b*) that the payment of such benefits are subject to the same terms and conditions as are prescribed for benefits in respect of contributory earnings in sections 12 to 17; and

(*c*) for the payment of refunds of prior service contributions and interest under the same terms and conditions as are prescribed for refunds of contributions under section 18. O. Reg. 8/66, s. 21.

(4) The factors to be used in calculating the amount of pension to be paid in respect of a contribution made under a prior service agreement shall be the factors approved therefor by the Board on the advice of the actuary at the time that the contribution was paid into the Fund. O. Reg. 8/66, s. 21.

(5) The rate of interest on a contribution made under a prior service agreement shall be as determined under the provisions of the agreement. O. Reg. 293/68, s. 3.

(6) The maximum annual pension payable to a member under a prior service agreement is,

(*a*) the amount of pension prescribed in subsection 4 of section 250 of *The Municipal Act* computed on the annual rate of earnings of the member at the date the agreement is entered into;

(*b*) the annual amount of pension payable to the member under the agreement in respect of the contributions and interest at his credit under an approved pension plan and transferred to his credit under the agreement; or

(*c*) the annual amount of pension that would have been payable at his normal retirement age to the member under an approved pension plan if the contributions and interest at his credit thereunder had not been transferred to his credit under the agreement,

whichever is the largest amount, less any pension payable to the member under an approved pension plan. O. Reg. 293/68, s. 3.

22.—(1) Where an employee who is a member of the System terminates his employment and without intervening employment becomes a member of,

(*a*) the civil service of Ontario or Canada;

(*b*) the civic service of any other municipality or the staff of any local board that has not elected to participate in the System; or

(*c*) the staff of any board, commission or public institution established under any Act of the Legislature,

the secretary-treasurer shall, on the written request of the member, authorize the transfer from the Fund of a sum of money, in accordance with the election of the member, that is,

(*d*) not less than the contributions made by the member plus any interest thereon; and

(*e*) not more than the present value, calculated as of the date of the transfer, of the pension benefits and any other benefits for which contributions were made by the member, or on his behalf by an employer, prior to the termination of his employment,

to any fund or plan maintained to provide pension benefits for members of such civil or civic service or staff of which the employee has become a member, if the terms of the fund or plan to which the transfer is to be made,

(*f*) permit such a transfer; and

(*g*) provide that a refund to the employee shall include only that portion of the sum transferred that is attributable to contributions made by the employee. O. Reg. 8/66, s. 18.

(2) Where a member of,

(*a*) the civil service of Ontario or Canada;

(*b*) the civic service of any other municipality or local board; or

(*c*) the staff of any board, commission or public institution established under any Act of the Legislature,

becomes a member of the System, and a sum of money at the credit of the member in a superannuation or pension fund or plan maintained for members of such civil or civic service or staff is transferred to the Fund, the sum of money so transferred shall be applied to provide for the payment of benefits to the member, his widow, children, beneficiary or estate on the same terms and conditions as are prescribed for benefits in respect of his contributory earnings under sections 12 to 18 and the amount of benefits so payable shall be determined by the actuary using the rate of interest and factors adopted by the Board under subsections 4 and 5 of section 21 for the calculation of an amount of pension. O. Reg. 8/66, s. 18.

(3) Where under *The Pension Benefits Act* and the regulations thereunder, an amount of money is transferred into or out of the Fund,

(*a*) the amount to be transferred out of the Fund shall be calculated in accordance with subsection 1; and

(*b*) the amount transferred into the Fund shall be applied in accordance with subsection 2. O. Reg. 88/65, s. 9.

(4) Where under any Act of the Legislature or of the Parliament of Canada a sum of money may, pursuant to an agreement, be transferred to or from a fund established under such Act, the secretary-treasurer may, with the approval of the Board, enter into such an agreement to transfer the money from or to the Fund. O. Reg. 396/67, s. 5.

23.—(1) Every employer who has elected to participate in the System may by by-law or resolution, filed with the secretary-treasurer and approved by the Department of Municipal Affairs, enter into or amend an agreement with the Board for the payment of supplementary benefits from the Fund in respect of all or any class of the employees of the employer who are or become members and a class of employees shall include employees to whom a bargaining agreement applies. O. Reg. 397/67, s. 2.

(2) The contributions to the Fund under a supplementary agreement may be paid by the member or the employer or both of them and the Board on receipt of such contributions shall deposit them in the Fund, after making any deduction prescribed in the agreement for the payment of management and administration expenses and the amount so deposited together with interest as determined under the provisions of the agreement shall be held for the payment of supplementary benefits provided under the agreement. O. Reg. 293/68, s. 4.

(3) The factors to be used in calculating the amount of pension to be paid in respect of a contribution made under a supplementary agreement shall be the factors as determined in accordance with the provisions of the agreement. O. Reg. 293/68, s. 4.

(4) Section 18 applies to contributions paid by a member under a supplementary agreement. O. Reg. 397/67, s. 2.

(5) The form and content of a supplementary agreement shall be determined by the Board and shall provide that,

(*a*) a pension to a member shall not be payable unless the payment thereof coincides with the payment of a pension to the member under section 12, 13 or 15; and

(*b*) a pension equal to one-half of the pension payable to a member under the agreement shall be continued after his death to his widow or child and the payment thereof shall coincide with and be subject to the terms and conditions of the payment of a pension to the widow or child under section 14. O. Reg. 397/67, s. 2.

(6) An early retirement pension in excess of the amount which is actuarially equivalent to his normal retirement pension shall not be payable to a member under a supplementary agreement unless such early retirement occurs after completion of thirty years of service with the employer or if he is declared by the employer to be unable to perform the duties of his employment due to mental or physical incapacity. O. Reg. 397/67, s. 2.

REGULATION 639

under The Ontario Municipal Improvement Corporation Act

PROCEDURE

INTERPRETATION

1. In this Regulation,

(*a*) "board" means the board of directors;

(*b*) "Corporation" means The Ontario Municipal Improvement Corporation. R.R.O. 1960, Reg. 468, s. 1.

MEETINGS OF THE BOARD

2. Meetings of the board may be called at any time by the chairman or, in his absence, by the vice-chairman. R.R.O. 1960, Reg. 468, s. 2.

3. Notice of all meetings of the board shall be delivered to the office of each member of the board at least twenty-four hours before the meeting, but no notice is necessary when all members of the board, either before or after the meeting, sign a waiver of notice. R.R.O. 1960, Reg. 468, s. 3.

4. Two directors constitute a quorum at any meeting of the board. R.R.O. 1960, Reg. 468, s. 4.

RECORDS

5. The board shall cause the secretary, or some other official of the Corporation charged with that duty, to keep a book or books in which shall be recorded,

(*a*) a copy of *The Ontario Municipal Improvement Corporation Act* and any amendments thereto and a copy of the regulations made thereunder;

(*b*) a copy of all Orders in Council relating to the Corporation;

(*c*) the names of all members of the board and the dates on which each became and ceased to be a member of the board; and

(*d*) the minutes of all meetings and votes of the board, verified by the signature of the chairman or vice-chairman. R.R.O. 1960, Reg. 468, s. 5.

6. The board shall cause to be kept proper books of account containing full and true statements of,

(*a*) the financial transactions of the Corporation;

(*b*) the assests of the Corporation;

(*c*) the money received and expended by the Corporation and the matters in respect of which the receipt and expenditure took place; and

(*d*) the credits and liabilities of the Corporation. R.R.O. 1960, Reg. 468, s. 6.

FISCAL YEAR

7. The fiscal year of the Corporation terminates on the 31st day of March in each year. R.R.O. 1960, Reg. 468, s. 7.

CUSTODY OF SECURITIES

8. Debentures purchased from municipalities shall be lodged for safekeeping with the Treasurer. R.R.O. 1960, Reg. 468, s. 8, *amended*.

EXECUTION OF DOCUMENTS

9. All cheques, notes and orders for the payment of money shall be signed by two directors. R.R.O. 1960, Reg. 468, s. 9.

10. Contracts documents or instruments in writing requiring execution by the Corporation may be signed by two directors, or the board by resolution may appoint any official or person on behalf of the Corporation to sign contracts, documents and instruments in writing. R.R.O. 1960, Reg. 468, s. 10.

11. The seal of the Corporation shall be in the form of two concentric circles with the words "The Ontario Municipal Improvement Corporation" inserted in the space between the circles, and when used shall be authenticated as provided by section 10. R.R.O. 1960, Reg. 468, s. 11.

REGULATION 640

under The Ontario Producers, Processors, Distributors, and Consumers Food Council Act

DESIGNATIONS OF PRODUCTS

1. The following articles of food or drink are designated as agricultural food products:

1. Meat.
2. Meat products.
3. Poultry.
4. Poultry products.
5. Milk.
6. Milk products.
7. Fruit.
8. Fruit products.
9. Vegetables.
10. Vegetable products.
11. Cereal grains.
12. Cereal grain products.
13. Honey.
14. Honey products.
15. Maple products.
16. Fish.
17. Fish products. O. Reg. 211/68, s. 1.

2. Any article of food or drink manufactured or derived in whole or in part from,

(*a*) meat;

(*b*) poultry;

(*c*) milk;

(*d*) a fruit;

(*e*) a vegetable;

(*f*) a cereal grain;

(*g*) honey; or

(*h*) maple sap,

is designated as an agricultural product. O. Reg. 211/68, s. 2.

REGULATION 641

under The Ontario School Trustees' Council Act

COMPOSITION OF COUNCIL

1. The Council shall be composed of,

(*a*) three representatives appointed by each of the following associations,

(i) L'Association des Commissions des Écoles Bilingues d'Ontario,

(ii) Northern Ontario Public and Secondary School Trustees' Association, and

(iii) Ontario Separate School Trustees' Association; and

(*b*) seven representatives appointed by the combination of the following associations,

(i) The Associated High School Boards of the Province of Ontario,

(ii) The Ontario School Trustees' and Ratepayers' Association,

(iii) Ontario Urban and Rural School Trustees' Association, and

(iv) The Public School Trustees' Association of Ontario. O. Reg. 22/69, s. 1.

REGULATION 642

under The Ontario Telephone Development Corporation Act

COMPOSITION OF CORPORATION

INTERPRETATION

1. In this Regulation, "board of directors" means the board of directors of the Corporation. R.R.O. 1960, Reg. 470, s. 1.

COMPOSITION OF CORPORATION

2. The Corporation shall be composed of three members. R.R.O. 1960, Reg. 470, s. 2.

MEETINGS OF THE BOARD OF DIRECTORS

3. Meetings of the board of directors may be called at any time by the chairman or, in his absence, by the vice-chairman. R.R.O. 1960, Reg. 470, s. 3.

4. Notice of all meetings of the board of directors shall be delivered to the office of each member of the board at least twenty-four hours before the meeting, but no notice is necessary when all members of the board, either before or after the meeting, sign a waiver of notice. R.R.O. 1960, Reg. 470, s. 4.

5. Two directors constitute a quorum at any meeting of the board of directors. R.R.O. 1960, Reg. 470, s. 5.

RECORDS

6. The board of directors shall cause the secretary, or some other official of the Corporation charged with that duty, to keep a book or books in which shall be recorded,

(*a*) a copy of *The Ontario Telephone Development Corporation Act*, any amendments thereto and a copy of the regulations made thereunder;

(*b*) a copy of all Orders in Council relating to the Corporation;

(*c*) the names of all members of the board of directors and the dates on which each became and ceased to be a member of the board; and

(*d*) the minutes of all meetings and votes of the board of directors, verified by the signature of the chairman or vice-chairman. R.R.O. 1960, Reg. 470, s. 6.

7. The board of directors shall cause to be kept proper books of account containing full and true statements of,

(*a*) the financial transactions of the Corporation;

(*b*) the assets of the Corporation;

(*c*) the money received and expended by the Corporation and the matters in respect of which the receipt and expenditure took place; and

(*d*) the credits and liabilities of the Corporation. R.R.O. 1960, Reg. 470, s. 7.

FISCAL YEAR

8. The fiscal year of the Corporation terminates on the 31st day of March in each year. R.R.O. 1960, Reg. 470, s. 8.

EXECUTION OF DOCUMENTS

9. All cheques, notes and orders for the payment of money shall be signed by two directors. R.R.O. 1960, Reg. 470, s. 9.

10. Contracts, documents or instruments in writing requiring execution by the Corporation may be signed by two directors, or the board of directors by resolution may appoint any official or person on behalf of the Corporation to sign contracts, documents and instruments in writing. R.R.O. 1960, Reg. 470, s. 10.

SEAL

11. The seal of the Corporation shall be in the form of two concentric circles with the words "The Ontario Telephone Development Corporation" inserted in the space between the circles, and when used shall be authenticated as provided by section 10. R.R.O. 1960, Reg. 470, s. 11.

REGULATION 643

under The Ontario Universities Capital Aid Corporation Act

DESIGNATED UNIVERSITIES

1. The Universities listed in the Schedule are designated as universities to which the Act applies.

Schedule

1. Brock University
2. Carleton University
3. University of Guelph
4. Lakehead University
5. Laurentian University of Sudbury
6. McMaster University
7. University of Ottawa
8. Queen's University at Kingston
9. University of Toronto
10. Trent University
11. The University of Waterloo
12. The University of Western Ontario
13. University of Windsor
14. York University

O. Reg. 364/66, s. 1.

REGULATION 644

under The Ontario Water Resources Commission Act

DISCHARGE OF SEWAGE FROM PLEASURE BOATS

1. In this Regulation,

(*a*) "approved storage equipment" means equipment of a type and specifications approved by the Commission for the storage or the incineration and storage of human excrement in a pleasure boat, including such equipment that is an integral part of a toilet;

(*b*) "pleasure boat" means a boat used primarily for the carriage of a person or persons for pleasure, whether on charter or not, and whether for compensation or not, and includes a boat used on water for living purposes;

(*c*) "sewage" means organic and inorganic waste, and includes fuel, lubricants, litter, paper, plastics, glass, metal, containers, bottles, crockery, rags, junk or similar refuse or garbage, and human excrement, but does not include,

(i) liquid wastes, free of solids, from water used in a pleasure boat for household purposes, or

(ii) exhaust wastes, cooling water and bilge water from a pleasure boat;

(*d*) "toilet", in relation to a pleasure boat, means equipment designed or used for defecation or urination by humans. O. Reg. 284/69, s. 1.

2. No person shall discharge or deposit, or cause or permit to be discharged or deposited, into any water, sewage from a pleasure boat. O. Reg. 284/69, s. 2 (1).

3. The owner and the operator of every pleasure boat in which a toilet is installed shall ensure that, while the boat is on water,

(*a*) the boat is equipped with approved storage equipment; and

(*b*) such toilet and approved storage equipment are installed so as to be non-portable. O. Reg. 284/69, s. 3, *amended*.

4. No owner of a pleasure boat shall install or cause or permit to be installed therein any equipment for the storage or for the incineration and storage of human excrement, including any such equipment that is an integral part of a toilet, of a type or specifications that have not been approved by the Commission. O. Reg. 284/69, s. 4 (1), *amended*.

5. The owner of a pleasure boat in which a toilet and approved storage equipment are installed shall ensure that the toilet and equipment are installed so that,

(*a*) the toilet and equipment are connected in such a manner that the equipment receives all toilet waste from the toilet;

(*b*) equipment designed for the storage of human excrement is provided with a deck fitting and such connecting piping as is necessary for the removal of toilet waste by shore-based pumping equipment;

(*c*) no means of removal of toilet waste is provided, other than the means mentioned in clause *b*;

(*d*) equipment designed for the incineration and storage of human excrement is supplied with such electrical current or other source of heat as is necessary to reduce to ash all excrement deposited therein; and

(*e*) all parts of the system for removal of toilet waste are congruent with one another and the boat. O. Reg. 284/69, s. 5.

REGULATION 645

under The Ontario Water Resources Commission Act

EXEMPTIONS FROM SECTION 38

1. Where a person adds any substance for any purpose set out in subsection 1 of section 38 of the Act to any well, lake, pond or reservoir that,

(*a*) is located wholly within the boundaries of land that is owned or in the lawful possession of the person by whom or on whose behalf the substance is added; and

(*b*) does not discharge water by any means directly or indirectly, other than by percolation, into a well, lake, river, pond, spring, stream, reservoir or other water or watercourse that is located wholly or partly outside the boundaries of such land.

he is exempt from the application of subsection 1 of section 38 of the Act. O. Reg. 70/63, s. 1.

2.—(1) In this section,

(*a*) "2, 4-D" means 2, 4-Dichlorophenoxyacetic acid;

(*b*) "2, 4, 5-T" means 2, 4, 5-Trichlorophenoxyacetic acid.

(2) Where, for the purpose of killing or affecting plants that emerge from or float on the surface of water, a person adds to a drainage ditch,

(*a*) any product that is registered under the *Pest Control Products Act* (Canada) with directions for use for control of plants that emerge from or float on the surface of water and the person uses the product in accordance with the directions; or

(*b*) any substance in which 2, 4-D or 2, 4, 5-T or both are the only ingredients active for such purpose and the person adds the substance at a rate not exceeding the equivalent of three pounds of 2, 4-D or three pounds of 2, 4, 5-T or three pounds of any mixture of 2, 4-D and 2, 4, 5-T per acre,

he is exempt from the application of subsection 1 of section 38 of the Act. O. Reg. 70/63, s. 2.

REGULATION 646

under The Ontario Water Resources Commission Act

MARINAS

1. In this Regulation,

(*a*) "commercial marina" means a place located on or adjacent to a body of water or a watercourse where overnight moorings, moorings for a fee, storage, repairs, or marine fuel are ordinarily provided for or supplied to pleasure boats in which toilets are installed and includes a place operated by a boat or yacht club;

(*b*) "litter" means organic and inorganic waste, except sewage, and includes fuel, lubricants, paper, rags, bottles, glass, plastics, crockery, cans, scrap metal, junk, or similar refuse or garbage;

(*c*) "marina" means a place located on or adjacent to a body of water or a watercourse where moorings or any services are provided for pleasure boats or the occupants thereof, and includes a commercial marina but does not include a place used primarily by the owner thereof for his purposes;

(*d*) "operator" includes the owner or lessee of a marina;

(*e*) "pleasure boat" means a boat used primarily for the carriage of a person or persons for pleasure, whether on charter or not, and whether for compensation or not, and includes a boat used on water for living purposes;

(*f*) "pump-out facility" means a device or equipment for removing sewage from a pleasure boat in which a toilet is installed by the use of hose or pipe connected to a pump or equipment designed to create suction and located other than on the boat from which the sewage is to be removed;

(*g*) "sewage" means all human excrement;

(*h*) "toilet", in relation to a pleasure boat, means equipment designed or used for defecation or urination by humans. O. Reg. 261/70, s. 1.

2. The operator of a marina shall,

(*a*) provide at the marina containers for litter in sufficient number and so located that they can be conveniently used by occupants of pleasure boats;

(*b*) ensure that the containers are maintained in a sound and sanitary condition; and

(*c*) dispose of litter in the containers in accordance with all applicable laws. O. Reg. 261/70, s. 2.

3. The operator of a commercial marina shall,

(*a*) provide at the marina or arrange for at another place a pump-out facility that is easily accessible to and can be conveniently used by occupants of pleasure boats in which toilets are installed that are using the marina;

(*b*) ensure that at all times during the period of operation of the marina any pump-out facility at the marina or arranged for at another place is in good operating condition;

(*c*) remove or cause to be removed sewage from a pleasure boat in which a toilet is installed by means of a pump-out facility at the request of the person in charge of such boat upon payment of fee; and

(*d*) transfer and dispose of sewage from any pump-out facility at the marina, or ensure the transfer and disposal of sewage from any pump-out facility arranged for at another place, in accordance with all applicable laws. O. Reg. 261/70, s. 3.

REGULATION 647

under The Ontario Water Resources Commission Act

PLUMBING CODE

INTERPRETATION

1.—(1) In this Regulation,

1. "air gap", when used with reference to a supply system, means the unobstructed vertical distance through the free atmosphere between,

   (*a*) the lowest opening from any pipe or faucet supplying water to a tank or fixture; and

   (*b*) the flood level rim of the tank or fixture;

2. "appliance" means a receptacle or equipment that receives or collects water, liquids or sewage and discharges water, liquids or sewage directly into an indirect waste pipe or a fixture;

3. "area drain" means a drain installed to collect surface water from an open area;

4. "back flow" means such flow of,

   (*a*) water from any place; or

   (*b*) any solid, liquid or gaseous substance or any combination thereof,

   into a distributing pipe for potable water as may make the water in that pipe non-potable;

5. "back-flow preventer" means a device to prevent back flow from the outlet end of the supply system;

6. "back vent" means a pipe installed to vent a trap or waste pipe and connected to the vent system at a point above the fixture served by the trap or waste pipe; and "back vented" has a corresponding meaning;

7. "backwater valve" means a valve installed in a building drain or building sewer to prevent sewage from flowing back into the building;

8. "bar sink" means a receptacle for the disposal of liquid wastes only;

9. "black steel" means steel that is not coated with any metallic substance;

10. "black wrought iron" means wrought iron that is not coated with any metallic substance;

11. "branch vent" means a vent pipe connecting one or more individual vent pipes to a vent stack or a stack vent;

12. "building drain" means the horizontal piping of drainage piping in or adjacent to a building or other structure that receives the discharge from drainage piping and conveys it to the building sewer, and includes offsets;

13. "building sewer" means that part of drainage piping outside a building or other structure, that connects a building drain to the main sewer or, where the place of disposal of the sewage is on the property, to the place of disposal on the property and that commences at a point three feet from the outer face of the wall of the building or other structure and terminates at the property line or place of disposal on the property;

14. "building storm drain" means the horizontal piping of storm drainage piping in or adjacent to a building that receives the discharge from storm drainage piping and conveys it to the building storm sewer, and includes offsets;

15. "building storm sewer" means that part of storm drainage piping outside a building or other structure that connects the building storm drain to the main storm sewer or, where the place of disposal is on the property, to the place of disposal on the property, and that commences at a point three feet from the outer face of the wall of the building or other structure and terminates at the property line or place of disposal on the property;

16. "building trap" means a running hand hole trap installed in a building drain to prevent circulation of air between the building drain and the building sewer;

17. "circuit vent" means a vent that functions for two or more traps and extends to a vent stack from a point on a horizontal branch in front of the last connected fixture; and "circuit vented" has a corresponding meaning;

18. "clean-out" means a device that has a removable cap or plug securely attached to it and is so constructed that it can be installed

in a pipe so that the cap or plug can be removed to permit pipe cleaning apparatus to be inserted into the pipe;

19. "continuous waste and vent" means a vent pipe that is a vertical extension of a vertical waste pipe and includes the vertical waste pipe;

20. "copper tube" means copper tube or tubing having the dimensions and characteristics set out in Table 9;

21. "dead end" means a branch leading from drainage piping or a vent pipe that ends in a cap, plug or other closed fitting;

22. "developed length", when used with reference to a pipe, means its length along the centre line of the pipe;

23. "distributing pipe" means a pipe to convey water from a service pipe to a fixture or to an outlet and includes the control valves and fittings connected in it, but does not include a meter or control valve or other device owned and controlled by the supplier of the water;

24. "drainage piping" means all the connected piping that conveys sewage to a place of disposal, including the building drain, building sewer, soil pipe, soil stack, waste stack and waste pipe but does not include,

    (*a*) a main sewer; and

    (*b*) piping used for sewage in a sewage plant,

    and "drainage pipe" means any pipe in drainage piping;

25. "dry vent" means a vent pipe that is not a wet vent;

26. "dual vent" means a vent pipe connecting at a junction of waste pipes serving two fixtures and serving as a common vent pipe for both fixtures;

27. "effective opening" means the cross-sectional area of a faucet, fitting or pipe at the point of discharge;

28. "faucet" means a water tap;

29. "first" when used with reference to the connection of a fixture to a horizontal branch, means nearest to the waste stack or soil stack;

30. "fixture" means a receptacle or equipment that receives water, liquids or sewage and discharges water, liquids or sewage directly into drainage piping;

31. "fixture trap" means a trap integral with or serving a fixture and includes an interceptor serving as a trap for a fixture;

32. "fixture unit" means the unit in which the hydraulic load produced by fixtures is expressed and determined under section 81;

33. "flood level" means the level at which water begins to overflow the top or rim of a fixture;

34. "flood level rim" means the top edge of a receptacle from which water overflows;

35. "floor drain" means a drain to receive water from a floor of a building;

36. "flush valve" means a valve for flushing a sanitary unit;

37. "foundation drain" means a drain installed below the surface of the ground to collect and convey water from the foundation of a building or other structure;

38. "graded", when used with reference to a pipe, means its slope with reference to the true horizontal;

39. "header" when used with reference to drainage piping or vent piping means a pipe that receives the flow from two or more pipes;

40. "horizontal" means not departing from the true horizontal plane by more than 45°;

41. "horizontal branch" means that part of a waste pipe that is horizontal and installed to convey the discharge from more than one fixture;

42. "indirect waste" means waste that is not discharged directly into drainage piping;

43. "indirect waste pipe" means a waste pipe that does not connect directly with drainage piping, but discharges into it through a trapped fixture;

44. "in front of", when used with reference to the point of connection of a fixture to a horizontal branch, means in the direction of discharge;

45. "inspector" means a person appointed or authorized by a municipality to carry out the inspections prescribed by this Regulation;

46. "interceptor" means a receptacle to prevent oil, grease, sand or other materials from passing into drainage piping;

47. "last", when used with reference to the point of connection of a fixture to a horizontal branch, means farthest from the waste stack, soil stack or building drain to which the horizontal branch is connected;

48. "loop vent" means a branch vent that functions for two or more traps and loops back or extends to a stack vent from a point in front of the last connection of a fixture to a horizontal branch; and "loop vented" has a corresponding meaning;

49. "main sewer" means the public sewer including its branches;

50. "multiple unit dwelling" means a building so constructed, altered or used as to provide accommodation for more than one family to dwell in separately; and includes,

    (*a*) flats;

    (*b*) semi-detached housing;

    (*c*) duplex and multiplex housing;

    (*d*) row housing;

    (*e*) condominium housing; and

    (*f*) residence apartment buildings but not apartment hotels,

    except that all communal areas in such buildings shall be regarded as public;

51. "offset", when used with reference to piping, means a pipe or a bend of pipe or both that takes one section of the piping out of line with, but parallel to, another section;

52. "open air" means the atmosphere outside a building;

53. "outlet", when used with reference to distributing pipe, means an opening at which water is discharged from the pipe,

    (*a*) from a faucet;

    (*b*) into a boiler or a heating system;

    (*c*) into a device or equipment that is operated by water and that is not part of the distributing system; or

    (*d*) into the open air, other than into an open tank forming part of the supply system;

54. "pipe" or "piping" includes tube and tubing other than copper tube or tubing and includes fittings;

55. "plumbing" means,

    (*a*) a system of connected piping, fittings, valves and appurtenances that receives water from a source of supply that is on a property or from a public watermain and conveys the water into and within a building or to a place of use on the property and where the source is on the property, that commences at the source of supply or at the property line and includes all tanks, pumps, heaters, coils, strainers and treatment devices designed to make physical, chemical or bacteriological changes in the water being conveyed;

    (*b*) fixtures;

    (*c*) drainage piping, including all traps, fittings and appurtenances;

    (*d*) storm drainage piping, including all traps, fittings and appurtenances; and

    (*e*) a vent system, including all fittings and appurtenances,

    but does not include,

    (*f*) any system of piping,

        (i) for space heating wherein water is used as a medium to transfer heat,

        (ii) in which liquids or vapours are circulated for the purpose of cooling or refrigeration,

        (iii) through which air is passed for the purpose of controlling the temperature, humidity or motion of the air passing through the system,

        (iv) that consists wholly or partly of piping that conveys water primarily for the purpose of fire control,

        (v) that conveys water for the purpose of providing water or nutrients to the soil,

        (vi) that conveys water for the purpose of landscaping or for the care of animals, birds or fish,

        (vii) that transmits force by means of water or by means of a

liquid other than water in which water is used for cooling,

(viii) that conveys liquids for the purpose of melting ice or snow,

(ix) that uses water in the conveyance of flammable gas for fuel; or

(*g*) a well, a well pump installed for the purpose of conveying water from the well, a pressure tank and pump if the tank and pump are combined as a unit, the piping between any well pump and the well, the piping between a well pump and a pressure tank that is installed separate from the pump and the connection of the piping to such pressure tank, and where there is no well pump, any piping connected to the well for a distance of three feet from the outside wall of the well;

56. "potable water" means water fit for human consumption;

57. "potable water system" means the plumbing that conveys potable water;

58. "public building" means any building to which the public has a right of access and, without limiting the generality of the foregoing, includes,

(*a*) a boarding house having equipment to provide meals for ten or more boarders;

(*b*) a building occupied by a municipal, public utility or educational body;

(*c*) food premises within the meaning of Regulation 706 of Revised Regulations of Ontario, 1970;

(*d*) an industrial establishment as defined in *The Industrial Safety Act*;

(*e*) a hotel as defined in *The Hotel Fire Safety Act*;

(*f*) a lodging house having accommodation for ten or more lodgers;

(*g*) a public hall as defined in *The Public Halls Act*;

(*h*) a tourist establishment as defined in *The Department of Tourism and Information Act*; and

(*i*) premises, whether enclosed or not, where,

(i) any cinematograph or moving-picture machine or similar apparatus is operated,

(ii) any theatrical performance, carnival, circus, side show, menagerie, concert, rodeo, exhibition, horse race, athletic contest or other exhibition is staged or held, or

(iii) facilities for dancing or ice skating or roller skating are provided,

and to which admission is granted upon payment for admission;

59. "public washroom" means any room that contains one or more sanitary units and to which,

(*a*) employees of a business or institution;

(*b*) patrons of, or visitors to, a place of business;

(*c*) students, patients, inmates or visitors of an institution;

(*d*) the travelling or transient public; or

(*e*) all tenants of an apartment building or condominium,

would expect to have the right of access without any special permission from management;

60. "rain water leader" means a conductor inside a building or other structure that conveys storm water from the roof of the building or other structure to a building storm drain or other place of disposal;

61. "relief vent" means a vent pipe discharging into a vent stack and connected to a horizontal branch between the first fixture connection and the soil stack or waste stack;

62. "rim" means the unobstructed open edge of a fixture;

63. "riser" means a supply pipe that extends through at least one full storey to convey water;

64. "sanitary unit" means a water-closet, urinal or bedpan washer;

65. "service pipe" means the pipe that conveys water between the main shut-off valve on the public water system and the control shut-off valve in a supply system;

66. "sewage" means any liquid waste containing animal, vegetable or mineral matter in suspension or solution but does not include storm water;

67. "sewage tank," means a sump that is air-tight except for the vent required by section 135 and that receives the discharge of sewage from a subdrain;

68. "sink" means a receptacle for general washing or for receiving liquid wastes;

69. "soil stack" means a stack that conveys the discharge of sanitary units with or without the discharge from any other fixture;

70. "stack" means that part of drainage piping that is vertical and that runs from the building drain or sewage tank to the open air and includes offsets;

71. "stack vent" means the extension of a soil stack or waste stack above the highest connection of a waste pipe to the stack;

72. "storm drainage pipe" means any pipe in storm drainage piping;

73. "storm drainage piping" means all the connected piping that conveys storm water to a place of disposal and includes the building storm drain, building storm sewer, rain water leader, foundation drain and area drain installed to collect surface water from the area of a building and the piping that drains water from a swimming pool or from water cooled air-conditioning equipment but does not include,

    (*a*) a main storm sewer; or

    (*b*) a sub-surface drain;

74. "storm water" means rain water, melted snow or ice and water in the subsoil;

75. "subdrain" means a drain that is at a level lower than the building drain and the building sewer;

76. "sub-surface drain" means a drain, other than a foundation drain, installed to collect water from subsoil;

77. "sump" means a watertight tank,

    (*a*) that receives the discharge of drainage water from a subdrain; and

    (*b*) from which the discharge flows or is ejected into drainage piping by pumping;

78. "supply system" includes the service pipe, distributing pipe and all connecting pipes, fittings, control valves and devices;

79. "trap seal" means the vertical depth of water between the crown weir and the trap dip;

80. "trap standard" means the trap for a fixture that is integral with the support for the fixture;

81. "vent stack" means a continuous run of vent pipe connected to a soil stack, waste stack or building drain and terminating in the open air;

82. "vent system" means a system of piping installed to provide a flow of air to or from drainage piping or storm drainage piping;

83. "vertical" means not departing from the true vertical plane by more than 45°;

84. "wash basin" means a receptacle for washing any part of the human body;

85. "waste pipe" means that part of drainage piping that runs from a fixture to a waste stack, soil stack, building drain or sewage tank;

86. "waste stack" means a stack that is not a soil stack;

87. "water-closet" means a fixture commonly so known;

88. "wet vent" means a waste pipe functioning also as a vent pipe;

89. "yoke vent" means a vent pipe connecting a soil stack or a waste stack to a vent stack. R.R.O. 1960, Reg. 471, s. 1 (1); O. Reg. 246/66, s. 1 (1-7, 9); O. Reg. 221/67, s. 1; O. Reg. 5/70, s. 1, *amended*.

(2) A mezzanine storey or floor in or upon which a fixture is installed shall be deemed to be a separate storey or floor. R.R.O. 1960, Reg. 471, s. 1 (2).

2.—(1) This Regulation applies to plumbing other than plumbing constructed, repaired, renewed or altered for the sole purpose of industrial processes.

(2) This Regulation does not apply to those parts of territorial districts without municipal organization. R.R.O. 1960, Reg. 471, s. 2 (1, 2).

(3) This Regulation applies to the connection of plumbing that is subject to this Regulation with plumbing that is not subject to this Regulation. O. Reg. 246/66, s. 2.

3. No person shall construct, repair, renew or alter plumbing except in conformance with this Regulation. R.R.O. 1960, Reg. 471, s. 3.

4.—(1) Where plumbing has been constructed, repaired, renewed or altered, the plumbing shall not be put into use until it has been inspected and found to conform to this Regulation.

(2) Subsection 1 does not apply to,

(*a*) the repairing or replacement of a valve, faucet or fixture; or

(*b*) the repairing of a leak or forcing out of a stoppage.

(3) Every municipality shall carry out such inspections as are prescribed by this Regulation.

(4) Where any plumbing to be inspected is concealed, the inspector may refuse to make his inspection until the plumbing is completely uncovered and made accessible to him. R.R.O. 1960, Reg. 471, s. 4.

5.—(1) An inspection shall be made within seven days after notification in writing to the municipality or its authorized agents that the construction, repair, renewal or alteration is ready for inspection.

(2) Where an inspection is made, the person who has constructed, repaired, renewed or altered the plumbing being inspected shall make the tests prescribed by this Regulation under the supervision of the inspector.

(3) Where the inspector finds that the construction, repair, renewal or alteration does not conform to this Regulation, he shall forward to the person who has constructed, repaired, renewed or altered the plumbing and the person who has the right to possession of the premises or the owner particulars in writing of the non-conformance.

(4) Forthwith after finding that the construction, repair, renewal or alteration conforms to this Regulation, the inspector shall certify the conformance in writing to the person who has the right to possession of the premises or the owner and upon request shall forward a copy of the certificate of conformance to the person who has constructed, repaired, renewed or altered the plumbing. R.R.O. 1960, Reg. 471, s. 5 (1-4).

(5) Notwithstanding anything contained in this section, a municipality shall from time to time inspect any plumbing which it has cause to believe does not conform to this Regulation, and shall require that any such plumbing be remedied forthwith by the owner or the person who has the right to possession of the premises, so that the use or operation of any plumbing fixture or appliance connected to the plumbing system shall not,

(*a*) contaminate or endanger a potable water supply;

(*b*) leave or tend to leave any drainage opening in a building with less than one inch of water seal; or

(*c*) discharge waste from the system to a point where it becomes a source of water pollution. O. Reg. 5/70, s. 2.

PART I

GENERAL

Material

6.—(1) Except as otherwise provided, this Part applies to all piping and copper tubing.

(2) Except in piping of lead, copper, black wrought iron or black steel, no joint shall be welded.

(3) A butt-fused joint in piping or tubing of copper or brass shall be made with solder that will not melt at a temperature less than 800°F. O. Reg. 246/66, s. 3.

7. Used, defective or damaged material shall not be used unless it conforms to the requirements for new material. R.R.O. 1960, Reg. 471, s. 7; O. Reg. 246/66, s. 4.

8.—(1) Sheet lead used in the construction, repair, renewal or alteration of plumbing shall,

(*a*) consist of not less than 99.85 per cent of lead; and

(*b*) weigh not less than five pounds a square foot.

(2) Lead used for caulking shall consist of not less than 99.73 per cent of lead. R.R.O. 1960, Reg. 471, s. 8.

9.—(1) Lead waste pipe for water-closets shall be of a weight of at least eight pounds per square foot at the thinnest place.

(2) Lead bends or lead stubs connected to pipe or fittings of other material shall be fused, swaged, or spun on to the other material so as to make a permanently water-tight joint. O. Reg. 5/70, s. 3.

10.—(1) Solder used for wiped joints of lead-to-lead or lead-to-brass or lead-to-copper shall consist of,

(*a*) not less than 57.85 per cent of lead;

(*b*) not less than 30 per cent, but not more than 40 per cent, of tin; and

(*c*) not more than 2 per cent of antimony,

and may contain not more than .15 per cent of impurities.

(2) The solder shall not contain aluminum or zinc. R.R.O. 1960, Reg. 471, s. 10.

11.—(1) Copper pipe or copper tube shall contain,

(*a*) not less than 99.9 per cent of copper; and

(*b*) not more than .04 per cent of phosphorus.

(2) Brass pipe shall contain 84 to 86 per cent of copper, not more than .06 per cent of lead, not more than .05 per cent of iron and the remainder shall be zinc. R.R.O. 1960, Reg. 471, s. 11.

12.—(1) Copper or brass pipe of a trade size set out in column 1 of Table 2 shall have,

(*a*) the actual outside diameter set out in column 2 of Table 2;

(*b*) where the pipe is installed as standard pipe, the nominal wall thickness set out in column 3 of Table 2; and

(*c*) where the pipe is installed as extra heavy pipe, the nominal wall thickness set out in column 6 of Table 2.

(2) Copper or brass pipe of a trade size set out in column 1 of Table 2 shall have the nominal weight in pounds per foot of length,

(*a*) where the pipe is installed as standard pipe, set out in column 4 for copper and column 5 for brass; and

(*b*) where the pipe is installed as extra heavy pipe, set out in column 7 for copper and column 8 for brass.

(3) The wall thickness of copper or brass pipe shall not be less than the nominal wall thickness determined under subsection 1 by a greater tolerance than,

(*a*) where the pipe is 6 inches or less, trade size, 5 per cent;

(*b*) where the pipe is over 6 inches and not over 8 inches, trade size, 7 per cent; and

(*c*) where the pipe is over 8 inches, trade size, 8 per cent.

(4) The weight of copper or brass pipe shall not vary from the weight determined under subsection 2 by a greater tolerance than,

(*a*) where the pipe is 6 inches or less, trade size, 5 per cent;

(*b*) where the pipe is over 6 inches and not over 8 inches, trade size, 7 per cent; and

(*c*) where the pipe is over 8 inches, trade size, 8 per cent. R.R.O. 1960, Reg. 471, s. 12.

13.—(1) Copper tube of a trade size set out in column 1 of Table 9 shall have,

(*a*) the actual outside diameter set out in column 2 within the tolerance set out in column 3 or 4, as the case may be;

(*b*) the nominal wall thickness set out in column 5, 7, 9 or 11 for Type K, Type L, Type M or Type DWV, respectively and the actual wall thickness shall not vary from the nominal by a tolerance of more than that set out in column 6, 8, 10 or 12, respectively; and

(*c*) the weight per foot set out in column 13, 14, 15 or 16 for Type K, Type L, Type M or Type DWV, respectively. R.R.O. 1960, Reg. 471, s. 13 (1).

(2) The dimensions of copper tube that is buried underground outside, but not under, a building shall not be less than those for Type K in Table 9. O. Reg. 5/70, s. 4 (1).

(3) Where copper tube that is used as a waste pipe or vent pipe is buried underground within a building, the dimensions of the tube shall be not less than those for Type L in Table 9.

(4) Where copper tube that is used as a waste pipe or vent pipe is buried underground outside a building, the dimensions of the tube shall be not less than those for Type K in Table 9. R.R.O. 1960, Reg. 471, s. 13 (3, 4).

(5) Copper tube in a supply system, when installed underground under a building or above ground inside a building, shall have dimensions not less than those for Type L in Table 9. O. Reg. 5/70, s. 4 (2).

(6) Copper tube installed above ground and used as a waste pipe or vent pipe shall have dimensions not less than those for Type DWV in Table 9.

(7) Hard copper tube shall not be installed unless its manufacturer has permanently marked thereon at intervals of not more than two feet throughout its length a designation indicating that it is K, L, M or DWV type. R.R.O. 1960, Reg. 471, s. 13 (6, 7).

14.—(1) Soldered pressure fittings and soldered drainage fittings made by the casting process shall contain the metals set out in items 1 and 2 of the Table in proportions at least those set out in column 2, and shall not contain metals other than those in items 3 to 7 and those metals shall not be in proportions greater than those in column 2, as follows:

TABLE

Column 1	Column 2
1. Copper	78.0% minimum
2. Tin	2.25% minimum
3. Lead	8.0% maximum
4. Zinc	10.0% maximum
5. Nickel	1.0% maximum
6. Iron	0.4% maximum
7. Phosphorus	0.05% maximum

(2) Soldered pressure fittings and soldered drainage fittings made by the forging process shall not contain any metal in items 2, 3 and 4 of the Table in proportions in excess of the percentages in column 2 and shall contain the metals in items 1 and 5 in proportions at least those in column 2, as follows:

TABLE

Column 1	Column 2
1. Copper	58.0% minimum
2. Tin	1.5% maximum
3. Lead	2.5% maximum
4. Iron	0.30% maximum
5. Zinc	Remainder

Total of other impurities, 0.5% maximum.

(3) Soldered pressure fittings and soldered drainage fittings made by the machining process shall not contain the metals in items 2, 3, 4 and 5 of the Table in proportions in excess of the percentages in column 2 and shall contain the metals in items 1 and 6 in proportions at least those in column 2, as follows:

TABLE

Column 1	Column 2
1. Copper	60.0% minimum
2. Tin	1.2% maximum
3. Lead	3.7% maximum
4. Nickel	1.2% maximum
5. Iron	0.35% maximum
6. Zinc	Remainder

Total of other impurities, 0.5% maximum.

(4) Soldered pressure fittings and soldered drainage fittings made by the wrought process shall not contain the metals in items 2, 3, 4 and 5 of the Table in proportions in excess of the percentages in column 2 and shall contain the metals in items 1 and 6 in proportions at least those in column 2, as follows:

TABLE

Column 1	Column 2
1. Copper	84.0% minimum
2. Tin	1.2% maximum
3. Lead	0.06% maximum
4. Iron	0.05% maximum
5. Phosphorus	0.04% maximum
6. Zinc	Remainder

R.R.O. 1960, Reg. 471, s. 14.

15. Soldered drainage fittings shall be of the DWV Type and permanently marked DWV. R.R.O. 1960, Reg. 471, s. 15.

16. A brass caulking ferrule of a trade size itemized in column 1 of Table 3 shall,

(*a*) conform to the specifications prescribed for brass piping by subsection 2 of section 11;

(*b*) have an actual inside diameter not less than that prescribed in column 2;

(*c*) be of a length not less than that prescribed in column 3; and

(*d*) have weight not less than that prescribed in column 4. R.R.O. 1960, Reg. 471, s. 16.

17. A brass soldering nipple of a trade size itemized in column 1 of Table 4 shall,

(*a*) conform to the specifications prescribed for brass piping by subsection 2 of section 11;

(*b*) be of a length not less than that prescribed in column 2; and

(*c*) have weight not less than that prescribed in column 3. R.R.O. 1960, Reg. 471, s. 17.

18. A brass soldering hub of a trade size itemized in column 1 of Table 5 shall,

(*a*) conform to the specifications prescribed for brass piping by subsection 2 of section 11;

(*b*) have an actual inside diameter not less than that prescribed in column 2;

(*c*) be of a length not less than that prescribed in column 3; and

(*d*) have weight not less than that prescribed in column 4. R.R.O. 1960, Reg. 471, s. 18.

SUPPORT OF PIPES

19.—(1) An underground pipe shall be supported and protected in such manner and at such intervals as will prevent the pipe and the joints from being subjected to any stress likely to cause breakage. R.R.O. 1960, Reg. 471, s. 19 (1).

(2) A pipe passing under or through a wall or connected to a catch basin shall be protected against breakage in accordance with section 51. O. Reg. 246/66, s. 6 (1).

(3) A metal pipe passing under or through cinders or corrosive material shall be protected against corrosion by a heavy coat of bituminous or similar material applied to the outside of the pipe. R.R.O. 1960, Reg. 471, s. 19 (3).

(4) The supply system, drainage piping and storm drainage piping shall be protected from damage and freezing, and when thermal insulation is installed for the protection of a pipe, it shall completely surround the pipe and be attached to the pipe. O. Reg. 5/70, s. 5.

(5) Provision shall be made for expansion or contraction of piping by means of expansion joints or expansion loops. R.R.O. 1960, Reg. 471, s. 19 (5); O. Reg. 246/66, s. 6 (3).

20.—(1) Vertical piping shall be supported and anchored with substantial rests appropriate for the purpose. R.R.O. 1960, Reg. 471, s. 20 (1); O. Reg. 5/70, s. 6 (1).

(2) Subject to subsection 3, the rests shall be set not farther apart than,

(*a*) the floor levels of alternate storeys; or

(*b*) twenty-five feet vertical distance,

whichever is the lesser. R.R.O. 1960, Reg. 471, s. 20 (2).

(3) Where pipes are offset or branched, the rests shall be placed at such shorter intervals as are necessary to support and keep the piping in alignment when full of liquid. R.R.O. 1960, Reg. 471, s. 20 (2, 3).

(4) The rests mentioned in subsections 2 and 3 shall be,

(*a*) anchors which hold the pipe fixed in relation to the building or structure at the point of anchorage; or

(*b*) supports which hold the pipe in proper alignment but which permit relative motion induced by differential thermal expansion,

as the case may be. O. Reg. 5/70, s. 6 (2).

(5) Anchorage and support points shall be selected so that,

(*a*) there can be no change of location of the pipe relative to the building or structure;

(*b*) no pipe, pipe anchor or support, or fixture is stressed beyond its working limit; and

(*c*) thermal expansion is not restrained, but the movement caused thereby is guided and controlled. O. Reg. 5/70, s. 6 (2).

21.—(1) Subject to subsections 2 to 5, horizontal piping shall be supported at points sufficiently close,

(*a*) to prevent the pipe from sagging when it is full of liquid; and

(*b*) to keep it in alignment when it is full of liquid.

(2) No interval between supports shall be greater than eight feet.

(3) Lead pipe in horizontal runs shall be supported throughout its entire length. R.R.O. 1960, Reg. 471, s. 21 (1-3).

(4) Horizontal runs of drainage pipe and storm drainage pipe with joints that are not fused or screwed or do not incorporate bolted flanges and that are not supported by earth shall be supported at intervals not greater than five feet and, where such pipe has successive fittings with no pipe between the fittings exceeding twelve inches in length, the pipe shall be supported at intervals not greater than three feet. O. Reg. 246/66, s. 7 (2).

(5) Piping in horizontal runs of material other than lead or cast iron shall be supported at intervals of not more than,

(*a*) eight feet for pipes larger than ¾ inch, trade size; and

(*b*) six feet for pipes of ¾ inch or smaller, trade size. R.R.O. 1960, Reg. 471, s. 21 (5).

(6) Piping with joints that are not fused or screwed or do not incorporate bolted flanges and that,

(*a*) is of a diameter or area set out in columns 2 to 10, both inclusive, of Table 1; and

(*b*) is subjected to any of the internal pressures set out in column 1 of Table 1,

shall be braced to withstand the separating force set out in the column that contains the diameter or area of the pipe and set opposite the internal pressure in column 1. O. Reg. 246/66, s. 7 (2).

22.—(1) Where a hanger is used, the hanger shall be of metal and,

(*a*) subject to subsections 3 and 4, shall come into contact with the pipe wall;

(*b*) shall be of a design and strength sufficient to support the load carried; and

(*c*) shall be securely attached to the building. O. Reg. 246/66, s. 8; O. Reg. 5/70, s. 7.

(2) Where a hanger is attached to stone, brick, cement, concrete or other similar material, the attachment shall be made by means of plugs fitted into the material that do not damage the material and made of metal or other substance that will not shrink. O. Reg. 246/68, s. 8; O. Reg. 221/67, s. 2 (1).

(3) Where copper tube or copper or brass pipe is at a distance of one inch or less from the hanger or other metal that is different from the tube or pipe, the tube or pipe shall be insulated with plastic, rubber or other similar suitable material designed to prevent the transmission of an electric current. O. Reg. 246/68, s. 8.

(4) Where distributing piping designed to convey water of 65° F. or less is insulated or is insulated and vapour sealed, the insulation or insulation and vapour seal, as the case may be, may separate the hanger and the pipe if a shoe plate designed and installed to protect the insulation or the insulation and the vapour seal separates the hanger and the insulation or the insulation and the vapour seal, as the case may be. O. Reg. 246/66, s. 8.

(5) Where a hanger is attached to a ceiling or other overhead structure, the attachment shall not be made by means of any fastener that is driven into the ceiling or structure. O. Reg. 221/67, s. 2 (2).

PART II

WATER SYSTEMS

General

23. This Part applies to supply systems conveying potable water. R.R.O. 1960, Reg. 471, s. 23.

24.—(1) No connection shall be made in a potable water system whereby any foreign matter or non-potable water may enter the potable water system.

(2) No person shall interfere with a potable water system in such manner as to cause the water to become non-potable.

(3) No pipe or fitting that has been used for any purpose other than the distribution of potable water shall be installed in a potable water system.

(4) A potable water system shall be separate from and independent of a supply system for non-potable water.

(5) No pipe conveying non-potable water or sewage shall be run where it may contaminate the water in,

(*a*) a tank for potable water that is not a pressure tank; or

(*b*) any food handling equipment.

(6) No part of a sewage ejector shall be connected to any part of a potable water system. R.R.O. 1960, Reg. 471, s. 24 (1-6).

(7) No connection shall be made between a potable water system supplied with water by a public authority and any other potable water system without the consent of the public authority. O. Reg. 246/66, s. 9.

25.—(1) A tank for distributing potable water that is not a pressure tank shall have a cover sufficiently tight fitting to keep foreign matter from entering the water.

(2) Every well, pump, tank, filter, softener, appliance and device connected to a potable water system shall be provided with such covers, walls, copings and casings as entirely exclude superficial ground or surface water and other sources of contamination. R.R.O. 1960, Reg. 471, s. 25.

26. All newly installed repaired or altered parts of a potable water system shall, before the system is put into use, be thoroughly cleansed to ensure freedom from contamination. R.R.O. 1960, Reg. 471, s. 26.

27. All piping conveying non-potable water shall be,

(*a*) identified by distinct, easily recognizable, permanent marking; and

(*b*) not accessible as a supply of water for human consumption or for preparation of food. R.R.O. 1960, Reg. 471, s. 27.

28. Non-potable water shall not be conveyed to any part of a food processing establishment where food is being processed. R.R.O. 1960, Reg. 471, s. 28.

PIPING

29.—(1) Subject to subsection 2, service piping and distributing piping shall be of,

(*a*) brass, conforming to sections 11 and 12;

(*b*) cast iron, conforming to section 32;

(*c*) copper, conforming to sections 11 and 12;

(*d*) ductile-iron pipe that is centrifugally cast and has a manufacturers' rating adequate to the service conditions;

(*e*) open hearth iron, conforming to section 33;

(*f*) steel, conforming to section 34; or

(*g*) wrought iron, conforming to sections 35 and 36. R.R.O. 1960, Reg. 471, s. 29 (1); O. Reg. 5/70, s. 8.

(2) Service piping or distributing piping that is installed underground and is to convey exclusively water of a temperature of less than 100° Fahrenheit may be of polyethylene if the pipe,

(*a*) is non-toxic;

(*b*) contains not less than 2 per cent of channel carbon black, having a particle size of 10 to 22 millimicrons mean effective diameter and being well dispersed as revealed by microscopic examination;

(*c*) contains an anti-oxidant;

(*d*) is permanently identified at intervals of not more than twenty feet;

(*e*) is composed of unused polyethylene, single pass rework polyethylene or a blend of unused polyethylene with single pass rework polyethylene that is of the same type and kind and manufactured by the same manufacturer;

(*f*) is capable of withstanding a working pressure of at least 100 p.s.i. and is permanently marked with the working pressure at intervals of not more than twenty feet;

(*g*) is capable of withstanding a burst pressure of 400 per cent of the working pressure where the pressure is increased at a constant rate of 10 per cent of the burst pressure every six seconds at a temperature of 70° F.;

(*h*) while subjected, during the Kellam Stress Cracking Test, to an internal pressure of 200 per cent of its working pressure for at least three hours, produces no failures out of six pieces tested;

(*i*) has fittings of a material not containing any polystyrene that are secured by clamps of which all parts are made only of stainless steel,

and if each of ten samples, each from .23 to .27 inches wide, .065 to .085 inches thick and 1¼ inches long, cut from a sheet pressed from the pipe, shows no sign of cracking when,

(*j*) clamped so that from .75 to 1.25 inches is unsupported;

(*k*) under a temperature of −55° C.; and

(*l*) the unsupported section is struck a blow with an instrument having a striking edge with a radius of 1/16th of an inch moving at a speed of from six to seven feet per second, at a point where the centre line of the striking edge is from .30 to .32 inches from the face of the clamp holding the specimen. R.R.O. 1960, Reg. 471, s. 29 (2); O. Reg. 178/64, s. 1 (1).

(3) Where a pipe or fitting of a trade size smaller than 2 inch of iron or of steel of any kind is used, it shall be zinc galvanized or cement lined and, subject to subsection 4, where it is underground, it shall be of a trade size not smaller than 1¼ inch. O. Reg. 178/64, s. 1 (2).

(4) Black iron or black steel pipe or fittings shall not be installed underground. O. Reg. 178/64, s. 1 (2).

30.—(1) In this section, "asbestos cement pipe" means pipe,

(*a*) composed of an homogenous mixture of portland cement and asbestos fibre, free from organic matter and suitable for conveying water under pressure;

(*b*) the inside surface of which is smooth and free from any defect that results in a variation in the inside diameter of more than 0.187 inch;

(*c*) the inside diameter of which, measured three inches from any end of the pipe, is not more than 5 per cent less than the trade size of the pipe;

(*d*) that is an uncut length of thirteen feet with a tolerance of minus one inch; and

(*e*) the centre line of which does not deviate from a straight line by more than $\frac{5}{8}$ of an inch.

(2) Where service piping or distributing piping to convey exclusively water of a temperature of less than 100° Fahrenheit and of a trade size not smaller than 4 inch is installed underground, it may be asbestos cement pipe if it is of a class referred to in column 1 of Table 26 and if it is of a trade size itemized in column 2 and if it,

(*a*) is capable of withstanding the working pressure in pounds per square inch set opposite thereto in column 3;

(*b*) is capable of withstanding the hydrostatic test pressure in pounds per square inch set opposite thereto in column 4;

(*c*) has flexural strength to withstand a total load in pounds of not less than that set opposite thereto in column 5 if the load is applied at mid-span of a span of pipe thirteen feet in length; and

(*d*) has the crushing strength in pounds per lineal foot of piping not less than that set opposite thereto in column 6.

(3) Asbestos cement pipe or fittings shall not be installed unless the manufacturer has permanently marked thereon the class of pipe, the trade size and the identification of the manufacturer. O. Reg. 178/64, s. 2.

31.—(1) In this section, "boss" means a protuberance or knob that is on the outside of a pipe and that causes the pipe wall to be thicker at that point than the rest of the pipe wall. O. Reg. 178/64, s. 2.

(2) Except as provided in subsections 3, 4 and 5 no metal pipe or copper tube shall be drilled or tapped. O. Reg. 178/64, s. 2.

(3) Metal pipe of a wall thickness of 0.34 inch or more and of a trade size of 4 inch or more may be drilled and tapped without a boss if the maximum trade size of the tap does not exceed $\frac{1}{4}$ of the trade size of the metal pipe being tapped. O. Reg. 178/64, s. 2.

(4) Metal pipe or copper tube of a wall thickness of less than 0.34 inch and of a trade size of less than 4 inch may be drilled and tapped if it is drilled and tapped through a boss provided for drilling and tapping. O. Reg. 178/64, s. 2.

(5) Copper tube of the dimensions of Type K or Type L in Table 9 may be drilled with a mechanical tee turner that produces a tee with cylindrical walls that are smooth on the inside and limit the depth of insertion of the tube that fits into the tee. O. Reg. 178/64, s. 2; O. Reg. 246/66, s. 11.

32. Distributing piping or service piping of cast iron shall have a tensile strength to withstand an internal hydrostatic pressure of at least 150 p.s.i. R.R.O. 1960, Reg. 471, s. 30.

33.—(1) Welded alloyed open hearth iron piping of a trade size itemized in column 1 of Table 6 shall,

(*a*) have a wall thickness not less than that prescribed in column 2;

(*b*) subject to subsection 2, have a tensile strength to withstand internal hydrostatic pressure of at least the number of pounds per square inch prescribed in,

(i) column 3, for furnace butt-welded piping, or

(ii) column 4, for electric welded piping;

(*c*) have a weight for each linear foot, when threaded and with couplings attached, not less than that prescribed in column 5; and

(*d*) when threaded, have in each threaded inch not less than the number of threads prescribed in column 6.

(2) Welded alloyed open hearth iron piping of 2 inch or larger, trade size, shalll have a tensile strength prescribed in clause *b* of subsection 1 at the same time as the piping is being subjected to end jarring equivalent to that produced by a two pound hammer.

(3) Nipples shall be made from piping conforming to subsections 1 and 2. R.R.O. 1960, Reg. 471, s. 31.

34.—(1) Steel piping of a trade size larger than 4 inch shall be lap welded.

(2) Couplings for steel piping shall be of wrought iron or steel.

(3) Steel piping of a trade size itemized in column 1 of Table 7 shall,

(*a*) have an actual outside diameter not less than that prescribed in column 2, and a wall thickness not less than that prescribed in column 3;

(*b*) have a weight for each linear foot, when threaded and with couplings attached, not less than that prescribed in column 4; and

(*c*) when threaded, have in each threaded inch not less than the number of threads prescribed in column 5. R.R.O. 1960, Reg. 471, s. 32.

35.—(1) Wrought iron piping of a trade size larger than 2 inch shall be lap welded.

(2) Butt-welded wrought iron piping shall have a tensile strength to withstand internal hydrostatic pressure of at least 700 p.s.i.

(3) Lap-welded wrought iron piping of a trade size up to and including 12 inch shall have a tensile strength to withstand internal hydrostatic pressure of,

(*a*) at least 1,000 p.s.i. in piping of a trade size of 6 inch or smaller;

(*b*) at least 800 p.s.i. in piping of 8 inch, trade size; and

(*c*) at least 600 p.s.i. in piping of a trade size of 10 inch or 12 inch.

(4) Lap-welded wrought iron piping of a trade size greater than 12 inch shall have a tensile strength to withstand internal hydrostatic pressure in pounds per square inch at least equal to the product of,

(*a*) the wall thickness in inches; and

(*b*) 24,000,

divided by the outside diameter in inches. R.R.O. 1960, Reg. 471, s. 33.

36. Wrought iron piping of a trade size itemized in column 1 of Table 8 shall have,

(*a*) an actual outside diameter not less than that prescribed in column 2;

(*b*) a wall thickness not less than that prescribed in column 3;

(*c*) a weight for each linear foot, when threaded and with couplings attached, not less than that prescribed in column 4; and

(*d*) when threaded, in each threaded inch not less than the number of threads prescribed in column 5. R.R.O. 1960, Reg. 471, s. 34.

37.—(1) Joints of copper tubing shall be soldered, sweated or flared.

(2) A soldered joint for copper tubing shall be,

(*a*) made with a fitting having shoulders or other means for limiting the insertion; and

(*b*) properly fluxed and soldered.

(3) All surface to be soldered shall be cleaned until bright. R.R.O. 1960, Reg. 471, s. 35.

38.—(1) Every joint and connection in a potable water system shall be watertight under an internal water pressure of at least 150 p.s.i.

(2) Where, during installation or at any time before inspection, piping or a joint or a fitting is so injured that it will leak when subjected to the test prescribed by section 48, the injured piping, joint or fitting shall be removed from the system. R.R.O. 1960, Reg. 471, s. 36.

39. Where a service pipe and a building sewer are laid in the same trench, the service pipe shall be laid on solid ground. R.R.O. 1960, Reg. 471, s. 37.

40.—(1) A service pipe shall be equipped with a main shut-off valve outside the building, and with,

(*a*) a control shut-off valve integrated with a drip valve inside the foundation wall if the pipe is 1 inch, or larger, trade size; or

(*b*) an accessible stop-and-waste cock, if the pipe is smaller than 1 inch, trade size. R.R.O. 1960, Reg. 471, s. 38.

(2) Every tank connected to a distributing pipe shall be equipped with,

(*a*) a valve adjacent to the tank and accessible in the supply line; and

(*b*) a drain-off valve. R.R.O. 1960, Reg. 471, s. 38; O. Reg. 246/66, s. 12 (1).

(3) Every distributing pipe passing through an exterior wall of a building or other structure shall be equipped with a stop and waste valve located in an accessible place inside the building adjacent to the exterior wall. O. Reg. 246/66, s. 12 (2).

41.—(1) All water pipes shall be so graded that the whole system can be completely drained in its entirety or in separate parts.

(2) Where an invert or sag such as may cause a water trap or air trap is unavoidable, the piping shall be equipped with a drain cock or drain plug at the lowest point of the invert or sag. R.R.O. 1960, Reg. 471, s. 39.

42.—(1) A stopcock or valve shall be installed where it is at all times readily accessible and will completely drain the whole system it serves.

(2) A stopcock or valve shall be installed at each sanitary unit. R.R.O. 1960, Reg. 471, s. 40 (1, 2).

(3) In a public building, a stopcock or valve shall be installed,

(*a*) at the foot of each riser or, where there is no riser, at the place where each distributing pipe serving more than three fixtures branches from the pipe from which it is supplied;

(*b*) at each fixture or at each battery of wash basins or shower heads; and

(*c*) at each water outlet serving one or more appliances, including but not limited to washing machines and ice making machines, and in every instance, it shall be possible to shut off the water supply to an appliance without shutting down more than five other appliances, and all appliances so shut off simultaneously shall be on the same floor level. R.R.O. 1960, Reg. 471, s. 40 (3); O. Reg. 246/66, s. 13; O. Reg. 5/70, s. 9.

(4) In a multiple unit dwelling, a stopcock or valve shall be installed,

(*a*) at the foot of each riser supplying more that one storey; and

(*b*) at the place where each fixture or group of fixtures serving each dwelling unit can be completely isolated. R.R.O. 1960, Reg. 471, s. 40 (4).

PREVENTION OF BACK FLOW

43.—(1) In this section, "wall" includes,

(*a*) a wall of a room or building; and

(*b*) the inner surface of a fixture and of its superstructure.

(2) Except as permitted by section 45, where the orifice of a faucet, spout or distributing pipe supplies potable water to a fixture, it shall be so located that it is above the flood level rim of the fixture a vertical distance of not less than the minimum air gap prescribed by subsection 3 or 4.

(3) Where that point of the orifice that is nearest to a wall is located,

(*a*) a distance more than three times the diameter of the effective opening of the orifice from one wall; or

(*b*) a distance more than four times the diameter of the effective opening of the orifice from each of two intersecting walls,

the minimum air gap shall be not less than a distance equal to the diameter of the effective opening multiplied by two.

(4) Where that point of the orifice that is nearest to a wall is located,

(*a*) a distance equal to or less than three times the diameter of the effective opening of the orifice from one wall; or

(*b*) a distance equal to or less than four times the diameter of the effective opening of the orifice from each of two intersecting walls,

the minimum air gap shall not be less than a distance equal to the diameter of the effective opening multiplied by three. R.R.O. 1960, Reg. 471, s. 41.

44.—(1) Where a tank is connected to a potable water system, the tank shall have a valved drain line connected at the lowest point of the tank.

(2) Where the drain line discharges into a receptacle, the discharge outlet of the drain line shall be located above the flood level rim of the receptacle a distance not less than the air gap prescribed by section 43. R.R.O. 1960, Reg. 471, s. 42.

45.—(1) In this section, "critical level" means the horizontal plane at which a back-flow preventer functions.

(2) Subject to subsection 4, where it is not practicable to provide an air gap as prescribed by section 43, a back-flow preventer may be installed on the distributing pipe in a readily accessible position between the last valve on the distributing pipe and the outlet.

(3) A back-flow preventer shall be installed in a manner so that its critical level is above,

(*a*) the flood level rim of the fixture; or

(*b*) the highest possible water level in the tank,

a vertical distance not less than,

(*c*) four times the diameter of the inlet of the control valve; or

(*d*) four inches,

whichever is the greater.

(4) Where a tank that is not a pressure tank is so constructed or so located that it is not practicable to provide above the flood level rim of the tank the minimum air gap prescribed by section 43 or to install a back-flow preventer,

(*a*) the tank shall have an overflow outlet consisting of a channel or pipe below the flood level rim and below all pipes supplying water to the tank;

(*b*) the vertical distance from the lowest point of any of the supply pipes to the top of the

overflow outlet shall be not less than 1½ times the minimum air gap prescribed by section 43;

(*c*) the total effective opening of the overflow outlets shall be enough that, when water is flowing into the tank at maximum rate with all inlets fully opened and all outlets, except the overflow outlets, closed, water will not rise to a point above the top of the highest overflow outlet a distance greater than one-half the minimum air gap prescribed by section 43;

(*d*) the overflow outlet shall have unobstructed discharge to the open air;

(*e*) the channel or pipe shall have an unobstructed cross-sectional area throughout its length not less than the effective opening of the outlet;

(*f*) the tank and the overflow outlet shall be protected from damage by freezing; and

(*g*) the discharge end of the overflow outlet shall be kept free of ice and all obstructions. R.R.O. 1960, Reg. 471, s. 43 (1-4).

(5) Where a potable water supply is connected to an enclosed system, such as a steam boiler or a hot water heating system, where no flood level can be established and protection of the potable supply by air gaps or anti-syphon type back-flow preventers becomes impracticable, the potable supply shall be through a pressure type back-flow preventer device, that has the following characteristics:

1. There shall be two check valves in series so that all water supplied flows through both check valves.

2. The space between the two check valves shall be automatically vented to atmosphere so that in event of a pressure reversal, any water which leaks back through the check valve on the contaminated side of the device, shall be spilled to atmosphere and shall not build up pressure against the other check valves.

3. The device shall be suitable for water supply pressures up to 150 p.s.i., back pressures up to 75 p.s.i. and temperatures up to 250°F.

4. All materials used in the device shall be corrosion-resistant and suitable for the purpose.

5. The device shall be both performance tested and marked as approved by the Canadian Standards Association. O. Reg. 5/70, s. 10.

46.—(1) Where a cooling jacket, a condenser or an industrial or special appliance or plumbing to which this Regulation does not apply is constructed or so located that,

(*a*) the prescribed minimum air gap is not provided; or

(*b*) a back flow preventer is not installed,

the jacket, condenser, appliance or plumbing to which this Regulation does not apply shall not be connected to a potable water system. O. Reg. 246/66, s. 14 (1).

(2) A polyethylene service pipe shall not be installed to supply a hot water tank unless a check valve is installed on the distributing pipe supplying the hot water tank. R.R.O. 1960, Reg. 471, s. 44.

(3) Every hot water tank shall be equipped with,

(*a*) a pressure relief valve designed to open when the water in the tank reaches the rated working pressure of the tank and so located that,

(i) there is no shutoff between the tank and the relief valve, and

(ii) the pressure in the tank shall not exceed the pressure at the relief valve by more than 5 p.s.i. under any condition of flow within the distribution system; and

(*b*) a temperature relief valve with a temperature sensing element located in the tank and within the top six inches thereof, and designed to open and discharge sufficient water from the tank to keep the maximum temperature of the water in the tank at 210° F. where,

(i) no other water is being withdrawn from the tank, and

(ii) the water in the tank is being heated continuously at the maximum heat input rate for the tank; or

(*c*) a device that is designed to shut off the supply of electricity or fuel to the tank and that,

(i) is not connected to and operates independently of the thermostatic control that determines the temperature of the water in the tank, and

(ii) is located and maintained on or within the top six inches of the tank so that the maximum temperature of the water in the tank shall not exceed 210° F or the temperature of the temperature sensing element by more than 5° F. O. Reg. 221/67, s. 3.

(4) A pressure relief valve and a temperature relief valve may be combined where clauses *a* and *b* of subsection 3 are complied with. O. Reg. 221/67, s. 3.

(5) Every pipe that conveys water from a temperature and pressure relief valve or from a temperature relief valve or a pressure relief valve connected to a hot water tank shall,

(*a*) have a diameter equal to or greater than the diameter of the outlet of the valve; and

(*b*) terminate above a floor drain, sump or fixture, or if there is no floor drain, sump or fixture, at a distance not less than six inches and not more than twelve inches from a floor. O. Reg. 246/66, s. 14 (4).

DRINKING FOUNTAINS

47.—(1) A drinking fountain shall,

(*a*) be of such materials and design as will ensure that all surfaces that potable water may reach before going into the waste pipe are hard, smooth, impervious to water and free from chips and cracks and can be readily cleansed;

(*b*) have an orifice that,

(i) is located above the flood level of the bowl,

(ii) is shielded so that a person cannot put his lips on the orifice, and

(iii) directs the water at an angle of approximately 45° upward from the true horizontal; and

(*c*) be equipped with a readily accessible means for regulating the flow of water.

(2) Where the orifice has an effective opening not greater than .15 square inch, the nozzle shall be located so that the lower edge of the orifice is not less than ¾ inch above the flood level rim of the receptacle. R.R.O. 1960, Reg. 471, s. 45.

TESTING

48.—(1) A potable water system or a section thereof shall be tested by subjecting the system or section to a water pressure of 150 p.s.i. for not less than one hour after all air is expelled and all outlets are tightly closed.

(2) The inspector shall,

(*a*) by visual examination of all unconcealed parts; and

(*b*) by gauge tests,

satisfy himself that no water is leaking or seeping out from any pipe, joint or fitting other than at an outlet. R.R.O. 1960, Reg. 471, s. 46.

PART III

SEWAGE SYSTEMS

49.—(1) This Part applies to drainage piping and the venting thereof. R.R.O. 1960, Reg. 471, s. 47.

(2) This Part, except subsections 2 and 3 of section 55 and sections 71, 81, 82, 84, 85, subsections 1 and 3 of section 90, sections 92, 93, 94, 96, 97, 101, 102 and 104 and sections 106 to 135, both inclusive, applies to storm drainage piping. O. Reg. 246/66, s. 15; O. Reg. 221/67, s. 4.

PIPING AND FITTINGS

50.—(1) No double Y fitting shall be used on a run of drainage pipe that departs from the true horizontal plane by less than 45°.

(2) No drainage pipe or vent pipe shall be drilled, tapped or welded. R.R.O. 1960, Reg. 471, s. 48 (1, 2).

(3) No saddle hub or band shall be used on a vent pipe. R.R.O. 1960, Reg. 471, s. 48; O. Reg. 178/64, s. 3 (1).

(4) No saddle hub or band shall be used on a drainage pipe unless the pipe is in service, is installed underground, is composed of a non-metallic material and is of a trade size of not less than 10 inch and the saddle hub or band makes a water-tight connection and,

(*a*) the saddle hub and all accessories, including gaskets, hold-down straps, nuts and washers; or

(*b*) the band and all accessories, including gaskets, bolts, nuts and washers,

have a life expectancy equal to,

(i) that of the existing underground drainage pipe,

(ii) that of the pipe being installed, or

(iii) twenty years,

whichever is the lesser. O. Reg. 178/64, s. 3 (2).

(5) Nothing in subsection 2, 3 or 4 shall preclude a good water-tight mechanical connection being made to a flush tube downstream from a vacuum breaker or back-flow preventer for the purpose of adding germicidal or odour control chemicals to the flush water supplied to a fixture. O. Reg. 5/70, s. 11.

(6) No caulked cast iron fitting with double hubs shall be used except on a vent pipe.

(7) No branch fitting with a double T shall be used on drainage piping.

(8) No T-Y fitting shall be used to change the direction of horizontal drainage piping.

(9) Every fitting, connection or joint shall be so constructed and installed that it does not reduce the free flow of liquid by more than 10 per cent.

(10) A metal-faced union shall not be used except in a vent pipe. R.R.O. 1960, Reg. 471, s. 48 (4-8).

(11) No connection shall be made between a lead pipe and a branch pipe of material other than lead unless,

(*a*) a lead branch of developed length of six inches or more is connected to the lead pipe; and

(*b*) the lead branch and the branch pipe are of equal trade size. O. Reg. 178/64, s. 3 (3).

(12) Branched drainage piping shall have the fittings installed so that the flows of sewage come together at an included angle of less than 90 degrees. O. Reg. 178/64, s. 3 (3).

51.—(1) Subject to subsection 5, where drainage, storm drainage, distributing or service piping, other than service piping of polyethylene or copper tubing, outside or underneath a building or other structure is connected to piping in the building or other structure and is laid on an unstable foundation it shall be supported by a layer of concrete that shall be supported by soil or by piers adequate to maintain the grade and alignment of the pipe. O. Reg. 246/66, s. 16.

(2) Where a layer of concrete is used, it shall be not less than four inches thick and shall extend for six inches on each side of the pipe. R.R.O. 1960, Reg. 471, s. 49 (2).

(3) Steel rods of ½ inch diameter shall be embedded in the layer of concrete required under subsection 2 parallel to the longitudinal axis thereof and,

(*a*) the bottom of the rods shall be not less than three-quarters of an inch and not more than 1½ inches above the bottom of the concrete;

(*b*) the two rods on the outside shall be not more than two inches from the sides of the layer of concrete;

(*c*) the other rods shall be equally spaced between the two outside rods, at the same elevation and parallel to them;

(*d*) no two adjacent rods shall be less than four inches apart or further apart than twice the thickness of the layer of concrete; and

(*e*) the ends of the rods shall overlap a minimum of two feet, where the rods are not continuous and the ends are not anchored in the layer of concrete. O. Reg. 246/66, s. 17 (1).

(4) Where piers are used, they shall,

(*a*) each have a cross-sectional area of not less than 110 square inches;

(*b*) be at intervals not greater than eight feet; and

(*c*) extend down to a solid foundation. R.R.O. 1960, Reg. 471, s. 49 (3).

(5) The diameter of a wrought iron rod or steel rod hanger placed underground to suspend piping shall be not less than ½ inch.

(6) No piping or copper tubing shall be supported by frozen ground.

(7) Bell and spigot joints in piping laid on an unstable foundation shall not be caulked with Portland cement or any compound thereof. O. Reg. 246/66, s. 17 (2).

52.—(1) A 90° bend in a drainage pipe shall have a curvature with a radius of not less than the diameter of the pipe.

(2) A cross fitting or a single or double T fitting shall not be used to connect a branch in drainage piping. R.R.O. 1960, Reg. 471, s. 50 (1, 2).

(3) Except to connect a vent pipe, a sanitary T-Y fitting shall not be used in a nominally horizontal pipe in a drainage system. O. Reg. 5/70, s. 12.

(4) A double T-Y fitting used to connect a waste pipe to a vertical section of a stack shall have a diameter of not less than three inches and openings of 1¼ inches, 1½ inches or two inches. R.R.O. 1960, Reg. 471, s. 50 (4).

53.—(1) The direction of the slope of drainage piping, storm drainage piping and the piping in the vent system shall be such that sewage and all moisture accumulating in such piping shall drain toward the main storm sewer, main sewer, sump, sewage tank or other place of disposal on the property. O. Reg. 246/66, s. 18.

(2) Every unconnected opening in drainage piping and unconnected opening in vent piping, other than an opening to open air, shall be closed by an airtight cap or plug. R.R.O. 1960, Reg. 471, s. 51 (2); O. Reg. 5/70, s. 13.

54.—(1) A galvanized vent pipe, drainage pipe or storm drainage pipe shall not be laid underground. R.R.O. 1960, Reg. 471, s. 52 (1); O. Reg. 246/66, s. 19 (1).

(2) Drainage piping and storm drainage piping laid under a building and to a point three feet beyond the exterior wall of the building shall be of,

(*a*) asbestos cement;

(*b*) bituminized fibre;

(*c*) cast iron;

(*d*) concrete;

(*e*) copper or brass;

(*f*) vitrified clay;

(*g*) acrylonitrile—butadiene-styrene; or

(*h*) poly (vinyl chloride). R.R.O. 1960, Reg. 471, s. 52 (2); O. Reg. 246/66, s. 19 (2, 3); O. Reg. 5/70, s. 14 (1).

(3) Where drainage pipe or storm drainage pipe of a material specified in clause *a*, *b*, *d*, *f*, *g* or *h* of subsection 2 is so located that the distance between the top of the pipe and the bottom of the floor over it is less than twenty-four inches, the drainage pipe or storm drainage pipe shall be covered to a depth of not less than three inches by concrete consisting of,

(*a*) one part of Portland cement;

(*b*) two parts of sand; and

(*c*) four parts of gravel or equivalent aggregate. R.R.O. 1960, Reg. 471, s. 52 (3); O. Reg. 246/66, s. 19 (4); O. Reg. 5/70, s. 14 (2).

(4) The basement floor may constitute the covering required by subsection 3, if the basement floor is composed of the material and is of the thickness required by subsection 3. R.R.O. 1960, Reg. 471, s. 52 (4).

55.—(1) Subject to subsections 2, 3, 4, 6 and 7, drainage piping within a building and above the level of the ground shall be of,

(*a*) brass;

(*b*) cast iron;

(*c*) copper;

(*d*) galvanized open hearth iron;

(*e*) galvanized steel;

(*f*) galvanized wrought iron;

(*g*) lead; or

(*h*) acrylonitrile-butadiene-styrene; or

(*i*) poly (vinyl chloride). R.R.O. 1960, Reg. 471, s. 53 (1); O. Reg. 246/66, s. 20 (1, 2); O. Reg. 221/67, s. 5 (1).

(2) Every waste pipe and trap connected thereto that are used to carry sewage that is more corrosive than the sewage in the horizontal branch, soil stack, waste stack or building drain into which it discharges shall be composed of a material that will withstand the corrosive effect of the sewage. R.R.O. 1960, Reg. 471, s. 53 (2)

(3) Galvanized open hearth iron piping shall comply with section 33, galvanized steel piping shall comply with section 34, and galvanized wrought iron drainage piping and storm drainage piping shall comply with section 35 or 36, as the case may be. O. Reg. 246/66, s. 20 (3).

(4) No soil stack, waste stack or vent stack of acrylonitrile-butadiene-styrene or of poly (vinyl chloride) shall exceed thirty-five feet in height determined in accordance with clause *d* of subsection 1 of section 73. O. Reg. 246/66, s. 20 (3).

(5) Piping for a building sewer shall be not less than 4 inch, trade size, and shall be of,

(*a*) asbestos cement;

(*b*) bituminized fibre;

(*c*) cast iron;

(*d*) concrete;

(*e*) copper or brass;

(*f*) vitrified clay;

(*g*) acrylonitrile-butadiene-styrene; or

(*h*) poly (vinyl chloride). O. Reg. 246/66, s. 20 (3); O. Reg. 5/70, s. 15 (1).

(6) No drainage, service or distributing piping or fittings containing any polymeric plastics shall be used in plumbing unless the piping and fittings have been tested and marked as approved by the Canadian Standards Association as suitable for the purpose for which the piping and fittings are to be used. O. Reg. 221/67, s. 5 (2).

(7) Fittings used with vent pipe, drainage pipe or storm drainage pipe shall be fittings manufactured for use with the vent pipe, drainage pipe or storm drainage pipe and shall either be of the same material as the pipe with which the fitting is to be used, or shall be of,

(*a*) brass;

(*b*) bronze;

(*c*) monel;

(*d*) grey cast iron;

(*e*) malleable iron;

(*f*) ductile cast iron;

(*g*) open hearth iron;

(*h*) wrought iron;

(*i*) carbon steel;

(*j*) alloyed steel;

(*k*) stainless steel;

(*l*) lead;

(*m*) asbestos cement;

(*n*) concrete;

(*o*) vitrified clay;

(*p*) bituminized fibre;

(*q*) polyethylene;

(*r*) poly (vinyl chloride);

(*s*) acrylonitrile-butadiene-styrene;

(*t*) nylon;

(*u*) delrin;

(*v*) polypropylene;

(*w*) epoxy resin; or

(*x*) phenolic resin. O. Reg. 221/67, s. 5 (2); O. Reg. 5/70, s. 15 (2).

56. Where a building drain is placed above the lowest floor of a building, as described in subsection 5 of section 139, the building drain may be of asbestos cement that is "Soil Pipe Grade". O. Reg. 5/70, s. 16.

57.—(1) Asbestos cement drainage piping that is not soil pipe and that is of a trade size itemized in column 1 of Table 10 shall have,

(*a*) a wall thickness not less than that prescribed in column 2;

(*b*) flexural strength to withstand a total load not less than that prescribed in column 3 when one-half of that load is applied simultaneously at each of two points in a span not longer than that prescribed in column 4 and the points are equidistant from each other and from the ends of the span; and

(*c*) supporting strength to withstand external crushing pressure not less than that prescribed in column 5, where the pressure is applied by the three-bearing method to each linear foot of the piping. R.R.O. 1960, O. Reg. 471, s. 54 (1); O. Reg. 221/67, s. 6 (1).

(2) The tensile strength of asbestos cement sewer piping of 8 inch or larger, trade size, shall be sufficient to withstand internal hydrostatic pressure of not less than 50 p.s.i. R.R.O. 1960, Reg. 471, s. 54 (2).

(3) Asbestos cement soil piping of a trade size itemized in column 1 of Table 10 shall have,

(*a*) a wall thickness not less than that prescribed in column 2;

(*b*) flexural strength to withstand a total load not less than that prescribed in column 3 when one-half of that load is applied simultaneously at each of two points in a span not longer than that prescribed in column 4 and the points are equidistant from each other and from the ends of the span; and

(*c*) supporting strength to withstand external crushing pressure not less than 3,000 pounds per foot of pipe where the pressure is applied by the three-bearing method to each linear foot of the piping. O. Reg. 221/67, s. 6 (2).

58.—(1) The joints between the fittings and asbestos cement pipe shall be made with rubber rings or be of the compression type. O. Reg. 246/66, s. 21.

59.—(1) The bituminized fibre in drainage piping shall consist of a bituminous compound reinforced with an interwoven fibrous structure and be so made that the piping,

(*a*) does not disintegrate or separate into laminations, after successive immersions in solutions of .1 normality of,

(i) sulphuric acid,

(ii) sodium carbonate, and

(iii) sodium sulphate,

for a period of thirty days in each solution;

(*b*) does not disintegrate or separate into laminations when immersed in boiling water for one hour;

(*c*) does not absorb water sufficiently to increase the weight more than 2 per cent when immersed for forty-eight hours at a temperature of 75° F.; and

(*d*) when heated for eight hours in an oven at 180° F., does not lose more than 10 per cent of either its bitumen or its roundness.

(2) The piping shall have a taper of 2 per cent at each end.

(3) Bituminized fibre drainage piping of a trade size itemized in column 1 of Table 11 shall have,

(*a*) a wall thickness not less than that prescribed in column 2; and

(*b*) supporting strength to withstand a crushing load for each linear foot not less than that prescribed in column 3, when the piping is subjected to that load applied between two flat plates having a head-speed of ½ inch a minute.

(4) Bituminized fibre couplings of a trade size itemized in column 1 of Table 11 shall,

(*a*) have a wall thickness not less than that prescribed in column 2;

(*b*) be of a length not less than that prescribed in column 4; and

(*c*) have supporting strength to withstand a crushing load for each foot not less than that prescribed in column 5, when the coupling is subjected to that load applied between two flat plates having a head-speed of ½ inch a minute.

(5) A bend of bituminized fibre piping shall,

(*a*) have a wall thickness at its thinnest point not less than that prescribed in subsection 3 for piping of the same trade size; and

(*b*) be so curved that a ball, having a diameter ¼ inch less than the trade size of the bend, will pass freely through it.

(6) All fittings used to join bituminized fibre piping shall have a taper of 2 per cent. R.R.O. 1960, Reg. 471, s. 56.

60.—(1) Subject to subsection 2, each 5-foot length of cast iron drainage pipe or vent pipe with a single hub of a trade size itemized in column 1 of Table 12 shall have not less than the weight prescribed opposite thereto in column 2 and each 10-foot length of cast iron drainage pipe or vent pipe with a single hub of a trade size itemized in column 1 of Table 12 shall have not less than the weight prescribed opposite thereto in column 3. O. Reg. 246/66, s. 22 (1).

(2) Each 5-foot length of cast iron drainage pipe or vent pipe with a double hub of a trade size itemized in column 1 of Table 12 shall have not less than the weight prescribed opposite thereto in column 4. O. Reg. 246/66, s. 22 (1).

(3) Each 5-foot length of extra heavy cast iron drainage pipe or vent pipe with a single hub of a trade size itemized in column 1 of Table 12 shall have not less than the weight prescribed in column 5, and each 10-foot length of extra heavy cast iron drainage pipe or vent pipe with a single hub of a trade size itemized in column 1 of Table 12 shall have not less than the weight prescribed opposite thereto in column 6. O. Reg. 246/66, s. 22 (2).

(4) Each 5-foot length of extra heavy cast iron drainage pipe or vent pipe with a double hub of a trade size itemized in column 1 of Table 12 shall have not less than the weight prescribed opposite thereto in column 7. O. Reg. 246/66, s. 22 (3).

(5) Cast iron drainage pipe or vent pipe shall be extra heavy where cast iron drainage pipe or vent pipe of the weight determined under subsection 1 is not likely to withstand service conditions to which it may be subjected or is likely to become a hazard to health.

(6) Cast iron drainage pipe and vent pipe shall not contain more than,

(*a*) .11 per cent of sulphur; or

(*b*) .9 per cent of phosphorus,

and shall be of material so composed that a twenty-inch test rod of the same composition, with a diameter of 1.2 inches, does not break and is not deflected at the centre more than .2 inch when the rod is supported on two rests eighteen inches apart and subjected to a load of 1,750 pounds applied midway between the rests.

(7) Cast iron drainage pipe and vent pipe shall have,

(*a*) tensile strength to withstand,

(i) a hydrostatic internal pressure of not less than 50 p.s.i., or

(ii) a pneumatic internal pressure of not less than 50 p.s.i. applied when the pipe or fitting is immersed in water;

(*b*) hubs and spigots that are truly circular;

(*c*) a corrosion retarding coating inside and outside; and

(*d*) hubs with a minimum depth of 2½ inches. R.R.O. 1960, Reg. 471, s. 57 (4-6).

61. Threaded cast iron drainage pipe or vent pipe of a trade size itemized in column 1 of Table 13 shall,

(*a*) conform to section 60;

(*b*) have a wall thickness of not less than that prescribed in column 2;

(*c*) weigh for each linear foot not less than the weight prescribed in column 3; and

(*d*) have thread length not less than that prescribed in column 4. R.R.O. 1960, Reg. 471, s. 58.

62. Where a metal pipe is cement lined, the lining shall,

(*a*) be of Portland cement and sand in equal parts or other materials producing a mortar having less water solubility and shrinkage than Portland cement and sand in equal parts;

(*b*) have a thickness at its thinnest part not less than,

(i) ⅛ inch, in piping of a trade size up to and including 12 inch,

(ii) 3/16 inch, in piping of a trade size 14 inch to 24 inch, both inclusive, or

(iii) ¼ inch, in piping of a trade size 30 inch to 48 inch, both inclusive; and

(*c*) be hard, smooth, cylindrical and free from corrugations and other irregularities that may interfere with the free flow of liquid through the pipe. R.R.O. 1960, Reg. 471, s. 59; O. Reg. 5/70, s. 18.

63.—(1) The concrete of sewer piping shall be of Portland cement and mineral aggregate that is siliceous or quartzose.

(2) The piping shall,

(*a*) not be so porous that, when dry piping is immersed in boiling water for five hours, it absorbs water weighing more than 8 per cent of the dry weight of the piping; and

(*b*) have tensile strength to withstand internal hydrostatic pressure of not less than 15 p.s.i.

(3) The barrel of concrete sewer piping of a trade size itemized in column 1 of Table 14 shall have,

(*a*) a wall thickness not less than that prescribed in column 2;

(*b*) an internal diameter not less than that prescribed in column 3; and

(*c*) supporting strength to withstand external pressure of not less than the number of pounds for each linear foot prescribed in column 4, when applied by the three bearing method.

(4) The socket of concrete sewer piping of a trade size itemized in column 1 of Table 14 shall have,

(*a*) a wall thickness at a point ¼ inch from its outer end not less than ¾ of the wall thickness of the barrel prescribed by clause *a* of subsection 3;

(*b*) an internal diameter at its mouth not less than that prescribed in column 5; and

(*c*) a depth not less than that prescribed in column 6. R.R.O. 1960, Reg. 471, s. 60.

64.—(1) The clay in vitrified clay piping shall contain not less than 75 per cent of aluminum silicate.

(2) The piping shall,

(*a*) not be so porous that, when dry piping is immersed in boiling water for five hours, it absorbs water weighing more than 8 per cent of the dry weight of the piping;

(*b*) not contain more than .25 per cent of matter soluble in sulphuric acid of 1 normality;

(*c*) not contain more than .25 per cent of matter soluble in sodium sulphate, or magnesium sulphate, having a specific gravity of not less than 1.15 and not more than 1.3; and

(*d*) have tensile strength to withstand internal hydrostatic pressure of not less than 15 p.s.i.

(3) The barrel of vitrified clay piping of a trade size itemized in column 1 of Table 15 shall have,

(*a*) a wall thickness not less than that prescribed in column 2;

(*b*) an internal diameter not less than that prescribed in column 3; and

(*c*) supporting strength to withstand external pressure of not less than the number of pounds for each linear foot prescribed in column 4, when applied by the three bearing method.

(4) The socket of vitrified clay piping of a trade size itemized in column 1 of Table 15 shall have,

(*a*) a wall thickness not less than ¾ of the wall thickness of the barrel prescribed by clause *a* of subsection 3;

(*b*) an internal diameter at ½ inch above the base of the socket not less than that prescribed in column 5; and

(*c*) a depth not less than that prescribed in column 6. R.R.O. 1960, Reg. 471, s. 61.

65.—(1) Acrylonitrile-butadiene-styrene pipe and fittings and the cement therefor shall be in accordance with the Canadian Standards Association Standard B.181.1 1967-Acrylonitrile-butadiene-Styrene Drain, Waste and Vent Pipe and Pipe Fittings.

(2) Poly (vinyl chloride) pipe and fittings and the cement therefor shall be in accordance with the Canadian Standards Association Standard B.181.2 1967-Poly (Vinyl Chloride) Drain, Waste and Vent Pipe and Pipe Fittings. O. Reg. 5/70, s. 19.

(3) No acrylonitrile-butadiene-styrene pipe and fittings and cement therefor shall be used in plumbing unless the pipe and fittings and cement have been tested by the Canadian Standards Association and marked by it as being in accordance with the standard specified in subsection 1.

(4) No poly (vinyl chloride) pipe and fittings and cement therefor shall be used in plumbing unless the pipe and fittings and cement have been tested by the Canadian Standards Association and marked by it as being in accordance with the standard specified in subsection 2. O. Reg. 246/66, s. 23.

66. Where a different size of pipe or fitting is to be inserted in a drainage pipe or vent pipe, a proper increaser or reducer having a tapered pitch of not less than 22½° and not more than 45° with the central axis of the two members shall be used. O. Reg. 5/70, s. 20.

67. No joint, enlarged connection, fitting, chamber or recess, having in the direction of flow on the outlet or waste side of a trap a ledge or shoulder that is likely to create a reduction of the pipe area or otherwise interfere with the flow of the liquids in the piping shall be installed in drainage piping. R.R.O. 1960, Reg. 471, s. 63.

68.—(1) A wiped joint in a lead pipe or between lead pipe and other metal shall,

(*a*) be made of solder with an exposed surface not less than ¾ inch on each side of the joint; and

(*b*) be not less than ⅜ inch thick at its thickest part.

(2) A wiped flanged joint shall be reinforced with a lead flange projecting all around the pipe not less than ¾ inch. R.R.O. 1960, Reg. 471, s. 64 (1, 2).

69. Where a lead joint is burned or welded, the lead shall be lapped and fused to form a uniform weld at least 1½ times as thick as the lead piping that is being joined. R.R.O. 1960, Reg. 471, s. 65.

70. The connection of,

(*a*) the outlet end of a trap to a waste pipe shall, except as otherwise provided in clause *c*, be fused, screwed or caulked;

(*b*) the inlet end of a trap to a waste pipe shall be fused, screwed or caulked or made by means of a slip joint; and

(*c*) the outlet end of a trap for a wash basin to a waste pipe may be by means of a slip joint or an "O" ring joint if the joint is accessible for maintenance. O. Reg. 221/67, s. 7.

71. Where a slip joint and a union are used in a trap or in the waste pipe between a trap and a fixture, they shall be so installed as to be readily accessible. R.R.O. 1960, Reg. 471, s. 67.

72.—(1) Subject to section 73, every joint between a cast iron pipe and a pipe made of cast iron, wrought iron, steel, brass or copper or between a cast iron pipe and a copper tube shall be,

(*a*) lead caulked;

(*b*) screwed;

(*c*) made with hot-poured sulphur compound; or

(*d*) made of asbestos cement containing not less than 39 per cent of asbestos, 54 per cent of Portland cement, 4.3 per cent of hydralime and 1.4 per cent of sodium carbonate so that the joint is watertight and capable of withstanding temperatures of up to 300° F. R.R.O. 1960, Reg. 471, s. 68 (1); O. Reg. 178/64, s. 4 (1).

(2) Where a lead pipe is joined to a cast iron pipe, wrought iron pipe or steel pipe, the joint shall be wiped to a caulking ferrule or a soldering nipple.

(3) Soldering nipples shall not be used on drainage piping. R.R.O. 1960, Reg. 471, s. 68 (3,4).

(4) Where copper tubing of any trade size is joined to cast iron, cement asbestos, clay tile or bituminous fibre pipe, it shall be provided with a brass ferrule or a brass adapter designed for the purpose. O. Reg. 178/64, s. 4 (3).

(5) Where steel or malleable cast iron pipe is caulked into a hub, it shall be the same trade size as the hub. O. Reg. 178/64, s. 4 (3); O. Reg. 5/70, s. 21.

73.—(1) In this section,

(*a*) "clamps" means clamps made of stainless steel not less than 0.025 inch thick and having sufficient strength to compress a metal shield and gasket around the pipe to form a water-tight joint; O. Reg. 178/64, s. 5.

(*b*) "gasket" means a gasket made of butyl rubber or neoprene and containing no adulterants or reclaimed material and having a compression set after twenty-four hours at 158° Fahrenheit of not more than 15 per cent;

(*c*) "height of a stack" means the difference in elevation between the end of the stack in the open air and the point of intersection of the centre lines of the stack and the building drain or the highest part of the sewage tank to which the stack is connected. O. Reg. 246/66, s. 26 (1).

(*d*) "metal shield" means a shield not less than .008 inch thick made of stainless steel or other metal equal in tensile strength and corrosion resistance to stainless steel.

(2) Subject to subsection 5, where a joint is in a cast iron stack, not exceeding forty feet in height or is in cast iron drainage piping other than a stack or is in vent piping (cast iron) or is in cast iron storm drainage piping, the joint may be made by,

(*a*) inserting the plain end of the pipe into a tubular elastic gasket surrounded by a metal shield and compressed by clamps;

(*b*) inserting a tubular elastic gasket into the hub of one pipe end and inserting the plain or spigot end of the other pipe into the tubular elastic gasket;

(*c*) inserting the plain ends of two pipes into annular gaskets and inserting the plain ends of the pipes together with the gaskets into opposite ends of a coupling or fitting designed for a compression type joint, or

(*d*) other mechanical connection that is marked as approved for the purpose by the Canadian Standards Association. O. Reg. 246/66, s. 26 (2); O. Reg. 5/70, s. 22 (1).

(3) Where a joint is made between pipes by a method specified in subsection 2, no pipe, fittings, clamps, gaskets or metal shields shall be installed unless the manufacturer has permanently marked the fittings, clamps, gaskets and metal shields and the pipe at intervals of not more than five feet throughout the length of the pipe with the class and trade size of the pipe and the identification of the manufacturer. O. Reg. 246/66, s. 26 (2).

(4) Where bolts, nuts or screws are used in clamps they shall be of stainless steel. O. Reg. 178/64, s. 5.

(5) The stack constructed of cast iron pipe and joints, specified in subsection 2 may exceed forty feet in height, provided it contains enough hub and spigot joints or other projections cast into the pipe and provided the anchors required by section 20 are placed immediately below each hub and spigot joint or other projection in the stack. O. Reg. 5/70, s. 22 (2).

74. A joint in concrete sewer pipe shall be hot-poured, cemented or of the compression type. R.R.O. 1960, Reg. 471, s. 69.

75.—(1) A caulked joint in a cast iron drainage pipe shall be,

(*a*) made with the spigot end below the hub end in the direction of flow;

(*b*) firmly packed with oakum or hemp;

(*c*) secured with caulking lead not less than one inch deep; and

(*d*) tightly caulked.

(2) No paint, varnish, putty or other coating shall be applied on the jointing until the joint has been inspected under this Regulation. R.R.O. 1960, Reg. 471, s. 70.

76.—(1) The compound for a hot-poured joint shall be applied in a viscous state.

(2) Sulphur compound used in a hot-poured joint shall,

(*a*) be of such composition as not to re-soften at a temperature below 200° F.;

(*b*) have tensile strength at least sufficient that a bar one inch square in cross-section will not break when subjected to a pull of 600 pounds after the bar has been immersed for ten cycles specified in subsection 3.

(3) Each immersion cycle shall consist of,

(*a*) immersion for five minutes in water at 195 to 200° F.; and

(*b*) immersion for five minutes in water at 32° F.

(4) Asphaltic compound shall be of such composition as not to re-soften at a temperature below 160° F.

(5) An asphaltic hot-poured joint shall be,

(*a*) rammed with twisted oakum;

(*b*) caulked closely; and

(*c*) at least one inch deep all around the pipe. R.R.O. 1960, Reg. 471, s. 71.

77.—(1) A cement joint for vitrified clay or concrete pipe larger than 6 inch, trade size, shall be made by ramming into the annular space between the pipes a closely-twisted gasket of hemp or oakum and filling with wet mortar consisting of equal parts of Portland cement and clean, sharp mortar sand.

(2) Before use, the mortar shall be tempered for not less than twenty minutes but not more than one hour.

(3) A cement joint for piping of 6 inch or smaller, trade size, shall be made by grouting the annular space between the pipes with pure Portland cement.

(4) Every joint referred to in subsection 1 or 3 shall be carefully banked, and the inside of the piping shall be thoroughly cleaned and swabbed before the mortar or grout dries. R.R.O. 1960, Reg. 471, s. 72.

78. Joints in vitrified clay piping or between a vitrified clay pipe and a metal pipe shall be hot-poured, cemented or of the compression type. R.R.O. 1960, Reg. 471, s. 73.

79.—(1) Subject to subsection 5, storm drainage piping shall be of,

(*a*) brass;

(*b*) cast iron;

(*c*) copper;

(*d*) galvanized open hearth iron;

(*e*) galvanized steel;

(*f*) galvanized wrought iron;

(*g*) lead;

(*h*) acrylonitrile-butadiene-styrene;

(*i*) poly (vinyl chloride);

(*j*) asbestos cement (soil pipe grade); or

(*k*) polyethylene. O. Reg. 246/66, s. 27; O. Reg. 221/67, s. 8 (1).

(2) Where storm drainage piping connects to drainage piping, a trap with an accessible clean-out shall be installed in the storm drainage piping. O. Reg. 246/66, s. 27.

(3) Where a waste pipe connects to storm drainage piping, a back water valve or a check valve shall be installed in the waste pipe between its fixture trap and the connection. O. Reg. 246/66, s. 27.

(4) Where the trap required by subsection 2 is located at a point less than three feet from the drainage piping, the connection of the storm drainage piping to the drainage piping shall be made at a point above the horizontal centre line of the drainage piping. O. Reg. 246/66, s. 27.

(5) Storm drainage piping that is above ground level inside a building and is accessible for maintenance may be of black iron or black steel. O. Reg. 221/67, s. 8 (2).

80.—(1) Storm drainage piping shall be interconnected.

(2) Drainage piping shall be interconnected. O. Reg. 246/66, s. 27.

(3) Where a municipality permits the disposal of sanitary waste and storm water to the same point, the interconnection of drainage piping and storm drainage piping shall not be made above the level of the building drain. O. Reg. 5/70, s. 23.

FIXTURES

81.—(1) A fixture itemized in column 1 of Table 16 shall be deemed to produce an hydraulic load equal to the number of fixture units set out in column 2.

(2) A fixture, other than one referred to in subsection 1, having a waste pipe or trap of a trade size itemized in column 1 of Table 17 shall be deemed to produce an hydraulic load equal to the number of fixture units set out in column 2.

(3) A pump, ejector or other device or equipment discharging water, liquids or water-borne wastes in a continuous or intermittent flow shall be deemed to produce an hydraulic load equal to 2.4 fixture units per gallon per minute of flow. R.R.O. 1960, Reg. 471, s. 74.

82. A fixture, other than,

(*a*) a water-closet;

(*b*) a full flush urinal;

(*c*) a bedpan washer; or

(*d*) a fixture receiving wastes like those from fixtures specified in clauses *a*, *b* and *c*,

shall be provided with a strong metallic or porcelain strainer having an outlet area not less than that of the interior of the trap or waste pipe of the fixture. R.R.O. 1960, Reg. 471, s. 75.

83.—(1) A floor drain,

(*a*) in any room where a sanitary unit is installed; or

(*b*) in any room where food or beverage, not in hermetically sealed containers, is stored, prepared or served,

shall be deemed to be a fixture, shall be described as a Class 1 drain and,

(*c*) shall be made of metal;

(*d*) shall have a strainer inlet made of metal;

(*e*) where the floor in or under which the floor drain is located is in direct contact with the earth, shall have a trap of a diameter of at least 3-inch, trade size;

(*f*) where the floor in or under which the floor drain is located is not in direct contact with the earth, shall have a trap with a diameter of at least 2-inch trade size; and

(*g*) shall be trapped so that under normal conditions of use a mechanical device, that is accessible for maintenance and repair,

discharges a supply of water through the trap sufficient to keep its water seal from evaporating. O. Reg. 5/70, s. 24 (1).

(2) A floor drain in a residential, commercial or industrial room or area where the floor drain is not required to be a Class 1 or Class 3 drain shall be described as a Class 2 drain and,

(*a*) where the floor in or under which a Class 2 drain is located is in direct contact with the earth,

(i) the drain shall have a strainer inlet made of metal,

(ii) the drain shall have a trap with a diameter of at least 3-inch, trade size, and

(iii) the total fall of the drainage piping connected to the drain shall not exceed the diameter of the piping; and

(*b*) where the floor in or under which a Class 2 drain is located is not in direct contact with the earth, the drain shall,

(i) be made of metal, including the strainer,

(ii) be deemed to be a fixture, and

(iii) have a trap of a diameter of at least 2-inch, trade size. O. Reg. 246/66, s. 28.

(3) A floor drain in a commercial, residential or industrial room or area where only non-inflammable substances or substances not subject to rapid putrefaction enter the drainage piping or are stored in containers not hermetically sealed shall be described as a Class 3 drain and,

(*a*) where a floor in or under which a Class 3 drain is located is in direct contact with the earth, the drain shall have,

(i) a strainer inlet made of metal, and

(ii) an outlet of a diameter of at least 3-inch, trade size; and

(*b*) where a floor in or under which a Class 3 drain is located is not in direct contact with the earth, the drain shall,

(i) be made of metal, including the strainer inlet, and

(ii) have an outlet of a diameter of at least 2-inch, trade size. O. Reg. 246/66, s. 28.

(4) Where a waste pipe three feet or less in length connects a Class 1, Class 2 or Class 3 floor drain to a building drain at a point three feet or less from a stack, the connection shall be made above the horizontal centre line of the building drain. O. Reg. 246/66, s. 28.

(5) The drainage piping of a Class 3 drain shall connect to a trap that is vented in accordance with section 102 if the trap is not located in the ground or is not in a floor that is on the ground, and where Class 3 drains are arranged in a group of two or more, their drainage piping may connect to the same trap if the trap is located on the same floor as the drain. O. Reg. 246/66, s. 28.

(6) A floor drain in a room or area in which a floor drain is not required to be a Class 1, Class 2 or Class 3 drain and in which vehicular traffic occurs shall be a Class 4 drain and shall,

(*a*) be made of metal or concrete with a perforated metal cover of sufficient strength to support the vehicular traffic;

(*b*) be connected to a drainage pipe of a diameter of at least 3-inch, trade size;

(*c*) have a trap with a trap seal of at least six inches and a cleanout; and

(*d*) not be installed in any dwelling. O. Reg. 246/66, s. 28; O. Reg. 5/70, s. 24 (2).

(7) Two or more Class 4 floor drains located on the same floor in a parking garage may be connected to the same trap. O. Reg. 5/70, s. 24 (3).

(8) The traps required for Class 2, Class 3 and Class 4 floor drains shall, under normal conditions of use, have a supply of water flowing through them sufficient to keep their trap seals from evaporating. O. Reg. 246/66, s. 28.

(9) No floor drain shall be connected to storm drainage piping. O. Reg. 246/66, s. 28.

(10) A floor drain in a garage, that is to be used as a repair or service shop as opposed to a parking garage, shall connect to an interceptor installed in accordance with subsection 3 or 4 of section 98. O. Reg. 5/70, s. 24 (4).

(11) No floor drain in a room or area in which a furnace or boiler is located shall connect to any drain pipe that might convey inflammable substances. O. Reg. 246/66, s. 28.

(12) Where a device to furnish water to a trap is installed, the pipe or tube conveying water from the device to the trap shall be of a diameter at least $\frac{3}{8}$ inch, inside diameter. O. Reg. 246/66, s. 28; O. Reg. 5/70, s. 24 (5).

84.—(1) Flanges for fixtures having integral traps shall be of,

(*a*) brass;

(*b*) acrylonitrile-butadiene-styrene;

(*c*) poly (vinyl chloride); or

(*d*) copper. O. Reg. 246/66, s. 29 (1).

(2) Bolts, washers and nuts used in connection with the flanges shall be of brass. R.R.O. 1960, Reg. 471, s. 77 (2).

(3) Where the flanges referred to in subsection 1 are made of the material referred to in clause *a* or *d* thereof, the flanges shall be adapted for soldering to lead or copper drainage pipe or copper tube. O. Reg. 246/66, s. 29 (2).

(4) Flanges of the material referred to in subsection 1 shall be sufficiently rigid to produce a water-tight joint between the flange and the fixture to which the flange is attached. O. Reg. 246/66, s. 29 (2).

85. A water closet shall be so installed that a live load placed upon it is not transmitted to the mounting flange or the connected piping. O. Reg. 5/70, s. 25.

TRAPS

86.—(1) In this section,

(*a*) "bell trap" means a trap where the pipe conveying water from the trap is covered by a bell so that the water flowing through the trap passes under the rim of the bell and over the end of the pipe;

(*b*) "bottle trap" means a trap that retains liquids in a closed chamber and the water seal of which is made by submerging the inlet or outlet pipe in the liquids or by a partition submerged in the liquids;

(*c*) "drum trap" means a trap where the inlet and outlet ends are in the sides of the cylinder of the trap;

(*d*) "mechanically controlled seal" means any device in a trap whereby the water seal of the trap is replenished by the action of moving parts;

(*e*) "moving parts" does not include valves and other devices controlling the flushing of the fixture served by the trap. R.R.O. 1960, Reg. 471, s. 79 (1); O. Reg. 246/66, s. 30 (1); O. Reg. 221/67, s. 9 (1).

(2) No trap having a mechanically controlled seal shall be installed. R.R.O. 1960, Reg. 471, s. 79 (2).

(3) No drum trap shall be used in plumbing.

(4) No bell trap shall be used as a fixture trap. O. Reg. 246/66, s. 30 (2).

(5) No bottle trap shall be used in plumbing. O. Reg. 221/67, s. 9 (2).

87.—(1) In this section, "double trapping" means a mode of construction of drainage piping by which the discharge from a fixture passes through two traps between which there is no vent or air gap for the relief of air from the system. O. Reg. 5/70, s. 26.

(2) Drainage piping shall be so constructed that there is no double trapping. R.R.O. 1960, Reg. 471, s. 80 (2).

88. No vent shall be made in the crown of a trap. R.R.O. 1960, Reg. 471, s. 81.

89. A trap shall,

(*a*) have a trap seal not less than 1½ inches; and

(*b*) be so set that its water seal is kept constant. R.R.O. 1960, Reg. 471, s. 82.

90.—(1) A trap and the pipe connecting the trap to a fixture itemized in column 1 of Table 18 shall be of a trade size not smaller than that prescribed in column 2.

(2) The outlet end of a trap shall not be connected to a waste pipe smaller than the trap it serves.

(3) The waste pipe for a fixture having an integral trap shall be not smaller than the fixture outlet. R.R.O. 1960, Reg. 471, s. 83 (1, 3, 4).

91. The trap seal of a vitrified clay trap shall be not less than,

(*a*) two inches for a trap of 4 inch, trade size;

(*b*) 2½ inches for a trap of a trade size 6 inch or 8 inch. R.R.O. 1960, Reg. 471, s. 84.

92.—(1) Subject to subsections 3 and 4, each fixture shall be separately trapped by a water sealed trap placed as close as possible to the fixture. R.R.O. 1960, Reg. 471, s. 85 (1).

(2) The developed length of the vertical leg of the waste pipe between a fixture and its trap shall not exceed three feet. O. Reg. 246/66, s. 32 (1).

(3) Where washing and dry cleaning machines and sinks, other than sinks through which foodstuffs, excreta or other organic substances are discharged into the drainage piping, are located on the same floor and are arranged in groups of two or more, their waste pipes may be connected to the same trap. O. Reg. 246/66, s. 32 (2); O. Reg. 5/70, s. 27 (1).

(4) The waste pipes of,

(*a*) a sink having two or three compartments;

(*b*) two adjoining laundry trays, each tray having one or more compartments;

(*c*) two or three adjoining sinks, each sink having one or more compartments; or

(*d*) any combination of a sink, laundry tray, commercial glass washer or dish washer having a total number of fixture units not exceeding that permitted by Table 19,

may connect to the same trap if the developed length of the waste pipe between the centre of the water level of the trap and the point where the waste pipe leaves the fixture that is farthest from the trap is not more than thirty-six inches. R.R.O. 1960, Reg. 471, s. 85 (4); O. Reg. 246/66, s. 32 (3); O. Reg. 5/70, s. 27 (2).

(5) For the purpose of section 122, each compartment of a multiple compartment tray or sink shall be deemed to be a fixture. O. Reg. 246/66, s. 32 (4).

93.—(1) A grease interceptor may serve as the trap for a two-compartment or three-compartment sink or a dish-washing machine if the developed length between the inlet of the grease interceptor and the fixture outlet farthest from it is not more than thirty-six inches and the vertical distance between the crown weir and the trap dip or baffle of the grease interceptor is at least 1½ inches. R.R.O. 1960, Reg. 471, s. 86; O. Reg. 246/66, s. 33 (1).

(2) Where more than one dishwasher or one sink having two or three compartments discharge through the same grease interceptor, each dishwasher and sink shall be trapped and vented in accordance with subsection 1 of section 92 and subsection 1 of section 109. O. Reg. 246/66, s. 33 (2).

94. No waste pipe outlet shall connect to the trap, lead bend or lead stub of a water-closet. O. Reg. 246/66, s. 34.

95.—(1) Where a building trap is installed,

(*a*) subject to subsection 2, the building trap shall be located in a place that is readily accessible for the purpose of cleaning and inside the building and as close as practicable to the wall through which the drain enters the building; and

(*b*) a vent pipe not smaller than 4-inch, trade size, and terminating at least one foot above the ground or above the roof of the building shall be connected to the building drain on the inlet side of the trap and within four feet of the inlet of the trap and shall be screened or capped so as to prevent the entry of foreign matter and permit the free flow of air. R.R.O. 1960, Reg. 471, s. 88 (1); O. Reg. 246/66, s. 35 (1), (2).

(2) A building trap may be installed outside the wall of the building if the building trap is readily accessible for the purpose of cleaning and repair by means of a manhole lined with concrete or masonry and securely covered. O. Reg. 246/66, s. 35 (3).

(3) A building trap shall have an accessible cleanout. R.R.O. 1960, Reg. 471, s. 88 (3).

96.—(1) Subject to subsections 2 and 3, every fixture trap shall have at its lowest point a screw that is of a diameter of not less than one-half of that of the trap and so installed that it may be removed for cleaning purposes. O. Reg. 221/67, s. 10 (1).

(2) Subsection 1 does not apply to,

(*a*) a fixture trap combined with a fixture in which the trap dip is accessible for cleaning purposes;

(*b*) a trap of which a portion is removable for cleaning purposes; or

(*c*) a trap installed in a waste pipe connected to the drain outlet of a bath tub. R.R.O. 1960, Reg. 471, s. 89 (2); O. Reg. 246/66, s. 36.

(3) Where a fixture trap referred to in subsection 1 is of metal, the screw shall be of brass and where the trap is of any polymeric plastics the screw shall be composed of the same material as the trap. O. Reg. 221/67, s. 10 (2).

97.—(1) Where a service sink, water-closet or urinal is connected to drainage piping by a flange, the connection shall be,

(*a*) made by means of a flange in the manner prescribed in section 70; and

(*b*) sealed with a gasket of natural or synthetic rubber or a gasket of compounded asbestos manufactured for the purpose. O. Reg. 246/66, s. 37.

(2) The floor flange shall be set on a base of sufficient strength to support the fixture and the liquid in it.

(3) A stall urinal shall be connected to the waste pipe by a universal type strainer spud. R.R.O. 1960, Reg. 471, s. 90 (2, 3).

INTERCEPTORS

98.—(1) No interceptor shall be installed if a pocket of air is likely to form in it and retard its action.

(2) Every interceptor shall be vented and so located as to be readily accessible for cleaning. R.R.O. 1960, Reg. 471, s. 91 (1, 2).

(3) An interceptor manufactured to prevent motor oil or lubricating grease from passing into drainage piping shall be provided with two vents,

(*a*) that are not connected to each other or connected to any other pipe;

(*b*) each of which discharges into the open air at a point not less than seven feet above ground level; and

(*c*) that are connected to the interceptor and,

(i) where one or both of the vents extends through and above a roof or wall, that part of the vent from a point below the underside of the roof or the inside of the wall to the open end shall be of a trade size not smaller than three inches; and

(ii) where one or both of the vents extends through and above the surface of the ground outside a building, the vent shall be of a trade size not smaller than three inches. O. Reg. 246/66, s. 38 (1).

(4) A two or three compartment built-in-location interceptor to prevent motor oil or lubricating grease from passing into drainage piping shall be so constructed that no liquids can enter or leave the interceptor except through pipe openings provided for the purpose and shall be provided with two vents,

(*a*) that are connected to the interceptor at opposite ends of the interceptor;

(*b*) that are at least three inches in diameter;

(*c*) that discharge into the open air at a point not less than seven feet above ground level; and

(*d*) that do not connect to any other pipe and do not connect to each other. O. Reg. 246/66, s. 38 (2); O. Reg. 5/70, s. 28 (1).

(5) Abnormally large flows of waste water that do not contain oil or grease shall not be routed through the interceptor. O. Reg. 5/70, s. 28 (2).

99. A grease interceptor shall be,

(*a*) of sufficient capacity to intercept all grease likely to flow into it under normal conditions; and

(*b*) located as near as is practicable to the fixtures from which it receives discharges. R.R.O. 1960, Reg. 471, s. 92.

100. An interceptor for sand or other sediments shall have a trap seal of not less than six inches. R.R.O. 1960, Reg. 471, s. 93.

WASTE PIPES

101.—(1) Subject to subsection 2, no material other than lead pipe, copper tubing, or plastic pipe that complies with section 65, shall be used to make the connection between a water closet flange and the waste pipe into which the water closet discharges if the waste pipe is of cast iron, galvanized open hearth iron, galvanized steel, galvanized wrought iron or copper.

(2) If cast iron drainage pipe is connected by mechanical joints as permitted by section 73 that incorporate rubber gaskets that permit some movement in the joint, and a water closet flange is designed so that it can be connected directly to the cast iron and so that the resulting joint is then identical to other joints in the cast iron pipe, the pipe and the flange may be so connected without the use of the lead pipe or plastic pipe or copper tube required by subsection 1. O. Reg. 5/70, s. 29.

102.—(1) Not more than two water-closets shall discharge into a 3 inch horizontal branch.

(2) Not more than six water-closets shall discharge into a 3 inch soil stack. R.R.O. 1960, Reg. 471, s. 95 (1, 2).

(3) Not more than two sinks, other than laboratory or bar sinks, shall discharge into a 1½ inch horizontal branch. O. Reg. 246/66, s. 40; O. Reg. 5/70, s. 30 (1).

(4) Not more than three sinks, other than laboratory or bar sinks, located on one floor shall discharge into a 1½ inch waste stack. O. Reg. 246/66, s. 40; O. Reg. 5/70, s. 30 (2).

(5) Not more than four sinks, other than laboratory or bar sinks, if not more than two sinks are located on one floor shall discharge into a 1½ inch waste stack. O. Reg. 246/66, s. 40; O. Reg. 5/70, s. 30 (3).

103. A horizontal branch consisting of piping of a trade size itemized in column 1 of Table 19 shall not receive discharge from fixtures producing an aggregate hydraulic load greater than the number of fixture units prescribed in column 2. R.R.O. 1960, Reg. 471, s. 96.

STACKS

104.—(1) A waste stack or soil stack of a trade size itemized in column 1 of Table 20, shall not receive discharge from fixtures producing an aggregate hydraulic load greater than the number of fixture units prescribed in column 2. O. Reg. 5/70, s. 31.

(2) The aggregate hydraulic load discharged at any storey of a stack referred to in subsection 2 shall not be greater than the number of fixture units prescribed in column 3 of Table 20. R.R.O. 1960, Reg. 471, s. 97 (3).

105.—(1) In this section, "footing" means a horizontal length of cast iron piping located underground and connecting the bottom or end of a waste pipe, soil stack or waste stack to a building drain or branch thereof. R.R.O. 1960, Reg. 471, s. 98 (1); O. Reg. 246/66, s. 41 (1).

(2) Subject to subsections 3 and 4, where a waste pipe, soil stack, waste stack or rain water leader terminates underground by connecting to a non-metallic building drain or branch thereof, the waste pipe, soil stack, waste stack or rain water leader shall be provided with a footing,

(*a*) not less than thirty inches long and not more than sixty inches long; and

(*b*) of a diameter not less than,

(i) the size of the waste pipe, soil stack, waste stack or rain water leader, or

(ii) three inches,

whichever is the larger. O. Reg. 246/66, s. 41 (2).

(3) Where a waste pipe, soil stack, waste stack or rain water leader of copper terminates underground by connecting to a non-metallic building drain, building storm drain or branch thereof, the waste pipe, soil stack, waste stack or rain water leader shall be provided with a footing in accordance with subsection 2 or that part of the waste pipe, soil stack, waste stack or rain water leader that is underground shall have a wall thickness equal to or greater than the wall thickness of Type L copper tubing set out in Table 9. O. Reg. 246/66, s. 41 (2).

(4) A waste pipe, soil stack, waste stack or rain water leader of a material other than copper that terminates underground may be connected without a footing to a building drain or a building storm drain or branch thereof of asbestos cement if the connection is made by a cast iron fitting designed and manufactured for use with asbestos cement pipe and is sealed with a gasket of rubber. O. Reg. 246/66, s. 41 (2).

(5) Each stack of a diameter of three inches or more to which more than two water-closets are connected shall be provided with a footing of a diameter of four inches or larger. O. Reg. 246/66, s. 41 (2).

(6) Where the drainage piping above the level of the ground is connected to drainage piping below the level of the ground and both pipes are of poly (vinyl chloride) or both pipes are of acrylonitrile-butadiene-styrene that is in accordance with section 65, then no footing shall be required. O. Reg. 5/70, s. 32.

VENTING

106. Sections 107 to 137 do not apply to,

(*a*) area drains;

(*b*) backwater valves;

(*c*) leader traps; or

(*d*) subsoil catch basin traps. R.R.O. 1960, Reg. 471, s. 99.

107. Every system of drainage piping shall be protected by a vent system installed in the manner prescribed in this section and sections 108 to 137. R.R.O. 1960, Reg. 471, s. 100.

108.—(1) Every vent pipe not terminating in open air shall be connected to a vent stack or stack vent. R.R.O. 1960, Reg. 471, s. 101 (1).

(2) Every building drain shall be,

(*a*) provided with a vent stack, a waste stack or a soil stack of a diameter of not less than three inches that extends vertically through the roof of the building; or

(*b*) connected to a main vent that is erected in accordance with subsection 3 of section 130 and is of a diameter of not less than three inches. R.R.O. 1960, Reg. 471, s. 101 (2); O. Reg. 246/66, s. 42.

109.—(1) Subject to subsection 4 and to section 123, where a fixture trap is a P trap, it shall have a protecting vent pipe connected to the waste pipe into which the fixture discharges within five feet of the centre of the inlet end of the P trap, and where a fixture trap is an integral trap, it shall have a protecting vent pipe connected to the waste pipe into which the fixture discharges within five feet of the centre of the inlet end of the waste pipe. O. Reg. 246/66, s. 43 (1).

(2) A grease interceptor shall have a protecting vent pipe connected to the waste pipe within five feet of the grease interceptor outlet. R.R.O. 1960, Reg. 471, s. 102 (2).

(3) The section of waste pipe to which the vent pipe is connected between the trap and the vent pipe shall,

(*a*) contain not more than one 90° bend or two 45° bends; or

(*b*) if the trap is an integral trap through which a fixture discharges vertically, contain not more than two 90° bends or one 90° bend and two 45° bends. O. Reg. 246/66, s. 43 (2).

(4) A protecting vent pipe is not required under subsection 1,

(*a*) where the highest horizontal branch connected to a soil stack or waste stack receives the discharge from only one fixture, and that fixture is not more than five feet from the soil stack or waste stack;

(*b*) where fixtures with traps having a minimum trade size of three inches discharge into a waste pipe connected to a soil stack or waste stack at a point not more than five feet from the soil stack or waste stack and downstream from fixtures,

(i) that discharge an hydraulic load totalling not more than six fixture units, of which no fixture has a trap or waste pipe larger than two inches into a soil stack with a diameter of not less than three inches, and

(ii) that are all on one floor level;

(*c*) where the fixtures,

(i) have waste outlets of a diameter of two inches or less and are located on the same floor level,

(ii) are connected to a soil stack or waste stack of a diameter of three inches or greater,

(iii) discharge an hydraulic load totalling not more than six fixture units, and

(iv) discharge into a waste pipe connected to a soil stack or waste stack at a point not more than five feet from the soil stack or waste stack, or

(*d*) where a water-closet discharges into a horizontal branch of a diameter of at least three inches at a point downstream from fixtures that discharge an hydraulic load totalling not more than six fixture units, of which no fixture has a trap or waste pipe larger than two inches into the horizontal branch and the water-closet and the fixtures are all on one floor level,

and where no other fixtures discharge at a higher floor level into a waste pipe connected to the soil stack or waste stack. R.R.O. 1960, Reg. 471, s. 102 (4); O. Reg. 246/66, s. 43 (3-8); O. Reg. 5/70, s. 33.

(5) Waste pipes shall be installed and back vented at the same time. R.R.O. 1960, Reg. 471, s. 102 (5).

110.—(1) Subject to subsection 2, a fixture trap shall have a protecting vent so located that,

(*a*) the total fall in the waste pipe from the trap weir to the vent is not greater than the diameter of the waste pipe; and

(*b*) the developed length of the waste pipe from the trap weir to the vent is not less than twice the diameter of the waste pipe.

(2) Subsection 1 does not apply to,

(*a*) water-closets;

(*b*) pedestal urinals;

(*c*) trap standards;

(*d*) fixtures that depend on siphonic action for the proper functioning of the fixture; and

(*e*) connections that do not exceed one Y and one eighth-bend between the trap outlet and the vent. R.R.O. 1960, Reg. 471, s. 103.

111.—(1) Subject to subsection 2, a vent pipe shall be of brass, cast iron, copper, galvanized open hearth iron, galvanized steel, galvanized wrought iron, lead, acrylonitrile-butadiene-styrene or poly (vinyl chloride). R.R.O. 1960, Reg. 471, s. 104; O. Reg. 246/66, s. 44; O. Reg. 5/70, s. 34.

(2) Where in compliance with subsection 2 of section 55, the drainage piping is of material other than that listed in subsection 1 of section 55, the vent piping connected thereto may be of the same material as the drainage piping and shall, in any event, be of material that will withstand the corrosive effect of the vapours that it may encounter. O. Reg. 5/70, s. 34.

112.—(1) The vent pipe venting a fixture trap of a size itemized in column 1 of Table 21 shall be of a trade size not smaller than that prescribed in column 2.

(2) No vent pipe smaller than 1¼ inch, trade size, shall be installed. R.R.O. 1960, Reg. 471, s. 105.

113.—(1) A branch vent, vent stack or stack vent of 1¼ inch trade size shall have connected to it not more than four vent pipes of 1¼ inch, trade size. R.R.O. 1960, Reg. 471, s. 106 (1).

(2) A branch vent, vent stack or stack vent of 1½ inch, trade size shall have connected to it not more than,

(*a*) twelve vent pipes of 1¼ inch, trade size;

(*b*) six vent pipes of 1½ inch trade size, other than water-closet vent pipes;

(*c*) two water-closet vent pipes of 1½ inch, trade size;

(*d*) one water-closet vent pipe of 1½ inch, trade size, and four other vent pipes of 1¼ inch, trade size;

(*e*) two vent pipes of 1½ inch, trade size, one of which is a back vent protecting a fixture trap for a water-closet, and two other vent pipes of 1¼ inch, trade size; or

(*f*) three vent pipes of 1½ inch, trade size, one of which is a back vent protecting a fixture trap for a water-closet. R.R.O. 1960, Reg. 471, s. 106 (2); O. Reg. 246/66, s. 45 (1).

(3) A loop vent, circuit vent, relief vent, branch vent, vent stack, yoke vent or stack vent of 2 inch trade size shall have connected to it not more than,

(*a*) fifty vent pipes of 1¼ inch, trade size;

(*b*) twenty-five vent pipes of 1½ inch, trade size, other than water-closet vent pipes; or

(*c*) six water-closet vent pipes of 1½ inch, trade size, and

(i) twelve other vent pipes of 1½ inch, trade size,

(ii) twenty-five vent pipes of 1¼ inch, trade size, or

(iii) a combination of the pipes mentioned in subclauses i and ii, in which a 1½ inch vent pipe is deemed to be equivalent to two 1¼ inch vent pipes. R.R.O. 1960, Reg. 471, s. 106 (3); O. Reg. 246/66, s. 45 (2, 3).

(4) A branch vent, yoke vent, loop vent, circuit vent, relief vent, vent stack or stack vent of 2½ inch, trade size shall have connected to it not more than ten water-closet vent pipes of 1½ inch, trade size, and

(*a*) twelve other vent pipes of 1½ inch, trade size; or

(*b*) twenty-five vent pipes of 1¼ inch, trade size. R.R.O.1960,Reg.471,s.106(4);O.Reg. 246/66, s. 45 (4).

(5) The waste pipe from any single fixture with not more than one compartment and having a diameter of not more than 1½ inches may be connected to a circuit vent, loop vent, relief vent or yoke vent or to the point of connection between the main vent and the building drain, soil stack or waste stack if the fixture is on the same floor level as any other fixtures being vented by the same vent and if the fixture complies with sections 108 to 110. R.R.O. 1960, Reg. 471, s. 106 (5); O. Reg. 246/66, s. 45 (5); O. Reg. 5/70, s. 35.

(6) For the purpose of this section, in calculating vent sizes each fixture trap represents one vent. R.R.O. 1960, Reg. 471, s. 106 (6).

114. Where a single family dwelling has in the basement a vent pipe not smaller than 1¼ inch, trade size, that pipe may be used to vent one water-closet and one wash basin both located in the basement if the vent connecting the water-closet or the wash basin to the vent pipe is not smaller than 1½ inch, trade size. R.R.O. 1960, Reg. 471, s. 107.

115. A vent pipe or vent stack of a trade size itemized in column 1 of Table 22 shall not have a length greater than that prescribed in column 2. R.R.O. 1960, Reg. 471, s. 108.

116.—(1) For the purposes of section 115, the length of branch vents, vent stacks and stack vents shall be computed in the manner prescribed in subsections 2, 3 and 4.

(2) The length of a branch vent is the developed length between,

(*a*) its connection with the vent stack or stack vent; and

(*b*) the waste pipe served by the branch vent.

(3) The length of a vent stack is the developed length between,

(*a*) the lowest point at which the vent stack connects to the soil stack, waste stack or building drain; and

(*b*) the open air terminal of the vent stack.

(4) The length of a stack vent is the developed length between,

(*a*) the highest horizontal branch or fixture branch connected to the stack; and

(*b*) the open air terminal of the stack vent. R.R.O. 1960, Reg. 471, s. 109.

117. Where fixture traps are circuit vented or loop vented or a protecting vent pipe is not required under subsection 1 of section 109, no vertical leg of a waste pipe of any of the fixtures shall have a developed length in excess of three feet. O. Reg. 246/66, s. 46.

118.—(1) Where a dry vent connects to horizontal drainage piping, the connection shall be made above the centre line of the drainage piping.

(2) No vent pipe shall be connected to another vent pipe except at a point above the flood level rim of the fixture that the other vent pipe is venting. O. Reg. 246/66, s. 47.

119. A connection between a vent pipe and a vent stack shall be above the flood level rim of the highest fixture served by the vent pipe. R.R.O. 1960, Reg. 471, s. 112.

120. Where a fixture trap has a protecting vent pipe, the vent pipe shall be so constructed and graded that liquid collecting in it drains by gravity toward the trap protected by the vent pipe. O. Reg. 246/66, s. 48.

121.—(1) A back vent installed vertically may be used as a vent pipe for two fixtures when both waste pipes from the fixtures connect on the same level to a vertical waste pipe.

(2) The total fall and developed length prescribed in clauses *a* and *b* of subsection 1 of section 110 apply to each waste pipe installed as permitted by subsection 1.

(3) Where a dual vent is installed in conformance with subsections 1 and 2, no additional vent is required for the traps of the two fixtures served by the two waste pipes. R.R.O. 1960, Reg. 471, s. 114.

122.—(1) Subject to subsections 2 and 3, the waste pipe of not more than two fixtures may serve as the wet vent pipe for one other fixture that uses a half S or a P trap if,

(*a*) all such fixtures are on the same floor level;

(*b*) part of the waste pipe is a continuous waste and vent;

(*c*) the connections of both fixtures are made at different levels, the fixture traps of both fixtures are protected by separate vent pipes, or the connections of both fixtures to the waste pipe serving as a wet vent pipe are made at the same level, using a double waste fitting or double Y;

(*d*) the waste pipe serving as a wet vent pipe is of a trade size not less than,

(i) 1¼ inches where the fixture being wet vented is connected to a horizontal waste pipe of a trade size of 1¼ inches or 1½ inches,

(ii) 1½ inches where the fixture being wet vented is connected to a horizontal waste pipe of a trade size of 2 inches, or

(iii) 2 inches where the fixture being wet vented is connected to a horizontal waste pipe of a trade size of 3, 4 or 6 inches;

(*e*) the length of the waste pipe of the fixture being wet vented between the trap inlet and the connection to a waste pipe,

(i) that becomes the wet vent, and

(ii) that has a grade of not more than ¼ inch to the foot,

is a developed length of not less than eighteen inches and the waste pipe of the fixture being wet vented complies with sections 109 and 110; and

(*f*) the waste pipe serving as a wet vent pipe has a developed length of not more than twenty feet. R.R.O. 1960, Reg. 471, s. 115 (1); O. Reg. 246/66, s. 49 (1).

(2) Clauses *d* and *e* of subsection 1 do not apply to a water-closet, trap standard slop sink, bed pan washer or a pedestal urinal. R.R.O. 1960, Reg. 471, s. 115 (2).

(3) The waste pipe of not more than two fixtures may serve as the wet vent pipe for a water-closet, trap standard slop sink, bed pan washer or pedestal urinal if the waste pipe serving as the wet vent is of a trade size not less than two inches and clauses *a*, *b* and *c* of subsection 1 are complied with. O. Reg. 246/66, s. 49 (2).

(4) Where the water closet, trap standard slop sink, bed pan washer or pedestal urinal is wet vented by only one fixture, the wet vent shall be of minimum 2 inch trade size up to the point where it becomes a dry vent, and where the water closet, trap standard slop sink, bed pan washer or pedestal urinal is wet vented by two fixtures that are separately vented the wet vent pipe shall be of minimum 2 inch trade size throughout the length that carries the drainage from both fixtures. O. Reg. 5/70, s. 36.

123.—(1) The fixture traps for sanitary units, floor drains, trap standard slop sinks or traps serving shower heads that are connected to a horizontal waste pipe in series on the same floor level may be vented by a circuit or loop vent if the circuit or loop vent is connected to the waste pipe above the centre line of the waste pipe. O. Reg. 246/66, s. 50.

(2) Where a waste pipe connected to a building drain, waste stack or soil stack is circuit vented and a fixture discharges above the connection the waste pipe shall be provided with a relief vent.

(3) Where not more than six sanitary units, floor drains, trap standard slop sinks or traps serving shower heads are connected in series, the circuit or loop vent shall be connected in front of the last sanitary unit, floor drain, trap standard slop sink or trap serving a shower head in the series.

(4) Where more than six sanitary units, floor drains, trap standard slop sinks or traps serving shower heads are connected in series, a vent shall be provided for each multiple of six sanitary units, floor drains, trap standard slop sinks or traps serving shower heads and a vent shall be provided for any such fixtures in addition to six or any multiple of six, as the case may be, and the vent shall be in addition to the loop or circuit vent referred to in subsection 1.

(5) A loop or circuit vent or vent required by this section shall be of a trade size of at least two inches and may have other vents connected to it as provided in subsection 3 of section 113.

(6) No waste shall be discharged into a loop or circuit vented horizontal branch pipe from a higher floor level. R.R.O. 1960, Reg. 471, s. 116 (2-6).

124. Where a loop or circuit vent is connected to a waste pipe and a bend is connected to a Y in the waste pipe, the bend shall be not more than sixty inches in length. R.R.O. 1960, Reg. 471, s. 117; O. Reg. 246/66, s. 51.

125.—(1) Where not more than six circuit or loop vented fixture traps are connected to two or more horizontal branches that connect to the same horizontal branch, the horizontal branches may have a combined relief vent. O. Reg. 246/66, s. 52.

(2) The vent pipes shall be connected to the relief vent above the flood level rim of the highest fixtures discharging into the horizontal branches. R.R.O. 1960, Reg. 471, s. 118 (2).

126. In buildings, other than residential buildings having a stack height of forty feet or less as determined in accordance with clause *d* of subsection 1 of section 73, where a horizontal branch connects to a horizontal offset in a stack, the connection shall be not less than five feet downstream from the base of the vertical section of the stack that discharges into the horizontal offset. O. Reg. 246/66, s. 53; O. Reg. 5/70, s. 37.

127.—(1) Where a soil stack extends through ten or more storeys of a building, the stack shall be yoke vented for each section of five storeys or part thereof counted from the top down and where the flow changes from vertical to horizontal, the stack shall be yoke vented immediately above the change in direction. O. Reg. 246/66, s. 54; O. Reg. 221/67, s. 11 (1).

(2) In each section,

(*a*) the lower end of the yoke vent shall connect to the soil stack through a Y below the horizontal branch from the lowest floor of the section;

(*b*) the upper end of the yoke vent shall connect to the vent stack not less than three feet above the level of the lowest floor of the section; and

(*c*) the yoke vent shall be not less than two inches in diameter. R.R.O. 1960, Reg. 471, s. 120 (2); O. Reg. 221/67, s. 11 (2).

(3) Where a waste stack is yoke vented, any number of storeys may constitute a section for the purposes of subsection 2 and each section shall be yoke vented in accordance with subsection 2. O. Reg. 221/67, s. 11 (3).

(4) Where the soil stack in a building of ten or more storeys does not serve the lowest one or more storeys which are instead served by an auxiliary stack, the lowest yoke vent on the soil stack shall connect below the lowest fixture, but need not be at the base of the stack. O. Reg. 5/70, s. 38.

128.—(1) Subject to subsections 2 and 3, every sewage tank shall be vented by a vent pipe not smaller than one trade size smaller than the inlet pipe of the sewage tank.

(2) Where the size of vent pipe as computed under subsection 1 is greater than 3 inches, trade size, vent pipe of 3 inches trade size may be used.

(3) Where the inlet pipe of the sewage tank is 3 inches, trade size, the vent pipe shall be not less than 2 inches, trade size. R.R.O. 1960, Reg. 471, s. 121.

(4) Subject to section 113, other vent pipes may be connected to the vent pipe required by subsection 1. O. Reg. 5/70, s. 39.

129.—(1) A vent pipe of a trade size itemized in column 1 of Table 23 shall be deemed to have the cross-sectional area prescribed in column 2. R.R.O. 1960, Reg. 471, s. 122 (1).

(2) Where more than two vent stacks of a diameter of at least 3-inch, trade size, are connected to a header, the header shall be of a size having a cross-sectional area not less than 40 per cent of the sum of the cross-sectional areas of all the vent stacks connected to it.

(3) Where two vent stacks of a 4-inch or larger, trade size, are connected to a header, the header shall be at least one trade size listed in column 1 of Table 23 larger than the larger of the two stacks connected to it.

(4) Not more than,

(*a*) one 3-inch vent pipe or vent stack shall be connected to a 3-inch vent stack or header;

(*b*) two 3-inch vent pipes or vent stacks shall be connected to a 4-inch vent stack or header;

(*c*) one 4-inch vent pipe or vent stack shall be connected to a 4-inch vent stack or header;

(*d*) one 4-ich vent pipe or vent stack shall be connected to a 5-inch vent stack or header; and

(*e*) two 4-inch vent pipes or vent stacks shall be connected to a 6-inch vent stack or header. O. Reg. 246/66, s. 55.

130.—(1) Where back vents, relief vents, circuit vents or loop vents are required in two or more storeys of a waste stack or soil stack, a vent stack shall be installed in conjunction with that stack.

(2) The vent stack shall,

(*a*) have its lower end connected to,

(i) the waste stack or soil stack at or below the lowest horizontal waste pipe, or

(ii) the building drain; and

(*b*) extend to the open air independently, or through a header.

(3) Where subsection 1 applies as a result of alteration of the vent system in an existing building, the vent stack may be erected vertically outside the building and changes in direction of the vent stack shall be made by eighth-bends and every part shall be vertical. R.R.O. 1960, Reg. 471, s. 123.

131.—(1) A waste stack or soil stack shall be vented at a point above the flood level rim of the highest fixture discharging directly or indirectly into it.

(2) The venting shall be effected,

(*a*) by extension of the stack with pipe of a trade size of not less than 3 inches vertically through the roof of the building; or

(*b*) by connecting the stack to a vent stack by means of a vent pipe that slopes upwards from the waste stack or soil stack to the vent stack. R.R.O. 1960, Reg. 471, s. 124.

132.—(1) Stack vents and vent stacks may be connected together at a point above the flood level rim of the highest fixture served by either of them and thence extended in a single header to the open air. R.R.O. 1960, Reg. 471, s. 125 (1).

(2) The header shall be of a developed length computed in accordance with subsection 3 and with section 115. R.R.O. 1960, Reg. 471, s. 125 (2); O. Reg. 246/66, s. 56.

(3) The developed length of a header is that of the longest of the vent pipes so connected together and including the header and is calculated by commencing at the base of the stack most distant from the header and continuing through that stack to the header and thence to its terminal in open air. R.R.O. 1960, Reg. 471, s. 125 (3).

133. The discharge end of a stack vent, vent stack or vent pipe terminating in open air shall be located at a distance of not less than three feet above or twelve feet away from any air inlet, window or door of the building or of any adjacent building. R.R.O. 1960, Reg. 471, s. 126.

134.—(1) The part of a waste stack, soil stack or vent stack that extends through and above a roof or wall shall be of a trade size not smaller than 3 inch.

(2) Where an increaser is installed, the bottom of the larger pipe shall be below the underside of the roof. R.R.O. 1960, Reg. 471, s. 127.

135.—(1) The discharge end of a vent pipe extending through a roof shall extend through the roof at least,

(*a*) six inches when the roof is not accessible for use by persons;

(*b*) six feet above a roof that is accessible for use by persons.

(2) Where the discharge end is so located that it may become clogged by any cause, it shall be fitted with a shield so constructed as to prevent clogging. R.R.O. 1960, Reg. 471, s. 128.

136.—(1) In this section,

(*a*) "alloyed zinc" means an alloy of zinc having the corrosion resistance and physical properties of an alloy containing 0.15 per cent titanium, 0.74 per cent copper and 99.11 per cent zinc and so tempered as to be capable of being formed into the shape required for a water-tight joint;

(*b*) "flashing" means a weather stop surrounding a pipe at a place where the pipe protrudes through a roof or an outside wall of a building. O. Reg. 178/64, s. 5.

(2) Where stacks or vent pipes pass through a roof they shall be equipped with a flashing and the joint between the roof and the pipe or stack shall be made water-tight. O. Reg. 178/64, s. 5.

(3) Subject to subsection 6 flashing for stacks and vent pipes shall be of copper, aluminum, alloyed zinc, lead or neoprene. O. Reg. 178/64, s. 5; O. Reg. 5/70, s. 40 (1).

(4) Flashing shall be at least twenty inches in length by twenty inches in width, except that on a flat roof where the stack diameter is twelve inches or less, the flashing may be circular and have a minimum diameter of twenty inches and where a sleeve flashing is used, the sleeve shall extend at least six inches above the roof at every point of the pipe or stack. O. Reg. 5/70, s. 40 (2).

(5) Flashing made of,

(*a*) lead shall be of lead sheet weighing not less than five pounds per square foot;

(*b*) copper shall be of copper sheet weighing not less than ten ounces per square foot;

(*c*) aluminum shall be of sheet aluminum weighing not less than 5.5 ounces per square foot;

(*d*) alloyed zinc shall be of alloyed zinc sheet weighing not less than 8.1 ounces per square foot; or

(*e*) neoprene shall weigh not less than 0.722 pound per square foot. O. Reg. 178/64, s. 5.

(6) Flashings made of material other than those listed in subsection 3 may be used provided they have been marked as approved for the purpose by the Canadian Standards Association. O. Reg. 5/70, s. 40 (3).

BACKWATER VALVES

137.—(1) No backwater valve shall be installed unless,

(*a*) all its bearing parts and balls are of corrosion-resisting material; and

(*b*) it is of such construction as to ensure a positive mechanical seal.

(2) A backwater valve shall be so located that it can be readily examined and cleaned. R.R.O. 1960, Reg. 471, s. 129.

BUILDING DRAINS AND BUILDING SEWERS

138. No liquid or vapour having a temperature higher than 170°F shall be discharged into a building drain, building storm drain, building sewer or building storm sewer. O. Reg. 246/66, s. 57.

139.—(1) Where a building contains one soil stack, every building drain shall be extended to the soil stack and shall be not less than four inches in diameter.

(2) Where a building contains more than one soil stack, every building drain shall be extended to the soil stack farthest from the point where the building drain enters the building and shall be not less than four inches in diameter.

(3) Where a building does not contain a soil stack but contains one or more vent stacks or waste stacks, every building drain shall be not less than four inches in diameter and shall be extended to the waste stack or vent stack that,

(*a*) is of a diameter of not less than three inches; and

(*b*) extends vertically through the roof of the building.

(4) Where the main sewer is installed at an elevation below the elevation of the bottom of a wall of a building or other structure and the building drain connects to a stack through a floor, the drain shall terminate at the bottom of the floor.

(5) Where the main sewer is installed at an elevation above the elevation of the bottom of a wall of a building or other structure and the building drain enters the building through a wall, the drain shall terminate at the commencement of the change of direction of the drainage piping from horizontal to vertical that is farthest from the wall through which the drain enters. O. Reg. 246/66, s. 58.

140.—(1) A slope of not less than ¼ inch a foot of run shall be provided,

(*a*) for a waste pipe;

(*b*) for a horizontal drainage pipe not larger than 3 inch, trade size; and

(*c*) for a horizontal storm drainage pipe not larger than 3-inch, trade size. R.R.O. 1960, Reg. 471, s. 132 (1); O. Reg. 246/66, s. 59 (1).

(2) A horizontal drainage pipe and a horizontal storm drainage pipe larger than 3 inch, trade size, shall have a slope of not less than ⅛ inch a foot of run. R.R.O. 1960, Reg. 471, s. 132 (2); O. Reg. 246/66, s. 59 (2).

(3) Where conditions do not permit a building drain, building sewer, building storm drain or building storm sewer to have the slope prescribed in subsection 1 or 2, it may have a lesser slope, but not so that the rate of flow of the liquids is less than two feet a second. R.R.O. 1960, Reg. 471, s. 132 (3); O. Reg. 246/66, s. 59 (3).

141. The hydraulic load discharged into a building drain or building sewer of a trade size itemized in column 1 of Table 24 shall not be greater than the number of fixture units prescribed in,

(*a*) column 2, where the pipe has a slope of 1/16 inch a foot of run;

(*b*) column 3, where the pipe has a slope of 1/8 inch a foot of run;

(*c*) column 4, where the pipe has a slope of 1/4 inch a foot of run; or

(*d*) column 5, where the pipe has a slope of 1/2 inch a foot of run. R.R.O. 1960, Reg. 471, s. 133.

CLEAN-OUTS

142.—(1) Every nut on a clean-out shall be of brass or other equally non-corroding metal.

(2) The body of a clean-out shall have a thickness not less than that prescribed for the wall of piping of the same metal and trade size. R.R.O. 1960, Reg. 471, s. 134 (2, 3).

143.—(1) A clean-out plug shall,

(*a*) be of brass or other equally non-corroding material;

(*b*) subject to section 2, have a wall thickness equal to the thickness of the wall of the piping into which the clean-out plug fits; and

(*c*) have a cover that can be removed and replaced and that provides a seal sufficient to withstand the test prescribed in section 153. R.R.O. 1960, Reg. 471, s. 135 (1); O. Reg. 246/66, s. 61; O. Reg. 221/67, s. 13.

(2) Where a clean-out plug is hollow or stamped out, the wall thickness of the plug shall be not less than ⅛ inch. R.R.O. 1960, Reg. 471, s. 135 (2).

144. A clean-out connected to a pipe,

(*a*) up to 4 inch, trade size, shall be of the same trade size as the pipe; and

(*b*) larger than 4 inch, trade size, shall be not smaller than 4 inch, trade size. R.R.O. 1960, Reg. 471, s. 136.

145. A clean-out shall be so installed as to be readily accessible. R.R.O. 1960, Reg. 471, s. 137.

146.—(1) A clean-out shall be installed in the building drain as near as possible to the inner face of the outside wall and, where a building trap is installed, the clean-out shall be installed on the downstream side of the building trap. O. Reg. 246/66, s. 63 (1).

(2) A clean-out shall be installed at or as close as practicable to the foot of each waste stack, soil stack or rain water leader and so that it may be readily used. R.R.O. 1960, Reg. 471, s. 138 (2); O. Reg. 246/66, s. 63 (2).

147.—(1) Every waste pipe connected to a sink, other than a sink for which a vent is provided under subsection 4 of section 109, shall be provided with sufficient clean-outs to reach downstream each twenty feet or fraction thereof of the waste pipe. O. Reg. 246/66, s. 64 (1).

(2) Clean-outs in horizontal drainage piping shall be at intervals not greater than,

(*a*) fifty feet, where the piping is of 4 inch, or smaller, trade size;

(*b*) 100 feet, where the piping is of larger trade size; or

(*c*) where manholes as permitted by subsection 4 are used as cleanouts, the maximum spacing between manholes shall be in accordance with clause *c* of subsection 4. R.R.O. 1960, Reg. 471, s. 139 (2); O. Reg. 246/66, s. 64 (2); O. Reg. 5/70, s. 41 (1).

(3) When a fixture is equipped with a P trap of two piece construction permitting the ready removal of the trap dip and thus providing a full size opening to the drainage pipe, such a trap may, for the purposes of subsections 1 and 2, be regarded as a clean-out.

(4) A manhole may be used as a clean-out in a building sewer or a building storm sewer where the building sewer or building storm sewer is of a diameter of 6 inches or larger, trade size and,

(*a*) where a manhole is constructed to serve a building sewer or building storm sewer, the manhole shall be a minimum diameter of 42 inches if it is of circular section and a minimum of 42 inches square if of a square section;

(*b*) the developed length from the outer face of the wall of the building to the manhole nearest to the outer face of the wall shall not exceed 100 feet;

(*c*) the maximum pipe length between any two connected manholes in the building sewer or building storm sewer shall not exceed 300 feet in piping of 24 inch diameter or less, and shall not exceed 500 feet in piping of diameter greater than 24 inches;

(*d*) there shall be no change in slope or direction of any section between manholes of a building sewer or building storm sewer;

(*e*) when a manhole is constructed within a building or if the building is constructed so as to enclose an existing manhole, the manhole shall be vented independently to atmosphere outside the building and the vent pipe shall have a minimum inside diameter of 4 inches and shall terminate at least one foot above ground; and

(*f*) every manhole shall be supported independent of the pipe and shall impose no load on any pipe connected to it. O. Reg. 5/70, s. 41 (2).

SEWAGE TANKS AND SUMPS

148.—(1) A subdrain carrying sewage from a fixture shall discharge by gravity into a sewage tank. R.R.O. 1960, Reg. 471, s. 140 (1).

(2) A drain carrying only storm water shall discharge by gravity into a sump or into a building storm drain and, where the building storm drain has a trap, the drain shall discharge into the building storm drain upstream from the trap. O. Reg. 246/66, s. 65 (1).

(3) The sewage shall be discharged by a pump or mechanical ejector from the sewage tank into the building sewer or building drain and shall not pass through a building trap.

(4) The pump or mechanical ejector shall be so designed and have capacity great enough that it empties the sewage tank at least once in every period of two hours.

(5) Every sewage tank and every sump constructed of a material other than steel or cast iron shall be separated by a space of not less than six inches. R.R.O. 1960, Reg. 471, s. 140 (3-5).

(6) Where a foundation drain connects to a building sewer or building drain, the foundation drain shall be separated from the sewer or building drain by a trap. O. Reg. 246/66, s. 65 (2).

(7) Where a foundation drain connects to a sewage tank, a settling chamber shall be installed in the drain upstream from the sewage tank.

(8) The inlet end of that portion of the drain between the chamber and the tank shall be at least six inches below the point at which the invert of such portion of the drain connects to the chamber.

(9) A check valve shall be installed in the drain between the chamber and the tank to prevent sewage from flowing back into the chamber.

(10) Each pump or mechanical ejector installed to transmit sewage or storm water from a sewage tank or sump to a sewer, drain pipe or point of disposal shall be so designed that it discharges solid matter of a dimension of two inches or greater and a gate valve and a check valve shall be installed in the pipe connecting the pump or the ejector to the building sewer or building drain. O. Reg. 246/65, s. 65 (2); O. Reg. 5/70, s. 42.

(11) The check valve mentioned in subsection 10 shall be installed in the pipe connecting the pump or ejector to the sewer or drain at a point between the pump or ejector and the gate valve.

(12) Where the pump or ejector mentioned in subsection 10 is not designed to operate under water, it shall be located at such a point that sewage will discharge by gravity into the pump or ejector. O. Reg. 246/66, s. 65 (2).

TESTING

149.—(1) Each drain shall be tested by rolling through it a ball made of hard material sufficiently heavy to prevent it from floating.

(2) The diameter of the ball shall be,

(*a*) two inches, for piping of 3 inch, or larger, trade size; and

(*b*) one inch for smaller piping. R.R.O. 1960, Reg. 471, s. 141.

150.—(1) Any test may be applied to any part of drainage piping separately from the remainder of the drainage piping.

(2) Where a test that is required by this Regulation is being made, sufficient clean-outs shall be removed to ensure that the water, air or smoke, as the case may be, has reached every point of the piping being tested. R.R.O. 1960, Reg. 471, s. 142.

151. After drainage piping is interconnected and connected to the venting thereof, but before the fixtures are connected to the drainage piping, the piping and the venting thereof shall be tested by the water test or the air test, applied in the manner prescribed by section 153 or 154. O. Reg. 246/66, s. 66.

152. In sections 153 and 154, "outlet" means the opening in drainage piping and the venting thereof, and in storm drainage piping through which the water or air used to make a water test or air test may escape to the open air, to any part of the piping not under test or to the main sewer. R.R.O. 1960, Reg. 471, s. 144; O. Reg. 246/66, s. 67.

153. A water test shall be made by,

(*a*) tightly closing all outlets, except the highest, in the piping being tested;

(*b*) filling the piping completely with water until the water is steadily overflowing at the highest outlet of the piping;

(*c*) visually examining every joint of the piping after the water has been in the piping for not less than fifteen minutes and while still in it; and

(*d*) ensuring that no water is seeping out or leaking at any point. R.R.O. 1960, Reg. 471, s. 145.

154. An air test shall be made by,

(*a*) securely attaching an air compressor or similar pneumatic testing apparatus to the piping at any convenient outlet of the piping tested;

(*b*) tightly closing all other outlets of the piping;

(*c*) forcing air into the piping until the constant internal pneumatic pressure is not less than 5 p.s.i.; and

(*d*) ensuring that air is not escaping from the piping at any point after that pressure has remained constant for not less than fifteen minutes and while it is still constant without any additional air being forced in or a change occurring in the temperature of the piping greater than 5° F. R.R.O. 1960, Reg. 471, s. 146.

155.—(1) After all fixtures have been connected to the piping, and the piping has been connected to the venting thereof, a final test shall be made of the drainage piping and venting thereof. R.R.O. 1960, Reg. 471, s. 147 (1); O. Reg. 246/66, s. 68 (1).

(2) The test shall be made by,

(*a*) filling all traps of the piping being tested to their respective minimum water seals;

(*b*) completely filling the pipes and vents with air by any convenient method;

(*c*) closing every vent stack, stack vent, soil stack and waste stack;

(*d*) adding into the piping and vents more air sufficient to build up an internal pressure equivalent to a 1-inch water column; and

(*e*) ensuring that no air is escaping from the piping or vents at any point after that pressure has been maintained constant for not less than fifteen minutes and while it is still constant. R.R.O. 1960, Reg. 471, s. 147 (2).

PART IV

FIXTURES

156.—(1) Every fixture shall be connected to drainage piping.

(2) The room or compartment in which a fixture is located shall be adequately ventilated.

(3) All walls and flooring around or under a bath tub, shower bath, or sanitary unit in a public building shall be of a material that is impervious to water. R.R.O. 1960, Reg. 471, s. 148 (1-3).

(4) All fixtures shall be conveniently located, placed level and true and firmly mounted so that a maximum of intended use may be derived therefrom. O. Reg. 5/70, s. 43.

(5) Fixture trim or plumbing brass listed in Appendix A shall not be installed unless it is marked as approved by the Canadian Standards Association. O. Reg. 5/70, s. 43.

157.—(1) An indirect waste pipe shall connect only to,

(*a*) a drinking fountain;

(*b*) a refrigerator or ice box;

(*c*) a food container;

(*d*) an appliance, device or apparatus that is used for the storage, preparation or processing of food or drink;

(*e*) a sterilizer;

(*f*) a water still, water treatment device or water operated device;

(*g*) cocktail mixing units; or

(*h*) equipment, heated by steam, for the storage or serving of food. O. Reg. 246/66, s. 69.

(2) Where anything referred to in subsection 1, except a drinking fountain, connects to a waste pipe, it shall connect to an indirect waste pipe. O. Reg. 221/67, s. 12.

158.—(1) A fixture shall be so installed as to be readily accessible for cleansing.

(2) A fixture having an integral trap shall be set plumb and true.

(3) Subject to subsection 4, every fixture shall be so installed that all walls and flooring around or under it are easily accessible for cleansing.

(4) Where a fixture is built into the structure of a room or compartment, it shall be so installed that water does not accumulate on the walls or flooring around or under the fixture. R.R.O. 1960, Reg. 471, s. 150.

159.—(1) Every fixture shall be provided with such supply pipes and fittings as will supply sufficient water for flushing the fixture to the extent necessary to keep it in sanitary condition. R.R.O. 1960, Reg. 471, s. 151.

(2) Where water faucets are installed that provide lateral separation between the hot water control and the cold water control, the hot water control shall be on the left and where a single control is used for both hot and cold water, a movement to the left shall provide hot water and a movement to the right shall provide cold water. O. Reg. 5/70, s. 44.

160. The pipe supplying water to a fixture itemized in column 1 of Table 26 shall be of a trade size not smaller than that prescribed in column 2. R.R.O. 1960, Reg. 471, s. 152.

161. Non-potable water shall not be distributed to a bath tub, kitchen, scullery sink, shower bath or wash basin. R.R.O. 1960, Reg. 471, s. 153.

162.—(1) For the purpose of this section, a trough urinal is a shallow vessel or receptacle, which may be a channel in the floor, used in a horizontal position whose length exceeds the depth.

(2) No trough urinal shall be installed. O. Reg. 5/70, s. 45.

163.—(1) In subsection 2, "frost-proof closet" means a water-closet so designed that,

(*a*) the trap and the water supply control valve are installed below frost line; and

(*b*) the bowl does not retain water.

(2) No frost-proof closet shall be installed so as to discharge directly or indirectly into a main sewer. R.R.O. 1960, Reg. 471, s. 155.

164.—(1) Every fixture shall be of such materials, construction and design as will ensure that the exposed surface of all parts are,

(*a*) hard;

(*b*) smooth;

(*c*) impervious to cold or hot water;

(*d*) readily accessible for cleansing; and

(*e*) free from,

(i) blemishes, or

(ii) cracks or other interstices,

that may harbour germs or impede thorough cleansing.

(2) All other parts of the fixture and all the area around the fixture so closely adjacent to it that germs may harbour therein shall be of such materials, construction and design as will ensure that the fixture and the adjacent area can be readily maintained in a thoroughly sanitary condition. R.R.O. 1960, Reg. 471, s. 156.

165.—(1) In this section, "wash down water-closet bowl" means a water-closet bowl that has,

(*a*) an integral flushing rim and jet;

(*b*) a minimum water surface of seven inches by eight inches;

(*c*) a minimum water seal of 2½ inches; and

(*d*) an integral trap at the front of the water-closet bowl that operates by syphonic action and that passes a solid ball 1½ inches in diameter. O. Reg. 221/67, s. 14.

(2) A water-closet bowl shall be,

(*a*) of vitreous china or any material having an equally smooth, hard, impervious surface;

(*b*) in one piece;

(*c*) provided with integral flushing rims so constructed as to flush the entire interior of the bowl;

(*d*) rigidly connected to the waste pipe; and

(*e*) where the water-closet bowl is in a public washroom, equipped with a seat with an open front. O. Reg. 246/66, s. 71; O. Reg. 5/70, s. 46 (1).

(3) No water-closet bowl in a public washroom shall be a wash down water-closet bowl. O. Reg. 246/66, s. 71; O. Reg. 5/70, s. 46 (2).

166.—(1) A water-closet tank shall have,

(*a*) water capacity; and

(*b*) flush valve equipment,

such as will ensure at all times a supply of water sufficient to flush normal solids and soil out of the bowl.

(2) A flush pipe shall have an internal diameter not less than that of the spud on the tank. R.R.O. 1960, Reg. 471, s. 158.

167.—(1) A urinal shall be of a material prescribed by clause *a* of section 165.

(2) A urinal of a siphon jet, blow out or pedestal type shall have its flushing-rim and its trap integral with it. R.R.O. 1960, Reg. 471, s. 159.

168. A urinal tank shall have,

(*a*) water capacity;

(*b*) flush valve equipment; and

(*c*) pipe connecting to the urinal,

such as will ensure at all times a supply of water sufficient to flush the normal liquids and solids out of the urinal. R.R.O. 1960, Reg. 471, s. 160.

169.—(1) A wash basin,

(*a*) shall be of a material prescribed by clause *a* of subsection 2 of section 165; and

(*b*) shall have a waste pipe not smaller than 1¼ inch, trade size.

(2) The waste opening shall be equipped with a strainer.

(3) Where a stopper is provided it shall be so arranged that the standing water in the fixture does not rise in the overflow pipe when the stopper is used, or remain in the overflow pipe when the fixture is empty. R.R.O. 1960, Reg. 471, s. 161.

170.—(1) The floor of a shower bath shall be of materials having a hard surface, impervious to water, and shall be provided with,

(*a*) a waste fitting not smaller than 1½ inch, trade size; and

(*b*) a strainer at the waste outlet. R.R.O. 1960, Reg. 471, s. 162.

(2) A water stop of a non-ferrous material impervious to water shall be installed in the floor of a shower bath constructed in a building and shall be turned up at the walls to a height of at least four inches above the waste outlet. O. Reg. 246/66, s. 72.

171. A bath tub shall be,

(*a*) of material having a smooth, hard interior surface, impervious to water; and

(*b*) equipped with a waste fitting not smaller than 1½ inch, trade size. R.R.O. 1960, Reg. 471, s. 163.

172.—(1) The overflow pipe from a fixture shall be connected on the inlet side of the trap and so arranged that it can be readily and effectively cleansed.

(2) An overflow fitting shall be so arranged that the standing water in the fixture does not rise in the overflow pipe when the stopper is used and all water drains from the overflow pipe when the fixture is empty. R.R.O. 1960, Reg. 471, s. 164.

173.—(1) The fixture through which an indirect pipe discharges shall be,

(*a*) open;

(*b*) served with a vented trap not less than 1½ inch, trade size; and

(*c*) located in an accessible, ventilated place. O. Reg. 246/66, s. 73 (1).

(2) An air gap conforming to the requirements of section 41 shall be provided between,

(*a*) the outlet end of an indirect waste pipe; and

(*b*) the flood level rim of the fixture receiving the discharge from that pipe. R.R.O. 1960, Reg. 471, s. 165 (2); O. Reg. 246/66, s. 73 (2).

174.—(1) Every indirect waste pipe shall be trapped, but, subject to subsection 2, need not be vented.

(2) Where an indirect waste pipe receives the discharge from,

(*a*) drinking fountains; or

(*b*) refrigerators,

located on three or more storeys, it shall be vented by being extended to open air. R.R.O. 1960, Reg. 471, s. 166.

175.—(1) An indirect waste pipe from a refrigerator or similar food container shall have clean-outs at all angles and be so arranged as to permit flushing and cleansing. R.R.O. 1960, Reg. 471, s. 167.

(2) Every indirect waste pipe shall have a diameter of not less than ¾ inch, trade size. O. Reg. 246/66, s. 74.

(3) Where an indirect waste pipe receives the discharge from more than one fixture or appliance, the pipe shall be of a diameter not less than 1¼ inch, trade size. O. Reg. 246/66, s. 74.

(4) Every indirect waste pipe shall be provided with sufficient clean-outs to reach downstream each twenty feet of the pipe or fraction thereof. O. Reg. 246/66, s. 74.

(5) A T-Y fitting shall not be used to connect a branch to a horizontal section of indirect waste piping. O. Reg. 246/66, s. 74.

TABLE 1

END THRUST IN PRESSURE PIPING (POUNDS)

PRESSURE		PIPE SIZE — (Diameter in inches and sectional area in square inches)															
Ft. of Hydrostatic Head	Pounds per sq. in.	Dia. 2	Area 3.14	Dia. 2½	Area 4.91	Dia. 3	Area 7.07	Dia. 4	Area 12.6	Dia. 5	Area 19.6	Dia. 6	Area 28.3	Dia. 8	Area 50.3	Dia. 10	Area 78.5	Dia. 12	Area 113
Column 1		Column 2		Column 3		Column 4		Column 5		Column 6		Column 7		Column 8		Column 9		Column 10	
10	4.33	13.6		21.3		30.6		54.6		84.9		123		218		340		489	
20	8.66	27.2		42.5		61.2		109		169.8		245		436		680		979	
30	13.0	40.8		63.8		91.9		164		255		368		654		1021		1469	
40	17.3	54.3		84.9		122		218		339		490		870		1358		1955	
50	21.7	68.1		107		153		273		425		614		1092		1704		2452	
60	26.0	81.6		128		184		328		510		736		1308		2041		2938	
70	30.3	95.1		149		214		382		594		858		1524		2379		3424	
80	34.6	109		170		245		436		678		979		1740		2716		3910	
90	39.0	123		192		276		491		764		1104		1962		3062		4407	
100	43.3	136		213		306		546		849		1225		2178		3399		4893	
150	64.9	204		319		459		818		1272		1837		3265		5095		7334	
200	86.6	272		425		612		1091		1697		2451		4356		6798		9786	
250	108	339		530		764		1361		2117		3056		5432		8478		12204	
300	130	408		638		919		1638		2548		3679		6539		10205		14690	
350	152	477		746		1075		1915		2979		4302		7646		11932		17176	
400	173	543		849		1223		2180		3390		4896		8702		13581		19549	
450	195	612		158		1379		2457		3822		5519		9809		15308		22035	
500	217	681		1066		1534		2734		4253		6141		10915		17035		24521	

O. Reg. 246/66, s. 75.

TABLE 2

COPPER OR BRASS PIPE

Column 1	Column 2	Standard Pipe			Extra Heavy Pipe		
		Column 3	Nominal Weight in lbs. per Foot of length		Column 6	Nominal Weight in lbs. per Foot of length	
Pipe, trade size, in ins.	Outside diameter, in ins.	Nominal wall thickness in ins.	Column 4 Copper	Column 5 Brass	Nominal wall thickness in ins.	Column 7 Copper	Column 8 Brass
1/8	0.405	0.0620	0.259	0.253	0.100	0.371	0.363
1/4	0.540	0.0825	0.460	0.450	0.123	0.624	0.611
3/8	0.675	0.0905	0.643	0.630	0.127	0.847	0.829
1/2	0.840	0.1075	0.957	0.938	0.149	1.25	1.23
3/4	1.050	0.1140	1.30	1.27	0.157	1.71	1.67
1	1.315	0.1265	1.83	1.79	0.182	2.51	2.46
1 1/4	1.660	0.1460	2.69	2.63	0.194	3.46	3.39
1 1/2	1.900	0.1500	3.20	3.13	0.203	4.19	4.10
2	2.375	0.1565	4.23	4.14	0.221	5.79	5.67
2 1/2	2.875	0.1875	6.14	6.00	0.280	8.84	8.66
3	3.500	0.2190	8.75	8.56	0.304	11.82	11.57
3 1/2	4.000	0.2500	11.41	11.17	0.321	14.37	14.07
4	4.500	0.2500	12.94	12.66	0.341	17.25	16.89
4 1/2	5.000	0.2500	14.46	14.15	0.375	21.10	20.66
5	5.563	0.2500	16.21	15.85	0.375	23.67	23.18
6	6.625	0.2500	19.41	18.99	0.437	32.93	32.21
7	7.625	0.2815	25.17	24.63	0.500	43.34	42.43
8	8.625	0.3125	31.63	30.95	0.500	49.42	48.39
9	9.625	0.3440	38.83	38.03	0.500	55.56	54.34
10	10.750	0.3655	46.22	45.20	0.500	62.40	61.05

R.R.O. 1960, Reg. 471, Table 2.

TABLE 3

BRASS CAULKING FERRULES

Column 1	Column 2	Column 3	Column 4
Trade size in inches	Minimum actual inside diameter of ferrule, in inches	Minimum length, in inches	Minimum weight, in pounds
2 x 1 1/4	1 1/2	4 1/2	1
2 x 1 1/2	1 3/4	4 1/2	1
2	2 1/4	4 1/2	1
3	3 1/4	4 1/2	1
4	4 1/4	4 1/2	2 1/2

R.R.O. 1960, Reg. 471, Table 3.

TABLE 4

BRASS SOLDERING NIPPLES

Column 1	Column 2	Column 3
Trade size, in inches	Minimum length, in inches	Minimum weight
1¼	3	6 ozs.
1½	3	8 ozs.
2	3	14 ozs.
2½	4	1 lb. 6 ozs.
3	4	2 lb.
4	4	3 lb. 8 ozs.

R.R.O. 1960, Reg. 471, Table 4.

TABLE 5

BRASS SOLDERING HUBS

Column 1	Column 2	Column 3	Column 4
Hub, trade size in inches	Minimum actual inside diameter, in inches	Minimum overall length, in inches	Minimum weight in ounces
3 x 2	2	$2\frac{7}{16}$	17
2 x 1½	$2\frac{3}{8}$	$2\frac{3}{16}$	14
2 x 1¼	$2\frac{1}{8}$	$2\frac{3}{16}$	13

R.R.O. 1960, Reg. 471, Table 5.

TABLE 6

WELDED ALLOYED OPEN HEARTH IRON PIPING

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Pipe, trade size, in inches	Minimum wall-thickness in inches	Minimum internal hydrostatic pressure for furnace butt-welded pipe in p.s.i.	Minimum internal hydrostatic pressure for electric-welded pipe, in p.s.i.	Minimum weight a linear foot when threaded and couplings attached in pounds	Minimum number of threads in each threaded inch
¼	.068	700	....	0.24	27
⅛	.088	700	....	0.42	18
⅜	.091	700	....	0.57	18
½	.109	700	....	0.85	14
	.113	700	....	1.13	14
1	.133	700	....	1.68	11½
1¼	.140	800	1,000	2.28	11½
1½	.145	800	1,000	2.73	11½
2	.154	800	1,000	3.68	11½
2½	.203	800	1,000	5.82	8
3	.216	800	1,000	7.62	8
3½	.226	1,200	....	9.20	8
4	.237	1,200	....	10.89	8
5	.258	1,200	....	14.81	8
6	.280	1,200	....	19.18	8
8	.322	....	1,200	28.81	8
10	.365	....	1,000	41.13	8
12	.375	....	1,000	50.71	8

R.R.O. 1960, Reg. 471, Table 6.

TABLE 7

WELDED OR SEAMLESS STEEL PIPING

Column 1	Column 2	Column 3	Column 4	Column 5
Pipe, trade size, in inches	Minimum actual outside diameter, in inches	Minimum wall-thickness, in inches	Minimum weight for each linear foot threaded and with couplings attached, in pounds	Minimum number of threads in each threaded inch
⅛	0.405	.068	0.25	27
¼	0.540	.088	0.43	18
⅜	0.675	.091	0.57	18
½	0.840	.109	0.85	14
¾	1.050	.113	1.13	14
1	1.315	.133	1.68	11½
1¼	1.660	.140	2.28	11½
1½	1.900	.145	2.73	11½
2	2.375	.154	3.68	11½
2½	2.875	.203	5.82	8
3	3.500	.216	7.62	8
3½	4.000	.226	9.20	8
4	4.500	.237	10.89	8
5	5.563	.258	14.81	8
6	6.625	.280	19.19	8
8	8.625	.277	25.00	8
10	10.750	.279	32.00	8
12	12.750	.375	45.00	8

R.R.O. 1960, Reg. 471, Table 7.

TABLE 8

WROUGHT IRON PIPING

Column 1	Column 2	Column 3	Column 4	Column 5
Pipe, trade size, in inches	Minimum actual outside diameter, in inches	Minimum wall-thickness, in inches	Minimum weight for each linear foot, threaded and with couplings attached, in pounds	Minimum number of threads in each threaded inch
⅛	0.405	.070	0.25	27
¼	0.540	.090	0.43	18
⅜	0.675	.093	0.57	18
½	0.840	.111	0.85	14
¾	1.050	.115	1.13	14
1	1.315	.136	1.68	11½
1¼	1.660	.143	2.28	11½
1½	1.900	.148	2.73	11½
2	2.375	.158	3.68	11½
2½	2.875	.208	5.82	8
3	3.500	.221	7.62	8
3½	4.000	.231	9.20	8
4	4.500	.242	10.89	8
5	5.563	.263	14.81	8
6	6.625	.286	19.19	8
8	8.625	.283	25.00	8
10	10.750	.284	32.00	8
12	12.750	.336	45.00	8

R.R.O. 1960, Reg. 471, Table 8.

TABLE 9

COPPER TUBE

Column 1	Column 2	Permissible Variation in Mean Outside Diameter in inches		Wall Thickness (inches)			
				Type K		Type L	
Tube Trade Size in Inches	Actual Outside Diameter in inches	Column 3 Annealed	Column 4 Drawn	Column 5 Nominal	Column 6 Permissible Variation	Column 7 Nominal	Column 8 Permissible Variation
¼	0.375	0.002	0.001	0.035	0.004	0.030	0.0035
⅜	0.500	0.0025	0.001	0.049	0.004	0.035	0.0035
½	0.625	0.0025	0.001	0.049	0.004	0.040	0.0035
⅝	0.750	0.0025	0.001	0.049	0.004	0.042	0.0035
¾	0.875	0.003	0.001	0.065	0.0045	0.045	0.004
1	1.125	0.0035	0.0015	0.065	0.0045	0.050	0.004
1¼	1.375	0.004	0.0015	0.065	0.0045	0.055	0.0045
1½	1.625	0.0045	0.002	0.072	0.005	0.060	0.0045
2	2.125	0.005	0.002	0.083	0.007	0.070	0.006
2½	2.625	0.005	0.002	0.095	0.007	0.080	0.006
3	3.125	0.005	0.002	0.109	0.007	0.090	0.007
3½	3.625	0.005	0.002	0.120	0.008	0.100	0.007
4	4.125	0.005	0.002	0.134	0.010	0.110	0.009
5	5.125	0.005	0.002	0.160	0.010	0.125	0.010
6	6.125	0.005	0.002	0.192	0.012	0.140	0.010
8	8.125	0.006	+0.002 −0.004	0.271	0.016	0.200	0.014
10	10.125	0.008	+0.002 −0.006	0.338	0.018	0.250	0.016
12	12.125	0.008	+0.002 −0.006	0.405	0.020	0.280	0.018

TABLE 9—*Continued*

COPPER TUBE

(Type DWV)

Wall Thickness (inches)				*Theoretical Weight per Foot in pounds			
Type M		Drainage Tube					
Column 9 Nominal	Column 10 Permissible Variation	Column 11 Nominal	Column 12 Permissible Variation	Column 13 Type K	Column 14 Type L	Column 15 Type M	Column 16 Drainage Tube
....	....	....	....	0.145	0.126	...	...
....	....	....	....	0.269	0.198	...	...
....	....	....	....	0.344	0.285	...	...
....	....	....	....	0.418	0.362	...	...
....	....	....	....	0.641	0.455	...	...
....	....	....	....	0.839	0.655	...	...
0.042	0.0035	0.040	0.0035	1.04	0.884	0.682	0.650
0.049	0.004	0.042	0.0035	1.36	1.14	0.940	0.809
0.058	0.006	0.042	0.005	2.06	1.75	1.46	1.07
0.065	0.006	....	....	2.93	2.48	2.03	...
0.072	0.006	0.045	0.005	4.00	3.33	2.68	1.69
0.083	0.007	....	....	5.12	4.29	3.58	...
0.095	0.009	0.058	0.008	6.51	5.38	4.66	2.87
0.109	0.009	0.072	0.008	9.67	7.61	6.66	4.43
0.122	0.010	0.083	0.009	13.9	10.2	8.92	6.10
0.170	0.014	....	....	25.9	19.3	16.5	...
0.212	0.015	....	....	40.3	30.1	25.6	...
0.254	0.016	....	....	57.8	40.4	36.7	...

*Tube shall not vary in weight by more than 7% from theoretical weight shown.

R.R.O. 1960, Reg. 471, Table 9; O. Reg. 246/66, s. 76.

TABLE 10

ASBESTOS-CEMENT SEWER PIPING

Column 1	Column 2	Column 3	Column 4	Column 5
Piping, trade size, in inches	Minimum wall-thickness, in inches	Flexural strength, minimum total load, in pounds	Maximum span, in feet	Supporting strength, minimum external 3-bearing load, in pounds
4	.22	550	9	1,740
5	.22	900	9	1,680
6	.22	1,290	9	1,420
8	.35	4,300	12	2,500
10	.37	.....	...	2,200
12	.41	.....	...	2,200
14	.41	.....	...	2,200
16	.45	.....	...	2,200
18	.48	.....	...	2,100
20	.52	.....	...	2,200
24	.58	.....	...	2,200

O. Reg. 5/70, s. 47.

TABLE 11

BITUMINIZED-FIBRE DRAIN PIPING OR SEWER PIPING

Column 1	Column 2	Column 3	Column 4	Column 5
Piping, trade size, in inches	Minimum wall-thickness in inches	Minimum flat-plate crushing load, in pounds for each linear foot	Minimum length of coupling, in inches	Flat-plate crushing load in pounds for each linear foot
2	.23	1,100	2.90	270
3	.28	1,100	3.42	315
4	.32	1,100	3.92	370
5	41	1,300	3.92	430
6	.46	1,300	3.92	430
8	.57	1,600	5.00	670

R.R.O. 1960, Reg. 471, Table 11.

TABLE 12

CAST IRON DRAINAGE PIPE OR VENT PIPE

Piping trade size in inches	Weight in Pounds per Length Indicated					
	Medium			Extra Heavy		
	Single hub		Double hub	Single hub		Double hub
	5 foot length	10 foot length	5 foot length	5 foot length	10 foot length	5 foot length
Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7
2	20	38	21	25	48	26
3	30	58	31	42	80	44
4	42	80	44	57	109	60
5	55	106	57	70	134	73
6	68	130	71	88	168	92
8				190	268	145
10				205	393	212
12				250	476	260
15				350	665	365

O. Reg. 246/66, s. 77.

TABLE 13

THREADED CAST IRON PIPING

Column 1	Column 2	Column 3	Column 4
Piping, trade size, in inches	Minimum wall-thickness, in inches	Minimum weight for each linear foot, in pounds	Minimum thread-length, in inches
1¼	.187	3.033	0.42
1½	.195	3.666	0.42
2	.211	5.041	0.43
2½	.241	7.032	0.68
3	.263	9.410	0.76
4	.294	13.751	0.84
5	.328	19.069	0.93
6	.378	26.223	0.95
8	.438	39.820	1.06
10	.438	50.234	1.21
12	.438	60.036	1.36

R.R.O. 1960, Reg. 471, Table 13.

TABLE 14

CONCRETE SEWER PIPING

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Piping, trade size, in inches	Minimum wall-thickness of barrel, in inches	Minimum internal diameter of barrel, in inches	Supporting strength, minimum 3-bearing load for each linear foot, in pounds	Minimum internal diameter of socket-mouth, in inches	Minimum depth of socket, in inches
4	9/16	4	1,000	6	1½
6	5/8	6	1,100	8¼	2
8	¾	8	1,300	10¾	2¼
10	⅞	10	1,400	13	2½
12	1	12	1,500	15¼	2½
15	1¼	15	1,750	18	2½
18	1½	18	2,000	22¼	2¾
21	1¾	21	2,200	26	2¾
24	2⅛	24	2,400	29½	3

R.R.O. 1960, Reg. 471, Table 14.

TABLE 15
VITRIFIED-CLAY PIPING

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Piping, trade size, in inches	Minimum wall-thickness of barrel, in inches	Minimum internal diameter of barrel, in inches	Supporting strength, minimum 3-bearing load for each linear foot, in pounds	Minimum internal diameter of socket-mouth, in inches	Minimum depth of socket, in inches
4	½	4	1,000	5	1¾
6	⅝	6	1,000	8¼	2¼
8	¾	8	1,000	10½	2½
9	¾	9	1,050	11⅝	2½
10	⅞	10	1,100	12	2½
12	1	12	1,200	15⅛	2¾
15	1¼	15	1,370	18¾	2¾
18	1½	18	1,665	22¼	3
21	1¾	21	1,995	25⅞	3¼
24	2	24	2,400	29⅜	3⅜

R.R.O. 1960, Reg. 471, Table 15.

TABLE 16

LOAD FACTORS OF FIXTURES AND APPLIANCES

Column 1	Column 2
Fixture	No. of fixture-units
Bathroom group, consisting of 1 water-closet, 1 wash basin and 1 bath tub or shower stall	8
Bath tub with or without overhead shower	1½
Bedpan washer	6
Bidet	1
Combination of sink and laundry tray	2
Cuspidor or dental unit	1
Dental lavatory	1
Dish washer, domestic type	1½
Drinking fountain	1
Floor drain	3
Household ice box	1
Kitchen sink with or without shredding device	1½
(*a*) two compartment	3
(*b*) three-compartment	4½
Two compartment laundry tray	1½
Shower stall	1½
Showers in a group, each head	1½
Sinks	
(*a*) flushing rim, with valve	6
(*b*) pot, scullery	3
(*c*) service, trap standard type	3
(*d*) service, P-trap type	2
(*e*) surgeon's	3
(*f*) small laboratory sink	1
(*g*) three-compartment bar sink	1½
(*h*) cup sink	½
Urinals	
(*a*) pedestal, siphon-jet or blow out type	3
(*b*) stall, wash out type	2
(*c*) wall, lip type	1½
Wash basin	
(*a*) 1¼ inch trap	1
(*b*) 1½ inch trap	1½
Wash sink, circular or multiple type, each set of faucets	2
Water-closet	
(*a*) tank operated	6
(*b*) valve operated	8
Beer dispenser	1½
Dead fish tank or tray	1½
Domestic washing machine	1½
Dish washer commercial	4
Potato and vegetable washers and peeler	4
Glass washer commercial	3
Chinese range	3
Garbage can washer	1½
Sauna Bath	1½

O. Reg. 246/66, s. 78; O. Reg. 221/67, s. 16.

TABLE 17

LOAD-FACTORS OF FIXTURES

Not Itemized in Table 16

Column 1	Column 2
Size of waste-pipe, or trap, in inches	Number of fixture-units
1¼ or less	1
1½	2
2	3
2½	4
3	5
4	6

R.R.O. 1960, Reg. 471, Table 17.

TABLE 18

MINIMUM SIZES OF TRAPS AND OUTLET-CONNECTIONS FOR FIXTURES AND APPLIANCES

Column 1	Column 2
Fixture	Minimum trade size of trap and fixture-outlet connection, in inches
Bath tub with or without overhead shower	1½
Beer cabinet	1½
Bedpan washer	3
Bidet	1¼
Combination of sink and laundry tray	1½
Cuspidor or dental unit	1¼
Dental lavatory	1¼
Dish washer, domestic type	1½
Drinking fountain	1¼
Floor drain	2
Two compartment laundry tray	1½
Refrigerator	1¼
Shower stall	1½
Sinks	
(*a*) flushing rim with valve	3
(*b*) kitchen, domestic type	1½
(*c*) pot, scullery	1½
(*d*) service, with P-trap	2
(*e*) service, with trap-standard	3
(*f*) surgeon's	1½
Urinals	
(*a*) pedestal	3
(*b*) stall, blow out or siphon jet	2
(*c*) wall hung	1½
Wash basin	1¼
Wash sink, circular or multiple	1½
Water-closet	3
Beer dispenser	1½
Dead fish tank or tray	1½
Domestic washing machine	1½
Dish washer commercial	2
Potato and vegetable washer and peeler	2
Glass washer commercial	1½
Three compartment bar sink	1½
Chinese range	1½
Garbage can washer	1½
Garbage chute	2
Wet clothes chute	2
Sauna Bath	1½

O. Reg. 246/66, s. 79; O. Reg. 221/67, s. 17; O. Reg. 5/70, s. 48.

TABLE 19

SIZES OF HORIZONTAL BRANCHES

Column 1	Column 2
Branch piping, trade size, in inches	Maximum load, in fixture-units
1¼	2
1½	4
2	6
2½	12
3	30
4	160
5	360
6	620
8	1,400
10	2,500
15	3,900
15	7,000

R.R.O. 1960, Reg. 471, Table 18; O. Reg. 5/70, s. 49.

TABLE 20

SIZES FOR STACKS

Column 1	Column 2	Column 3
Stack, trade size, in inches	Maximum total load for stack in fixture units	Maximum load at 1 storey in fixture units
1¼	3	3
1½	8	6
2	24	10
2½	42	20
3	60	50
4	500	200
5	1,100	300
6	1,900	450
8	3,600	600
10	5,600	1,000
12	8,400	1,500

O. Reg. 5/70, s. 51.

TABLE 21

SIZE OF PIPING FOR TRAP VENTS

Column 1	Column 2
Trap, trade size, in inches	Vent-pipe, trade size, in inches
1¼	1¼
1½	1¼
2	1½
2	1½
2½	1½
3	1½
4	1½
5	2
6	2
over 6	3

R.R.O. 1960, Reg. 471, Table 22.

TABLE 22

MAXIMUM LENGTH OF VENTS

Column 1	Column 2
Pipe, trade size, in inches	Maximum length, in feet
1¼	50
1½	50
2	60
2½	80
3	100
4	150
5	200
6	250

R.R.O. 1960, Reg. 471, Table 23.

TABLE 23

STANDARD TRADE SIZES AND CROSS-SECTIONAL AREAS OF VENT PIPES AND STACKS

Column 1	Column 2
Pipe, standard trade size, in inches	Cross-sectional area, in square inches
1¼	1.2272
1½	1.7671
2	3.1416
2½	4.9089
3	7.0686
4	12.5664
5	19.6350
6	28.2743
7	38.4845
8	50.2655
9	63.6173
10	78.5398

R.R.O. 1960, Reg. 471, Table 24; O. Reg. 246/66, s. 82.

TABLE 24

MAXIMUM HYDRAULIC LOAD FOR BUILDING DRAINS OR BUILDING SEWERS

Column 1	Column 2	Column 3	Column 4	Column 5
Drain or sewer pipe, trade size, in inches	Maximum load for slope of $1/16$ inch, a foot of run, in fixture-units	Maximum load for slope of $1/8$ inch, a foot of run, in fixture-units	Maximum load for slope of $1/4$ inch, a foot of run, in fixture-units	Maximum load for slope of $1/2$ inch, a foot of run, in fixture-units
4	....	180	216	250
5	....	390	480	575
6	....	700	840	1,000
8	1,400	1,600	1,920	2,300
10	2,500	2,900	3,500	4,200
12	3,900	4,600	5,600	6,700
15	7,000	8,300	10,000	12,000

R.R.O. 1960, Reg. 471, Table 25.

TABLE 25

MINIMUM SIZES OF WATER SUPPLY PIPES TO FIXTURES

Column 1	Column 2
Fixture	Pipe, trade size, in inches
Bath tub	1/2
Combination of sink and laundry tray	1/2
Dish washer, domestic type	1/2
Drinking fountain	3/8
Hose connection	1/2
Hot water boiler	1/2
Laundry tub, 1, 2, or 3, compartments	1/2
Shower, single head	1/2
Sink	1/2
Urinal	1/2
Wash basin	3/8
Water-closet, tank type	3/8
Water-closet, flush-valve type	1

R.R.O. 1960, Reg. 471, Table 26.

TABLE 26

ASBESTOS CEMENT PIPE IN POTABLE WATER SYSTEMS

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Class	Trade size (inches)	Working pressure (p.s.i.)	Hydrostatic test pressure (p.s.i.)	Flexural strength (lbs.)	Crushing strength (lbs.)
100	4	100	350	900	4100
	6	100	350	2100	3900
	8	100	350	4000	3700
	10	100	350	....	3700
	12	100	350	....	4000
	14	100	350	....	4400
	16	100	350	....	4800
150	4	150	525	1100	5400
	6	150	525	2800	5400
	8	150	525	5700	5500
	10	150	525	....	7000
	12	150	525	....	7600
	14	150	525	....	8600
	16	150	525	....	9200
200	4	200	700	1400	8700
	6	200	700	3700	9000
	8	200	700	7600	9300
	10	200	700	....	11000
	12	200	700	....	11800
	14	200	700	....	13500
	16	200	700	....	15400

O. Reg. 178/64, s. 6.

APPENDIX A

Bath or Shower Valves

Bath Filler
Shower Fitting
Bath and Shower Fitting with Diverter Valve

Bath Filler with Integral Stops
Shower Fitting with Integral Stops
Bath and Shower Fitting with Diverter Valve, with Integral Stops

Single Control Valve
Single Control Valve and Tub Spout
Single Control Valve and Shower Head
Single Control Valve, Diverter Tub Spout and Shower Head

Wall Mount Bath Filler
Wall Mount Bath and Shower Fitting with Diverter Valve

Shower Head

Tempering Valves

Lavatory Faucets

Single Lavatory Faucet
Combination Lavatory Faucet with Mechanical Pop-up
Combination Lavatory Faucet less Mechanical Pop-up
Mechanical Pop-up

4″ Centreset Lavatory Faucet

4″ Centreset Lavatory Faucet with Mechanical Pop-up

Single Control 4″ centreset
Single Control 4″ Centreset with Mechanical Pop-up
Single Control, Single Hole Mounting, Swing Spout Faucet
Single Control, Single Hole Mounting, Swing Spout Faucet with Mechanical Pop-up

Self Closing Faucets

SINK FAUCETS

Bar Deck Faucet
Bar Deck Faucet with Spray
Below Deck Faucet
Below Deck Faucet with Third Valve
Below Deck Faucet with Spray
Wall Mount Swing Spout
Wall Mount Swing Spout with Soapdish

Sink Faucet

Single Control Deck Faucet
Single Control Deck Faucet with Spray
Single Control, Single Hole Mounting, Swing Spout

4″ Bar Deck Faucet
4″ Bar Sink Faucet
Single Pantry Faucet

LAUNDRY FAUCETS

4″ Bar Deck Laundry Faucet
Laundry Faucet
Wall Mount Automatic Washer Valve
Built-in Automatic Washer Valve

SEDIMENT AND LAWN FAUCETS

Sediment Faucets
Frost-proof Lawn Faucets

LINE STOPS

Lavatory Stops
Lavatory Supplies
Closet Supplies
Compression Stops

WATER-CLOSET FLOAT VALVES AND FLUSH VALVES

Float Valve
Flush Valve

TRAPS AND DRAIN FITTINGS

Lavatory Traps
P.O. Plugs
Sink Traps
Bath Drain and Overflow
Mechanical Bath Drain and Overflow

O. Reg. 5/70, App. A.

REGULATION 648

under The Ontario Water Resources Commission Act

WATER WELLS

INTERPRETATION

1.—(1) For the purpose of clause r of subsection 1 of section 62 of the Act and this Regulation, "owner" means the person registered as owner in fee simple of the land upon which a water well is situated.

(2) In this Regulation,

(*a*) "abandoned well" means a well that is not being used or maintained for future use as a well;

(*b*) "air vent" means an outlet at the upper end of the well casing that allows for equalization of air pressure between the inside of the well casing and the atmosphere, and for the release of gases from the well;

(*c*) "annular space" means open space between the casing and the sides of a well;

(*d*) "aquifer" means a water-bearing formation that transmits or is capable of transmitting water in sufficient quantities to serve as a source of water supply;

(*e*) "bedrock" means the solid rock underlying unconsolidated material such as sand, gravel and clay;

(*f*) "casing" means pipe or tubing installed in a well to support the sides of the well;

(*g*) "contractor" means a person who carries on the business of drilling or boring wells for water;

(*h*) "date of completion" means the date on which the well-construction equipment is removed from the site of a well;

(*i*) "flowing well" means a well that has a static water level above the surface of the ground;

(*j*) "static water level" means the level attained by water in or from a well when no water is being taken from the well;

(*k*) "water well record" means Form 7 duly completed;

(*l*) "well" means a hole made in the ground to obtain, locate or test in respect of water by any means other than by digging. O. Reg. 46/69, s. 1.

LICENCES TO DRILL AND BORE WELLS

2.—(1) An application for a licence to carry on the business of drilling wells for water shall be in Form 1.

(2) A licence to carry on the business of drilling wells for water shall be in Form 2.

(3) An application for renewal of licence in Form 2 shall be in Form 3. O. Reg. 46/69, s. 2.

3.—(1) An application for a licence to carry on the business of boring wells for water shall be in Form 4.

(2) A licence to carry on the business of boring wells for water shall be in Form 5.

(3) An application for renewal of licence in Form 5 shall be in Form 6. O. Reg. 46/69, s. 3.

4. The fee for a licence in Form 2 or Form 5 or renewal thereof is $10. O. Reg. 46/69, s. 4.

5.—(1) A licence in Form 2 to carry on the business of drilling wells for water is issued on the condition that,

(*a*) where the holder is not a corporation, he has had at least two years experience in drilling wells or equivalent experience, or he retains in his full-time employ a person who has had at least two years experience in drilling wells or equivalent experience;

(*b*) where the holder is a corporation, it retains in its full-time employ a person who has had at least two years experience in drilling wells or equivalent experience; and

(*c*) the holder tests the yield of every well drilled and delivers within two weeks of the date of completion a copy of the water well record in Form 7 to the person who contracted for the drilling of the well.

(2) A licence in Form 5 to carry on the business of boring wells for water is issued on the condition that,

(*a*) where the holder is not a corporation, he has had at least two years experience in boring wells or equivalent experience, or he retains in his full-time employ a person who has had at least two years experience in boring wells or equivalent experience;

(*b*) where the holder is a corporation, it retains in its full-time employ a person who has had at least two years experience in boring wells or equivalent experience; and

(*c*) the holder tests the yield of every well bored and delivers within two weeks of the date of completion a copy of the water well record in Form 7 to the person who contracted for the boring of the well. O. Reg. 46/69, s. 5.

CONSTRUCTION AND MAINTENANCE

6.—(1) Where a well is bored or drilled, the contractor shall install casing,

(*a*) of new material;

(*b*) of sufficient length to prevent impairment of the quality of ground water;

(*c*) of minimum wall thickness sufficient to prevent the failure of the casing during the construction and operation of the well and in particular, and without limiting the generality of the foregoing, where the casing is of the following materials the wall thicknesses shall be:

1. Nominal 0.188 inches and minimum 0.165 inches for steel casing with an inside diameter of more than two inches.

2. Nominal 0.094 inches and minimum 0.082 inches for steel casing with an inside diameter of two inches or less.

3. 18 gauge for combined corrugated and galvanized steel casing used in bored wells; and

(*d*) with any joints made in such a manner that no substance that may impair the quality of the water can enter the well through the joints.

(2) Where a well is drilled, the contractor shall,

(*a*) construct that portion of the drilled well from the land surface at the well site to a minimum depth of ten feet, with a minimum diameter two inches greater than the diameter of the proposed finished well;

(*b*) fill the annular space from a depth of eight feet or less from the land surface to a minimum depth of ten feet from the land surface, with cement grout, concrete, bentonite or equivalent commercial slurry, or clay slurry; and

(*c*) fill the remaining annular space to the land surface, with bentonite or equivalent commercial slurry, clay slurry, well cuttings, or overburden materials.

(3) Where a well is drilled through the bottom of a dug or bored well, the contractor shall,

(*a*) extend the casing of the drilled well through the dug or bored portion of the well to within eight feet or less of the land surface at the well site; and

(*b*) fill the space from the bottom of the dug or bored portion of the well to a height of at least two feet with cement grout or concrete; or

(*c*) construct the drilled well for a minimum distance of three feet below the bottom of the dug or bored portion of the well, with a minimum diameter four inches greater than the diameter of the proposed finished well and fill the annular space below the bottom of the dug or bored well with cement grout or concrete.

(4) Where a drilled well obtains its main water supply from a bedrock aquifer and from ten feet or more below the interface of the bedrock and overburden, the contractor shall firmly seat the casing in the bedrock and if necessary shall grout it into the bedrock to prevent the impairment of the quality of the water in the well and aquifer.

(5) Where a well is bored to a depth of more than eight feet, the contractor shall,

(*a*) fill the annular space from the bottom of the well to a level not less than eight feet from the land surface with clean washed gravel or sand;

(*b*) fill the annular space from a depth of eight feet or more from the land surface to the land surface with cement grout, concrete, bentonite or equivalent commercial slurry, clay slurry or puddled clay; and

(*c*) make or cause to be made watertight all joints in the well casing from its top to a level not less than eight feet below the land surface.

(6) Where a well is bored to a depth of eight feet or less, the contractor shall,

(*a*) fill the annular space from the bottom of the well to a level not less than four feet from the land surface with clean washed gravel or sand;

(*b*) fill the remaining annular space to the land surface with cement grout, concrete, bentonite or equivalent commercial slurry, clay slurry or puddled clay; and

(*c*) make or cause to be made watertight all joints in the well casing in at least the top four feet thereof.

(7) The contractor shall locate a bored well whereever possible at an elevation higher than that of the immediate surrounding area.

(8) The contractor shall extend the casing of a bored well at least six inches above the land surface at the well site.

(9) Where a well casing extends above the land surface, the contractor shall ensure that drainage in the area of the well is in a direction away from the well. O. Reg. 46/69, s. 6.

7.—(1) When the construction of a well is completed, except in the case of a flowing well, the contractor shall,

(*a*) chlorinate the water in the well, either prior to or after testing the yield of water from the well, by creating a concentration of 250 parts per million of chlorine in the water in the well; and

(*b*) maintain or cause to be maintained the said concentration of chlorine in the water in the well for a minimum period of twelve consecutive hours.

(2) Where a pump is installed immediately after a well is completed, the water in the well may be chlorinated in the manner prescribed in section 14. O. Reg. 46/69, s. 7.

8. When a well is completed, the contractor shall cap the upper open end of the casing securely in a manner sufficient to prevent the entry into the casing of surface water or other foreign materials. O. Reg. 46/69, s. 8.

9. Where a flowing well is constructed, the contractor shall install a device that is capable of controlling the discharge of water from within the well casing. O. Reg. 46/69, s. 9.

10. No person shall construct or use or cause or permit the construction or use of a well pit that will allow the entry of surface water or other foreign materials into a well or aquifer. O. Reg. 46/69, s. 10.

11. The owner of a well shall maintain it at all times after the completion date in a manner sufficient to prevent the entry into the well of surface water or other foreign materials. O. Reg. 46/69, s. 11.

PUMP INSTALLATION

12.—(1) Where a connection to the casing of a drilled well is made below the surface of the ground, the person who makes the connection shall install either a well seal or a pitless adapter, both commercially manufactured for the purpose, and shall make the connection watertight.

(2) Where a connection to the casing of a bored well is made below the surface of the ground, the person who makes the connection shall,

(*a*) make it watertight with a durable sealing material; and

(*b*) fill the excavation with cement grout, bentonite or equivalent commercial slurry, clay slurry or puddled clay extending from the well casing a minimum distance outward of one foot and extending from the bottom of the excavation to within two feet of the land surface. O. Reg. 46/69, s. 12.

13.—(1) Where pumping equipment is installed in a drilled well, other than a well in which the casing is used to transmit water out of the well, the person who installs the equipment shall,

(*a*) where the inside diameter of the well casing is less than five inches, install an air vent that has a minimum inside diameter of one-quarter of one inch;

(*b*) where the inside diameter of the well casing is five inches or more, install an air vent that has a minimum inside diameter of one-half of one inch;

(*c*) where a well pit exists, extend the air vent to within six inches or less below the top of the well pit;

(*d*) where a well pit does not exist, extend the air vent a minimum of twelve inches above the level of the land surface; and

(*e*) shield and screen the open end of the air vent in a manner sufficient to prevent the entry into the air vent of any material that may impair the quality of the water in the well.

(2) Where pumping equipment other than a vertical-turbine pump is installed in a drilled well, the person who installs the equipment shall seal the top of the well casing with a well cap commercially manufactured for the purpose.

(3) Where a vertical-turbine pump is installed in a well, the person who installs the pump shall,

(*a*) where a floor has been constructed around or adjacent to the casing of the well, extend the casing a minimum of six inches above the level of the floor;

(*b*) where no floor exists, extend the casing of the well a minimum of twelve inches above the level of the land surface at the well site; and

(*c*) shield the top of the casing of the well in a manner sufficient to prevent the entry into the well of any material that may impair the quality of the water in the well. O. Reg. 46/69, s. 13.

14. Where pumping equipment is installed in a well, the person who installs the equipment shall,

(*a*) chlorinate the water in the well and the pumping equipment, by creating a concentration of 250 parts per million of chlorine in the water in the well and by causing the chlorinated water to come into contact with all areas of the pumping equipment which will come into contact with water from the well when the well is put into use;

(*b*) maintain or cause to be maintained the said concentration of chlorine in the water in the well and the contact of the chlorinated water with the areas of the pumping equipment as stated in clause *a* for a minimum period of twelve consecutive hours; and

(*c*) upon the expiration of the period of time stated in clause *b*, pump the chlorinated water from the well until such time as there is no odour of chlorine from the said water. O. Reg. 46/69, s. 14.

TESTING OF WELL YIELD

15.—(1) When the yield of water from a well is tested and the pumping equipment used will permit the measurement of water levels in the well, the contractor shall,

(*a*) measure and record on the water well record in Form 7 the static water level in the well immediately prior to the commencement of pumping;

(*b*) pump water from the well continuously for a minimum period of one hour;

(*c*) measure and record on the water well record in Form 7 water levels in the well at fifteen minute intervals from the commencement of pumping for a period of one hour, and in addition, immediately prior to the end of the test, if the test is longer than one hour; and

(*d*) record on the water well record in Form 7 at the end of the test the rate of pumping during the test.

(2) The contractor shall measure water levels by means of a tape, air line or electrical device.

(3) If water from the well cannot be pumped continuously for one hour the contractor shall record on the water well record in Form 7,

(*a*) the reason pumping was discontinued;

(*b*) the rate of pumping and the length of the pumping period; and

(*c*) the water-level measurements made. O. Reg. 46/69, s. 15.

16.—(1) When the yield of water from a well is tested and a bailer or other pumping equipment is used that will not permit the accurate measurement of water levels in the well, the contractor shall,

(*a*) measure and record on the water well record in Form 7 the static water level in the well immediately prior to the commencement of bailing or pumping;

(*b*) bail or pump water from the well continuously for a minimum period of one hour;

(*c*) measure and record on the water well record in Form 7 water levels in the well at the termination of bailing or pumping and at fifteen minute intervals thereafter for a period of one hour, and in addition, immediately prior to the end of the observation period, if the recovery of water levels is measured for longer than one hour; and

(*d*) record on the water well record in Form 7 at the end of the test the rate of bailing or pumping during the test.

(2) The contractor shall measure water levels by means of a tape, air line or electrical device.

(3) If water from the well cannot be bailed or pumped continuously for one hour the contractor shall record on the water well record in Form 7,

(*a*) the reason bailing or pumping was discontinued;

(*b*) the rate of bailing or pumping and the length of the bailing or pumping period; and

(*c*) the water level measurements made. O. Reg. 46/69, s. 16.

CONTAMINATION CONTROL

17.—(1) Where a contractor bores or drills a well and salty, sulphurous or other non-potable water is encountered, the contractor shall immediately notify the owner that such condition exists, and the owner shall forthwith seal off or cause to be sealed off the water in a manner sufficient to prevent impairment of the quality of the ground water.

(2) Where salty, sulphurous or other non-potable water enters a well after the date of completion, the owner shall forthwith seal off or cause to be sealed off such water in a manner sufficient to prevent impair-

ment of the quality of the ground water. O. Reg. 46/69, s. 17.

PLUGGING OF DRY OR ABANDONED WELLS

18. When a well is dry or abandoned, the owner shall forthwith seal and fill the well with clean material in a manner sufficient to prevent the vertical movement of water in it. O. Reg. 46/69, s. 18.

RECORDS AND RETURNS

19. A contractor shall maintain and have available for inspection at the well site during construction or testing up-to-date records of the construction and testing of the well. O. Reg. 46/69, s. 19.

20. A return under subsection 5 of section 40 of the Act shall be in Form 7. O. Reg. 46/69, s. 20.

Form 1

The Ontario Water Resources Commission Act

APPLICATION FOR A DRILLING CONTRACTOR'S LICENCE

To: The ONTARIO WATER RESOURCES COMMISSION:

Under Section 40 of *The Ontario Water Resources Commission Act*

....
(name of person, firm or corporation—please print (telephone no.)
Note: Please use the name which is to appear on the licence)

.....
(address—please print)

applies for a licence to carry on the business of drilling wells for water and in support thereof makes the following statements of fact:

1. Number of years engaged in the business of drilling wells for water.....

2. List below the names of drillers in the business or full-time employ of the applicant with at least two years experience in drilling wells for water:

Name	Address
.....	.....
.....	.....

If more than two, please attach list.

3. If applicant is an individual person and has had at least two years experience in water-well drilling, list the names of your previous employers:

Name	Address
.....	.....
.....	.....

Period of Employment in Months
(please give dates)

From ..... to .....

From ..... to .....

If more than two, please attach list.

4. If the applicant or any employee has been engaged in the business of drilling wells for water or in other well-construction activities previously, please give full details on an attached sheet.

5. Number of drilling machines to be used .....

6. Drilling methods to be used .....
(cable tool, rotary, diamond drill, other)

7. Licence fee of $10 is attached in the form of a cheque..... money order.....

I certify that the information in this application is true, complete and accurate.

.....
(signature of applicant (where a partnership or a corporation, the signature of a partner or of an authorized officer of the corporation)

.....
(title if signed by authorized officer of corporation)

Dated at ....., this ..... day of ....., 19....

O. Reg. 46/69, Form 1.

Form 2

The Ontario Water Resources Commission Act

No.....

DRILLING CONTRACTOR'S LICENCE

Under *The Ontario Water Resources Commission Act* and the regulations, and subject to the limitations thereof, this licence is issued to

.....

of .....

to carry on the business of drilling wells for water.

Dated at Toronto, this ..... day of ....., 19....

O. Reg. 46/69, Form 2.

Form 3

The Ontario Water Resources Commission Act

APPLICATION FOR RENEWAL OF DRILLING CONTRACTOR'S LICENCE

To: The Ontario Water Resources Commission:

Under section 40 of *The Ontario Water Resources Commission Act*

....
(name of licence—please print
Note: Please use the name which is to appear on the licence) (licence number)

....
(address of licence—please print) (telephone no.)

applies for renewal of a licence to carry on the business of drilling wells for water and in support thereof makes the following statements of fact:

1. List below the names of drillers in the business or full-time employ of the licensee who have had at least two years experience in drilling wells for water:

Name	Address
.....	.....
.....	.....
.....	.....

If more than three, please attach list.

2. List the names of apprentice drillers who have been in the full-time employ of the licensee during the last year for which a licence was held:

Name	Address
.....	.....
.....	.....
.....	.....
.....	.....

Period of Employment in Months
(please give dates)

From ..... to .....

From ..... to .....

From ..... to .....

From ..... to .....

If more than four, please attach list.

3. State total number of wells and test holes drilled in Ontario during the last year a licence was held .....

4. Licence fee of $10 is attached in the form of a cheque ..... money order .....

I certify that the information in this application is true, complete and accurate.

.....
(signature of applicant (where a partnership or a corporation, the signature of a partner or of an authorized officer of the corporation)

.....
(title if signed by authorized officer of corporation)

Dated at ....., this ..... day of ....., 19....

O. Reg. 46/69, Form 3.

Form 4

The Ontario Water Resources Commission Act

APPLICATION FOR A BORING CONTRACTOR'S LICENCE

To: The Ontario Water Resources Commission:

Under section 40 of *The Ontario Water Resources Commission Act*

....
(name of person, firm or corporation—please print
Note: Please use the name which is to appear on the licence) (telephone no.)

.....
(address—please print)

applies for a licence to carry on the business of boring wells for water and in support thereof makes the following statements of fact:

1. Number of years engaged in the business of boring wells for water.....

2. List below the names of borers in the business or full-time employ of the applicant with at least two years experience in boring wells for water:

Name	Address
.....	.....
.....	.....

If more than two, please attach list.

3. If applicant is an individual person and has had at least two years experience in water-well boring, list the names of your previous employers:

Name	Address
.....	.....
.....	.....

Period of Employment in Months
(please give dates)

From ..... to .....

From ..... to .....

If more than two, please attach list.

4. If the applicant or any employee has been engaged in the business of boring wells for water or in other well-construction activities previously, please give full details on an attached sheet.

5. Number of boring machines to be used.....

6. Licence fee of $10 is attached in the form of a cheque..... money order.....

I certify that the information in this application is true, complete and accurate.

.....
(signature of applicant (where a partnership or a corporation, the signature of a partner or of an authorized officer of the corporation)

.....
(title if signed by authorized officer of corporation)

Dated at ....., this ..... day of ....., 19....

O. Reg. 46/69, Form 4.

Form 5

The Ontario Water Resources Commission Act

No.....

BORING CONTRACTOR'S LICENCE

Under *The Ontario Water Resources Commission Act* and the regulations, and subject to the limitations thereof, this licence is issued to

.....

of .....

to carry on the business of boring wells for water.

Dated at Toronto, this ..... day of ....., 19....

O. Reg. 46/69, Form 5.

Form 6

The Ontario Water Resources Commission Act

APPLICATION FOR RENEWAL OF BORING CONTRACTOR'S LICENCE

To: The Ontario Water Resources Commission:

Under section 40 of *The Ontario Water Resources Commission Act*

....
(name of licensee—please print (licence number)
Note: Please use the name which is to appear on the licence)

....
(address of licensee—please print) (telephone no.)

applies for renewal of a licence to carry on the business of boring wells for water and in support thereof makes the following statements of fact:

1. List below the names of borers in the business or full-time employ of the licensee who have had at least two years experience in boring wells for water:

Name	Address
.....	.....
.....	.....
.....	.....

If more than three, please attach list.

2. List the names of apprentice borers who have been in the full-time employ of the licensee during the last year for which a licence was held:

Name	Address
.....	.....
.....	.....
.....	.....
.....	.....

Period of Employment in Months
(please give dates)

From ..... to .....

From ..... to .....

From ..... to .....

From ..... to .....

If more than four, please attach list.

3. State total number of wells and test holes bored in Ontario during the last year a licence was held .....

4. Licence fee of $10 is attached in the form of a cheque..... money order.....

I certify that the information in this application is true, complete and accurate.

.....
(signature of applicant (where a partnership or a corporation, the signature of a partner or of an authorized officer of the corporation)

.....
(title if signed by authorized officer of corporation)

Dated at ....., this ..... day of ....., 19....

O. Reg. 46/69, Form 6.

Form 7

The Ontario Water Resources Commission Act

WATER WELL RECORD

.....
(County, etc. or District) (Township, Borough, City, Town, Village)

.....
(Con., Block, Tract, Survey, etc.) (Lot)

....
(Owner) (Address)

Date completed.....
(day month year)

Log of Overburden and Bedrock Materials					
General Colour	Most Common Material	Other Materials	General Description	Depth Feet From	To

Check ✓ boxes where applicable.

	Water Record
Water Found at — Feet	Kind of Water
	☐ Fresh ☐ Sulphur ☐ Salty ☐ Mineral
	☐ Fresh ☐ Sulphur ☐ Salty ☐ Mineral
	☐ Fresh ☐ Sulphur ☐ Salty ☐ Mineral
	☐ Fresh ☐ Sulphur ☐ Salty ☐ Mineral
	☐ Fresh ☐ Sulphur ☐ Salty ☐ Mineral

Casing and Open Hole Record				
Inside Diameter Inches	Material	Wall Thickness Inches	Depth Feet From	Depth Feet To
	☐ Steel ☐ Galvanized ☐ Concrete ☐ Open Hole			
	☐ Steel ☐ Galvanized ☐ Concrete ☐ Open Hole			
	☐ Steel ☐ Galvanized ☐ Concrete ☐ Open Hole			

Screen		
	Size(s) of Opening (Slot No.)	Diameter Inches / Length Feet
	Material and Type	Depth to Top of Screen Feet

Plugging and Sealing Record		
Depth Set at Feet From	Depth Set at Feet To	Material and Type (Cement Grout, Lead Packer, etc.)

Pumping Test

Pumping Test Method	Pumping Rate	Duration of Pumping
☐ Pump ☐ Bailer	GPM	Hours Mins.

Static Level	Water Level End of Pumping	Water Level During	
		☐ Pumping ☐ Recovery	
Feet	Feet	15 minutes Feet	30 minutes Feet

45 minutes Feet	60 minutes Feet

If Flowing, Give Rate	Pump Intake Set At	Water at End of Test
GPM	Feet	☐ Clear ☐ Cloudy

Recommended Pump Type	Recommended Pump Setting	Recommended Pumping Rate
☐ Shallow ☐ Deep	Feet	GPM

Final Status of Well	☐ Water Supply	☐ Abandoned, Insufficient Supply
	☐ Observation Well	☐ Abandoned, Poor Quality
	☐ Test Hole	☐ Unfinished
	☐ Recharge Well	
Water Use	☐ Domestic	☐ Commercial
	☐ Stock	☐ Municipal
	☐ Irrigation	☐ Public Supply
	☐ Industrial	☐ Cooling or Air Conditioning
	☐ Other	☐ Not Used
Method of Drilling	☐ Cable Tool	☐ Boring
	☐ Rotary (Conventional)	☐ Diamond
	☐ Rotary (Reverse)	☐ Jetting
	☐ Rotary (Air)	☐ Driving
	☐ Air Percussion	

LOCATION OF WELL

In Diagram Below Show Distances of Well From Road and Lot Line. Indicate North By Arrow.

Driller's Remarks:

Contractor

..... (name of well contractor) ..... (licence number)

..... (address)

..... (name of driller or borer) ..... (licence number)

..... (signature of contractor)

Submission Date..... (day month year)

Office Use Only

O. Reg. 46/69, Form 7.

REGULATION 649

under The Operating Engineers Act

GENERAL

INTERPRETATION

1. In this Regulation,

(*a*) "coiled tube boiler" means a boiler with one or more coiled tubes having attached thereto a forced circulation water pump, a pressure limiting device and a prepurge flame failure device;

(*b*) "dual control boiler" means a boiler or boilers having attached thereto a low-pressure control device and a pressure-recording device;

(*c*) "engine" includes a turbine;

(*d*) "examination" means an examination under clause *b* of subsection 1 of section 22 of the Act;

(*e*) "guarded" means,

(i) in relation to a plant that every boiler, compressor or engine in the plant is guarded, and

(ii) in relation to a boiler, compressor or engine, as the case may be, that the boiler, compressor or engine is provided with such devices in good operating condition as will ensure that the boiler, compressor or engine may be operated safely,

notwithstanding that the operating engineer or operator in charge of the plant may be absent from the boiler room, compressor room or engine room, as the case may be or, where the boiler, compressor or engine is not enclosed in a room, from the immediate vicinity;

(*f*) "qualifying experience" means practical operating experience obtained in regular work periods in a plant and includes training and instruction as prescribed in this Regulation. O. Reg. 117/70, s. 1.

QUALIFICATIONS OF MEMBERS OF THE BOARD AND OF INSPECTORS

2. A person is qualified to be appointed chief officer or an examiner if he,

(*a*) holds a certificate of qualification as a stationary engineer (first class); and

(*b*) holds as evidence of general education an Ontario Secondary School Graduation Diploma, or possesses such other evidence that satisfies the Minister that he has educational qualifications equivalent to an Ontario Secondary School Graduation Diploma. O. Reg. 196/69, s. 2.

3. A person is qualified to be appointed an inspector if he,

(*a*) holds a certificate of qualification as a stationary engineer (first class or second class);

(*b*) holds a certificate of qualification as a stationary engineer (third class) and a certificate of qualification as a hoisting or steam-hoisting engineer;

(*c*) holds a certificate of competency under *The Boilers and Pressure Vessels Act*; or

(*d*) holds a certificate of qualification as a hoisting or steam hoisting engineer,

and holds as evidence of general education an Ontario Secondary School Graduation Diploma, or possesses such other evidence that satisfies the Minister that he has educational qualifications equivalent to an Ontario Secondary School Graduation Diploma. O. Reg. 196/69, s. 3; O. Reg. 117/70, s. 3.

QUALIFICATIONS OF APPLICANTS FOR CERTIFICATES

4.—(1) An applicant for a certificate of qualification as a stationary engineer (fourth class) shall,

(*a*) be at least eighteen years of age; and

(*b*) have operated a plant under,

(i) a provisional certificate of qualification as a stationary engineer (fourth class), or

(ii) a certificate of qualification as a traction engineer or hoisting and traction engineer,

in Ontario for one year,

or furnish the evidence as to the previous training and experience prescribed in subsection 2 and obtain a mark of not less than 50 per cent in each examination subject, and an overall examination average mark of not less than 60 per cent.

(2) Where evidence is required under subsection 1, the applicant shall furnish a statutory declaration stating,

(*a*) that he has had at least one year of qualifying experience in,

(i) a stationary power plant, or

(ii) a low-pressure stationary plant;

(*b*) that he holds a certificate of competency as a third class engineer issued under the authority of the *Canada Shipping Act*, as amended from time to time;

(*c*) that he has had three years of qualifying experience on boilers, engines and auxiliaries of steam-driven naval or merchant vessels; or

(*d*) that he,

(i) holds a degree in engineering conferred by a university in Canada or by any other university in which the course of study leading to the degree is, in the opinion of the Board, equivalent to that leading to an engineering degree in a Canadian university, and

(ii) has had at least three months of qualifying experience that is approved by the Board for the purpose of this section in a stationary power plant having a Therm-hour rating exceeding 12,000 that is generating electricity for The Hydro-Electric Power Commission of Ontario. O. Reg. 196/69, s. 4.

5.—(1) An applicant for a certificate of qualification as a stationary engineer (third class) shall,

(*a*) have operated a plant under a provisional certificate of qualification as a stationary engineer (third class) in Ontario for one year; or

(*b*) furnish the evidence as to the previous training and experience prescribed in subsection 2 and obtain a mark of not less than 50 per cent on each examination subject and an overall examination average mark of not less than 60 per cent.

(2) Where evidence as to previous training and experience is required under subsection 1, an applicant shall furnish a statutory declaration stating that he has had at least one year of qualifying experience in a stationary power plant with a Therm-hour rating exceeding 50 or in a low-pressure stationary plant with a Therm-hour rating exceeding 134, and that he has held a certificate of qualification as a stationary engineer (fourth class) for at least one year or that he holds a certificate of qualification as a stationary engineer (third class) issued by another province of Canada that qualifies him to perform, in such province, the work and duties equivalent to those of a stationary engineer (third class) in Ontario for at least one year, or,

(*a*) that he holds a certificate of competency as a second class engineer,

(i) issued under the *Merchant Shipping Act* (Imperial), as amended from time to time, or

(ii) issued under the *Canada Shipping Act*, as amended from time to time;

(*b*) that he has had eight years of qualifying experience on boilers, engines and auxiliaries of steam-driven naval or merchant vessels; or

(*c*) that he,

(i) holds a degree in engineering conferred by a university in Canada or by any other university in which the course of study leading to the degree is, in the opinion of the Board, equivalent to that leading to an engineering degree in a Canadian university, and

(ii) has had at least twelve months of qualifying experience that is approved by the Board for the purpose of this section in a stationary power plant having a Therm-hour rating exceeding 12,000 that is generating electricity for The Hydro-Electric Power Commission of Ontario. O. Reg. 196/69, s. 5.

6.—(1) An applicant for a certificate of qualification as a stationary engineer (second class) shall,

(*a*) have operated a plant under a provisional certificate of qualification as a stationary engineer (second class) in Ontario for one year; or

(*b*) furnish the evidence as to the previous training and experience prescribed in subsection 2 and obtain a mark of not less than 50 per cent on each examination subject and an overall examination average mark of not less than 60 per cent.

(2) Where evidence as to previous training and experience is required under subsection 1, an applicant shall furnish a statutory declaration stating that he has had at least five years of qualifying experience in a stationary power plant or a low-pressure stationary plant, of which five-year period not less than three years were in a stationary power plant with a Therm-hour rating exceeding 134, and that he holds a certificate of qualification as a stationary engineer (third class), or a certificate of qualification as a stationary engineer (second class), issued by another province of Canada that qualifies him to perform, in such province, the work and duties equivalent to those of a stationary engineer (second class) in Ontario, or,

(*a*) that he holds a certificate of competency as a first class engineer,

(i) issued under the authority of the *Merchant Shipping Act* (Imperial), as amended from time to time, or

(ii) issued under the authority of the *Canada Shipping Act*, as amended from time to time;

(*b*) that he holds a certificate of competency as a second class engineer,

(i) issued under the authority of the *Merchant Shipping Act* (Imperial), as amended from time to time, or

(ii) issued under the authority of the *Canada Shipping Act*, as amended from time to time,

and that he has had at least two years of qualifying experience in a stationary power plant having a Therm-hour rating exceeding 134; or

(*c*) that he,

(i) holds a degree in engineering conferred by a university in Canada or by any other university in which the course of study leading to the degree is, in the opinion of the Board, equivalent to that leading to an engineering degree in a Canadian university, and

(ii) has had at least twenty-four months of qualifying experience that is approved by the Board for the purpose of this section in a stationary power plant having a Therm-hour rating exceeding 12,000 that is generating electricity for The Hydro-Electric Power Commission of Ontario. O. Reg. 196/69, s. 6.

7.—(1) An applicant for a certificate of qualification as a stationary engineer (first class) shall,

(*a*) hold,

(i) a certificate of qualification as a stationary engineer (second class), or

(ii) a certificate of qualification as a stationary engineer (first class) issued by another province of Canada that qualifies him to perform, in such province, the work and duties equivalent to those of a stationary engineer (first class) in Ontario;

(*b*) furnish the evidence as to the previous training and experience prescribed in subsection 2; and

(*c*) obtain a mark of not less than 50 per cent on each examination subject and an overall examination average mark of not less than 60 per cent.

(2) Where evidence as to previous training and experience is required under subsection 1, an applicant shall furnish a statutory declaration stating that he has had at least ten years of qualifying experience in a stationary power plant, of which ten-year period at least four years were in a plant having a Therm-hour rating exceeding 234 and at least one year was in a plant with a Therm-hour rating exceeding 400, or that he has the qualifications and operating experience prescribed in clause *a* or *b* of subsection 2 of section 6 and has had at least two years of qualifying experience in a stationary power plant with a Therm-hour rating exceeding 234, and in addition at least one year in a plant with a Therm-hour rating exceeding 400, or that he,

(*a*) holds a degree in engineering conferred by a university in Canada, or by any other university in which the course of study leading to the degree is, in the opinion of the Board, equivalent to that leading to an engineering degree in a Canadian university; and

(*b*) has had at least thirty-six months of qualifying experience that is approved by the Board for the purpose of this section in a stationary power plant with a Therm-hour rating exceeding 12,000 that is generating electricity for The Hydro-Electric Power Commission of Ontario. O. Reg. 196/69, s. 7.

8. An applicant for a certificate of qualification as a steam-hoisting engineer shall,

(*a*) be at least eighteen years of age;

(*b*) obtain a mark of not less than 50 per cent on each examination subject and an overall examination average mark of not less than 60 per cent;

(*c*) furnish a statutory declaration stating that he has had at least eighteen months of qualifying experience in a steam-hoisting plant; and

(*d*) furnish a written statement signed by his employer that he has demonstrated his ability to operate a steam-hoisting plant in a safe manner. O. Reg. 196/69, s. 8.

9. An applicant for a certificate of qualification as a hoisting engineer shall,

(*a*) be at least eighteen years of age;

(*b*) obtain a mark of not less than 50 per cent on each examination subject and an overall examination average mark of not less than 60 per cent;

(*c*) furnish a statutory declaration stating that he has had at least eighteen months of qualifying experience in a hoisting plant; and

(*d*) furnish a written statement signed by his employer that he has demonstrated his ability to operate a hoisting plant in a safe manner. O. Reg. 196/69, s. 9.

10. An applicant for a certificate of qualification as a compressor operator shall,

(*a*) be at least eighteen years of age;

(*b*) obtain a mark of not less than 50 per cent on each examination subject and an overall examination average mark of not less than 60 per cent; and

(*c*) furnish a statutory declaration stating that he has had at least six months of qualifying experience in a compressor plant. O. Reg. 196/69, s. 10.

11. An applicant for a certificate of qualification as a refrigeration operator (B class) shall,

(*a*) be at least eighteen years of age;

(*b*) obtain a mark of not less than 50 per cent on each examination subject and an overall examination average mark of not less than 60 per cent; and

(*c*) furnish a statutory declaration stating that he,

(i) has had at least one year of qualifying experience in a refrigeration plant, or

(ii) has had six months of experience in installing and servicing refrigeration equipment and six months of qualifying experience in a refrigeration plant. O. Reg. 196/69, s. 11.

12. An applicant for a certificate of qualification as a refrigeration operator (A class) shall,

(*a*) obtain a mark of not less than 50 per cent on each examination subject and an overall examination mark of not less than 60 per cent;

(*b*) be the holder of a certificate of qualification as a refrigeration operator (B class); and

(*c*) furnish a statutory declaration stating that he has had at least four years of qualifying experience in a refrigeration plant, of which not less than one year has been in a plant having a Therm-hour rating exceeding 10.176. O. Reg. 196/69, s. 12.

13. Where an applicant for a certificate of qualification has successfully completed a course of training for the certificate of qualification, such portion of the time spent by the applicant in completing the course of training as is approved by the Board may be included in the calculation of qualifying experience for the purposes of sections 4 to 12. O. Reg. 196/69, s. 13.

RE-EXAMINATIONS

14.—(1) Subject to subsections 2, 3, 4 and 5 an applicant for a certificate of qualification who has failed to pass the examination required by the Board may, on payment of the fee prescribed in the Schedule, be re-examined upon presenting himself for his re-examination at a place, date and time appointed by the Board.

(2) A re-examination under subsection 1 shall not be held within sixty days following the previous examination.

(3) Notwithstanding subsection 2, an applicant for a certificate of qualification who obtains an overall examination average mark of not less than 60 per cent, but fails in one or more examination subjects, shall be permitted to rewrite such subjects after thirty days and within eighty days of such examinations without payment of any fee.

(4) Subject to subsection 5, no applicant for a certificate of qualification shall try an examination more than three times.

(5) Where,

(*a*) an applicant for a certificate of qualification has failed on three occasions to pass an examination required by the Board; and

(*b*) a period of three years has elapsed since the applicant's third attempt to pass the examination referred to in clause *a*,

the applicant may, with the permission of the Board, rewrite the examination. O. Reg. 196/69, s. 14.

ISSUE OF CERTIFICATES

15.—(1) No certificate of qualification, renewal or reinstatement of a certificate of qualification or a provisional certificate of qualification shall be issued until the applicant has delivered to the Board his application in the prescribed form and has paid the fee prescribed in the Schedule.

(2) Every operating engineer and operator shall pay the annual fee prescribed in the Schedule on or before the 31st day of January in each year and upon payment thereof the Board shall, subject to subsection 4, issue a renewal of a certificate of qualification.

(3) Where a certificate of qualification has not been renewed for five consecutive years, the certificate shall not be reinstated until the applicant has successfully rewritten the examination for the certificate of qualification.

(4) Where a certificate of qualification has not been renewed, no certificate shall be reinstated until the reinstatement fee prescribed in the Schedule has been paid.

(5) The fee for a duplicate certificate under section 27 of the Act is the fee prescribed in the Schedule. O. Reg. 196/69, s. 15.

EVIDENCE OF AGE

16.—(1) Where evidence of age is required under this Regulation, an applicant for a certificate of qualification or a provisional certificate of qualification shall furnish his birth certificate.

(2) Where the Board is satisfied that it is not practicable for the applicant to furnish his birth certificate, the Board may accept,

(*a*) one item of Class A evidence of birth; or

(*b*) two items of Class B evidence of birth,

as prescribed in section 8 or 10 of Regulation 820 of Revised Regulations of Ontario, 1970. O. Reg. 196/69, s. 16.

OPERATION BY AUTHORIZED PERSONS

17. A user shall ensure that his plant is operated by a person who holds a certificate of qualification that authorizes him to operate that plant. O. Reg. 196/69, s. 17.

CHIEF OPERATING ENGINEERS AND CHIEF OPERATORS

18. In addition to any powers and duties prescribed by the Act, a chief operating engineer or a chief operator, as the case may be,

(*a*) shall take all measures necessary to maintain the plant in a safe operating condition and shall notify the user of the measures taken;

(*b*) shall maintain discipline among the persons employed in the plant who are under his control or supervision;

(*c*) shall direct and supervise shift engineers or shift operators, as the case may be, in their work and duties for the safe operation of the plant;

(*d*) shall ensure that an accurate record of matters that may affect the safety of the plant is made and maintained at all times as required by section 21; and

(*e*) may, subject to section 20 of the Act and section 24 of this Regulation, perform operational and maintenance work on the premises on which the plant is located. O. Reg. 196/69, s. 18.

SHIFT ENGINEERS AND SHIFT OPERATORS

19. In addition to the powers and duties prescribed by the Act, a shift engineer or shift operator, as the case may be, shall,

(*a*) under the direction and supervision of the chief operating engineer or chief operator, as the case may be, be responsible for,

(i) the safe operation of the plant, and

(ii) the supervision of other employees on his shift who are under his control;

(*b*) maintain a close watch on the condition and repair of all equipment in the plant and report to the chief operating engineer or chief operator, as the case may be, any condition that may impair the safety of the plant;

(*c*) take such measures as are necessary to prevent any immediate danger;

(*d*) ensure that an accurate record of matters that may affect the safety of the plant is made and maintained at all times during the shift period as required by section 21; and

(*e*) may, subject to section 20 of the Act and section 24 of this Regulation, perform maintenance and operational work on the premises on which the plant is located as may be directed by the chief operating engineer or the chief operator, as the case may be. O. Reg. 196/69, s. 19.

HOISTING ENGINEERS AND STEAM-HOISTING ENGINEERS

20. In addition to the powers and duties prescribed by the Act, a hoisting engineer or a steam-hoisting engineer shall,

(*a*) take all measures necessary to maintain the plant in safe operating condition and shall notify the user of the measures taken;

(*b*) maintain discipline among employees under his control or supervision;

(*c*) maintain a close watch on the condition, repair and testing of all parts of the plant and report to the user thereof any condition that may impair the safety of the plant; and

(*d*) operate the plant in his charge so as not to endanger the safety of any person in the vicinity of the plant. O. Reg. 196/69, s. 20.

LOG BOOKS

21.—(1) The user shall provide for use in his plant a log book in a form approved by the chief officer.

(2) The person in charge of a shift in a plant shall record in the log book in respect of his shift,

(*a*) the date, the number or designation of the shift and his name;

(*b*) any change from normal operating procedure, and the time of such change;

(*c*) any special instructions that may have been given to achieve the change referred to in clause *b* and the name of the person who gave the instructions;

(*d*) any unusual or abnormal condition observed in the plant, and the time thereof;

(*e*) repairs to any part of the plant and the time such repairs were commenced and, if completed on his shift, the time thereof; and

(*f*) the time of commencing and terminating his shift.

(3) No person shall deface, damage, destroy or, without permission of the user, remove the log book from the plant.

(4) The user shall ensure that the log book is kept accessible in the plant for at least one year after the last entry therein and shall produce the log book for examination upon the request of an inspector. O. Reg. 196/69, s. 21.

ISOLATION OF BOILERS AND COMPRESSORS

22.—(1) The user of a boiler or prime mover of a compressor that is not included in determining the total Therm-hour rating of a plant shall notify the chief officer that the boiler or compressor is to be isolated by sealing by an inspector.

(2) Every boiler or prime mover of a compressor that is not included in determining the total Therm-hour rating of a plant shall be isolated by an inspector sealing it in such manner that such boiler or compressor is incapable of being used without removal of the seal.

(3) Except with the permission of the chief officer, no person shall remove a seal that has been affixed to a boiler or compressor by an inspector.

(4) The user shall pay the fee prescribed in the Schedule for affixing a seal to a boiler or compressor in the user's plant.

(5) No person shall operate a boiler or prime mover of a compressor unless the Therm-hour rating of the boiler or prime mover is included in the total Therm-hour rating of the plant. O. Reg. 196/69, s. 22.

EFFECT OF INCREASE IN THERM-HOUR RATING

23.—(1) An operating engineer or operator to whom section 21 of the Act applies may continue to operate the plant for a period of,

(*a*) three months where he is a stationary engineer (fourth class) or a refrigeration operator (B class);

(*b*) six months where he is a stationary engineer (third class); or

(*c*) nine months where he is a stationary engineer (second class).

(2) An operating engineer or operator to whom section 21 of the Act applies may, with the permission of the Board, write the examination for the certificate of qualification that is not more than one grade higher than the certificate of qualification that he holds.

(3) Subject to section 14, where an operating engineer or operator to whom subsection 1 applies obtains a mark of not less than 75 per cent of the passing mark for the examination, the Board may permit him to write another examination for the certificate of qualification required to operate the plant and may permit him to operate the plant for a further period of ninety days. O. Reg. 196/69, s. 23.

ABSENCES FROM PLANTS

24.—(1) The operating engineer or operator in charge of a guarded plant may be absent as provided for in section 20 of the Act from such guarded plant for a period of not more than,

(*a*) twenty minutes in every hour in the case of,

(i) a stationary power plant described in subclause i of clause *a* of subsection 1 of section 16 of the Act,

(ii) a steam-powered or compressor plant with a Therm-hour rating not exceeding 20.352, or

(iii) a refrigeration plant with a Therm-hour rating not exceeding 10.176;

(*b*) thirty minutes in every hour, in the case of, a low-pressure stationary plant described in subclause ii of clause *a* of subsection 1 of section 16 of the Act; or

(*c*) eight continuous hours in any one day where,

(i) no person other than a custodian occupies,

a. the building in which the boiler, compressor or engine room is situated, or

b. the premises on which the boiler, compressor or engine is situated, where the boiler, compressor or engine is not situated in a building, and

(ii) the plant consists of,

a. a guarded low-pressure stationary plant where the maximum Therm-hour rating of the plant does not exceed 134 less the Therm-hour rating of the compressors, including any refrigeration compressors, and the maximum Therm-hour rating of all compressors does not exceed 7.632,

b. a guarded steam-power plant or guarded compressor plant with a Therm-hour rating not exceeding 10.176, or

c. a guarded refrigeration plant with a Therm-hour rating not exceeding 5.088.

(2) Notwithstanding subsection 1, the chief officer may reduce the time during which an operating engineer or operator may be absent as provided for in section 20 of the Act from a plant that is in close proximity to premises to which the public has access.

(3) In a plant that is not guarded, the operating engineer or operator in charge of,

(*a*) a stationary power plant with a Therm-hour rating not exceeding 50;

(*b*) a low-pressure stationary plant with a Therm-hour rating not exceeding 134; or

(*c*) a steam-powered plant, a refrigeration plant or a compressor plant with a Therm-hour rating not exceeding 5.088,

may be absent as provided for in section 20 of the Act from the plant for not more than fifteen minutes in any one hour.

(4) The user of a plant in which there is installed as part of the plant,

(*a*) a guarded compressor with a Therm-hour rating exceeding 1.145 and not exceeding 1.908;

(*b*) a guarded refrigeration compressor with a Therm-hour rating exceeding 0.7632 and not exceeding 1.272;

(*c*) a guarded boiler for steam at a pressure of 15 pounds per square inch or less and for water at a temperature of more than 212°F. and not more than 250°F., and having a Therm-hour rating exceeding 10 and not exceeding 50; or

(*d*) a guarded boiler for steam at a pressure of more than 15 pounds per square inch or for water at a temperature of more than 250°F. and with a Therm-hour rating exceeding 5 and not exceeding 17,

shall ensure that when any one such guarded compressor or guarded boiler is operated no other part of the plant is operated unless a person who is qualified under section 16 of the Act is present in the plant as provided for in section 20 of the Act. O. Reg. 196/69, s. 24.

FAIL-SAFE DEVICES

25.—(1) The user of a boiler in a guarded stationary power plant or a guarded low-pressure stationary plant shall provide the boiler with protective devices including,

(*a*) a high-pressure limiting device on the steam boiler or a high-temperature limiting device on the hot-water boiler, as the case may be;

(*b*) a low-water level limiting device separate from any other device that controls the feed-water supply to the steam boiler;

(*c*) a high-water level limiting device separate from any other device that controls the feed-water supply to the steam boiler; and

(*d*) a pre-purge and flame failure device that will automatically prevent the supply of fuel to the boiler when an abnormal condition occurs during the operation of the boiler.

(2) The user of a compressor in a guarded refrigeration plant shall provide the compressor with protective devices including,

(*a*) a high-liquid level limiting device on the evaporator or the suction drum of the compressor;

(*b*) a high-temperature limiting device in the cooling-water discharge line; and

(*c*) a low-pressure limiting device in the lubricating oil system,

which device will automatically prevent the supply of energy to the prime mover of the compressor when an abnormal condition occurs during the operation of the compressor.

(3) The user of a compressor in a guarded compressor plant shall provide the compressor with protective devices including,

(*a*) a high-temperature limiting device in the compressor discharge line;

(*b*) a high-temperature limiting device in the cooling-water discharge line;

(*c*) a low-pressure limiting device in the lubricating oil system; and

(*d*) a high-liquid level limiting device on the moisture separator, suction drum, or receiver,

which device will automatically prevent the supply of energy to the prime mover of the compressor when an abnormal condition occurs during the operation of the compressor.

(4) The user of an engine in a guarded steam-powered plant shall provide the engine with a device to automatically cut off the supply of steam when the engine exceeds its maximum safe speed.

(5) The user of a guarded plant referred to in subsection 1 of section 24 shall provide the plant with an audible and visual alarm system that will,

(*a*) ensure that the operating engineer or operator is warned when any abnormal or unsafe condition, for which a protective device is prescribed in subsections 1 to 4, occurs; and

(*b*) extend to any part of the premises on which the plant is situated and in which the operating engineer or operator may be present while in charge of the plant.

(6) Each protective device prescribed in subsections 1 to 5 shall,

(*a*) not be capable of automatically restarting the plant; and

(*b*) maintain the visual warning until the abnormal or unsafe condition is rectified.

(7) The operating engineer or operator in charge of a guarded boiler or guarded compressor, as the case may be, shall ensure that the safety valve and other fittings, prescribed in *The Boilers and Pressure Vessels Act* and regulations thereunder, are in safe working condition. O. Reg. 196/69, s. 25.

26. Where any protective device in a guarded plant ceases to function properly, the user shall ensure that the plant is not operated unless,

(*a*) an operating engineer or operator as required by section 16 of the Act is in constant attendance in the plant; or

(*b*) the protective device has been repaired or replaced, and tested and found to function properly by a person competent to do so. O. Reg. 196/69, s. 26.

COILED TUBE BOILER

27. Where a plant is comprised of a coiled tube boiler or boilers and,

(*a*) the total Therm-hour rating of the plant does not exceed 50; or

(*b*) the total Therm-hour rating of the plant does not exceed 134 and the pressure in the installation, exclusive of the boiler or boilers, is not more than 15 p.s.i.,

an operating engineer is not required to be in attendance in the plant. O. Reg. 477/69, s. 2.

28.—(1) Where a plant is comprised of a coiled tube boiler or boilers and the Therm-hour rating of the plant is not more than 134 and the pressure in the installation exceeds 15 p.s.i., a stationary engineer (third class) shall be the chief operating engineer and, in the absence from the plant of the chief operating engineer, a stationary engineer (fourth class) shall act as shift engineer.

(2) A stationary engineer referred to in subsection 1 may be absent, as provided in section 20 of the Act, from such plant for the purpose of performing maintenance and repair work on the premises on which the plant is located. O. Reg. 477/69, s. 2.

EXEMPTION

29.—(1) Subject to section 26, where a plant is comprised of a dual control boiler and the Therm-hour rating of the plant is not more than 50 and the dual control boiler is to be operated at a pressure of less than 15, an operating engineer is not required to be in attendance at the plant if the plant is equipped with,

(*a*) a low-pressure control device that restricts the operating pressure of the dual control boiler to 15; and

(*b*) the protective devices required by subsection 1 of section 25, so long as the high-pressure limiting device or the high-temperature limiting device referred to in clause *a* of subsection 1 of section 25 is set for low pressure operation.

(2) The results obtained from the pressure recording device attached to the dual control boiler shall be retained for a period of twelve months and shall be available to an inspector at all times.

(3) All protective and control devices described in subsection 1 shall be approved by the chief officer. O. Reg. 117/70, s. 3.

REPORTING ACCIDENTS

30. Where in a plant for which a certificate of registration has been issued or in an operation involving a hoisting plant,

(*a*) a person is killed or critically injured from any cause; or

(*b*) an accident occurs involving public liability or property damage to any part of the plant equipment in operation,

the user shall notify the chief officer of the death, injury or accident, as the case may be, by telephone or other direct means and shall within forty-eight hours after the death, injury or accident, as the case may be, send the chief officer a written report of the circumstances. O. Reg. 117/70, s. 3.

FORMS AND FEES

31.—(1) An application for registration of a plant shall be in Form 1.

(2) A certificate of registration of a plant shall be in Form 2.

(3) An application for registration of a guarded plant shall be in Form 3.

(4) A certificate of registration of a guarded plant shall be in Form 4.

(5) A notice of isolation of a boiler or compressor shall be in Form 5.

(6) An application for a certificate of qualification shall be in Form 6.

(7) A certificate of qualification shall be in Form 7.

(8) An application for renewal of a certificate of qualification shall be in Form 8.

(9) A renewal of a certificate of qualification shall be in Form 9.

(10) An application for a duplicate certificate of qualification or provisional certificate of qualification shall be in Form 10.

(11) A provisional certificate of qualification shall be in Form 11.

(12) The fees payable under this Regulation are those prescribed in the Schedule. O. Reg. 196/69, s. 27.

Schedule

PRESCRIBED FEES

Item No.	Subject	Fee $
	REGISTRATION OF PLANTS	
1	On the issue of a certificate of registration of a plant.....	10
2	On the issue of a certificate of registration of a guarded plant..	50
3	On the issue of a certificate of registration of a plant in accordance with a new classification..	10
4	On the issue of a certificate of registration to a new owner of a plant.....	5
5	On the issue of a certificate of registration to a new owner of a guarded plant.....	20
6	For sealing a boiler or compressor to reduce the plant classification...	30
7	For re-sealing a boiler or compressor to reduce the plant classification..	30
8	On the issue of a duplicate of a certificate of registration.....	5

Item No.	Subject	Fee $
	PROVISIONAL CERTIFICATES OF QUALIFICATION	
9	For a provisional certificate of qualification as a stationary engineer (fourth, third or second class)	15
	EXAMINATIONS, RE-EXAMINATIONS AND CERTIFICATES OF QUALIFICATION	
10	On examination for a certificate of qualification* as a,	
	(*a*) stationary engineer (fourth class)	5
	(*b*) stationary engineer (third class)	7
	(*c*) stationary engineer (second class)	10
	(*d*) stationary engineer (first class)	15
	(*e*) hoisting engineer	7
	(*f*) steam-hoisting engineer	7
	(*g*) compressor operator	8
	(*h*) refrigeration operator (B class)	8
	(*i*) refrigeration operator (A class)	10
11	On re-examination for a certificate of qualification* as a,	
	(*a*) stationary engineer (fourth class)	5
	(*b*) stationary engineer (third class)	6
	(*c*) stationary engineer (second class)	8
	(*d*) stationary engineer (first class)	12
	(*e*) hoisting engineer	5
	(*f*) steam-hoisting engineer	5
	(*g*) compressor operator	5
	(*h*) refrigeration operator (B class)	5
	(*i*) refrigeration operator (A class)	8

Item No.	Subject	Fee $
	DUPLICATES OF CERTIFICATES	
12	For the issue of a duplicate of,	
	(*a*) a provisional certificate of qualification	5
	(*b*) a certificate of qualification (any classification)	5
	(*c*) a renewal of a certificate of qualification (any classification)	5
	RENEWALS	
13	For the issue of a renewal of a certificate of qualification (any classification) where the application and fee are received by the Board,	
	(*a*) on or before the 31st day of January of the year next following the year with respect to which,	
	(i) the former certificate was issued, or	
	(ii) the reinstatement fee was paid,	
	as the case may be	5
	or	
	(*b*) after the date specified in subitem *a* but on or before the next following 31st day of December	6
	REINSTATEMENTS	
14	For reinstatement where the annual fee has not been paid for,	
	(*a*) 1 year	6
	or	
	(*b*) 2 consecutive years	11
	or	
	3 consecutive years	16
	or	
	[illegible] consecutive years	21
	*Where an applicant is successful on his examination or re-examination or further re-examination, as the case may be, the appropriate certificate of qualification is issued without additional fee.	

O. Reg. 196/69, Sched.

Form 1

The Operating Engineers Act

APPLICATION FOR REGISTRATION OF A PLANT

To: Chief Officer,
Operating Engineers Branch,
Department of Labour,
Parliament Bldgs.,
Toronto, Ontario.

The undersigned user of the plant described below hereby applies for registration thereof and furnishes the following information:

1. Name of User.....

2. Plant known as.....

3. Location of Plant.....

4. Postal address of User.....

5. Boilers Installed:

Quantity	Manufacturer's Name	Type	Safety Valve Setting	Output in B.T.U. Per Hour

6. Compressors or Steam Engines Installed:

Quantity	Manufacturer's Name	Type	Safety Valve Set At	Gas Being Compressed		Prime Movers Therm-Hour Rating	
					Refrigerant		
				Name	Yes or No	Steam	Non-Steam

Should the above items be installed at separate locations on the same premises, a sketch made to scale showing the disposition of the items must be submitted with the application form. Do not include items which are exempt under section 2 of the Act.

Dated at ....., this ..... day of ....., 19....

.....
(signature of user)

For Departmental Use Only

Certificates of Qualification Required:	Therm-Hour Rating of:
Chief Operating Engineer.....	High pressure Boilers.....
Chief Operator.....	Low pressure Boilers.....
Shift Engineer.....	Compressors.....
Shift Operator.....	Refrigeration Compressors.....
Assistant Shift Engineer.....	Steam-Driven Compressors.....
Plant Classification.....	Total Therm-hour Rating of Plant.....

O. Reg. 196/69, Form 1.

Form 2

The Operating Engineers Act

CERTIFICATE OF REGISTRATION OF A PLANT

Registration No..... Serial No.....

Under *The Operating Engineers Act*, and the regulations thereunder, I certify that.....

has registered a.....Plant known as.....

located at.....having a total Therm-hour rating of.....

Composed of:

Number of Boilers.....

Total Therm-hour rating..... Safety Valve Set At.....

Number of Refrigeration Compressors.....

Total Therm-hour rating.....

Number of other Compressors.....

Total Therm-hour rating.....

Certificates of Qualification Required:

Chief Operating Engineer..... Chief Operator.....

Shift Engineer..... Shift Operator.....

Assistant Shift Engineer or Assistant Operator as required under clause *a* of section 20 of the Act:

.....

Issued at Toronto this ..... day of ....., 19....

.....
Chief Officer
Operating Engineers Branch

O. Reg. 196/69, Form 2.

Form 3

The Operating Engineers Act

APPLICATION FOR REGISTRATION OF A GUARDED PLANT

To: Chief Officer,
Operating Engineers Branch,
Department of Labour,
Parliament Bldgs.,
Toronto, Ontario.

The undersigned user of the guarded plant described below hereby applies for registration thereof and furnishes the following information:

1. Name of User.....

2. Plant known as.....

3. Location of plant.....

4. Postal address of User.....

5. Boilers Installed:

Quantity	Manufacturer's Name	Type	Safety Valve Setting	Output in B.T.U. Per Hour

6. Compressors or Steam Engines Installed:

Quantity	Manufacturer's Name	Type	Safety Valve Set At	Gas Being Compressed		Prime Movers Therm-Hour Rating	
				Name	Refrigerant Yes or No	Steam	Non-Steam

Each boiler and compressor in this plant is equipped with the protective devices prescribed in section 25 of Regulation 649 of Revised Regulations of Ontario, 1970. I herewith undertake that each protective device for the plant will be competently tested, while the plant is operating, at such frequency as will reasonably ensure the proper operation of the device when necessary to protect the plant.

Dated at ....., this ..... day of ....., 19....

.....
(signature of user)

For Departmental Use Only

CERTIFICATES OF QUALIFICATION REQUIRED:

Chief Operating Engineer.....

Chief Operator.....

Shift Engineer.....

Shift Operator.....

Plant Classification.....

THERM-HOUR RATING OF:

High pressure Boilers.....

Low pressure Boilers.....

Compressors.....

Refrigeration Compressors.....

Steam Driven Compressors.....

Total Therm-hour Rating of Plant.....

O. Reg. 196/69, Form 3.

Form 4

The Operating Engineers Act

CERTIFICATE OF REGISTRATION OF A GUARDED PLANT

Registration No..... Serial No.....

Under *The Operating Engineers Act* and the regulations thereunder, I certify that.....

has registered a.....Plant known as.....

located at.....having a total Therm-hour rating of.....

Composed of:

Number of Boilers.....

Total Therm-hour rating..... Safety Valve Set At.....

Number of Refrigeration Compressors.....

Total Therm-hour rating.....

Number of other Compressors.....

Total Therm-hour rating.....

CERTIFICATES OF QUALIFICATION REQUIRED:

Chief Operating Engineer..... Chief Operator.....

Shift Engineer..... Shift Operator.....

The user of this guarded plant shall ensure that each protective device is tested and maintained in safe working condition as prescribed in section 26 of Regulation 649 of Revised Regulations of Ontario, 1970.

Issued at Toronto, this ..... day of ....., 19....

.....
Chief Officer
Operating Engineers Branch

O. Reg. 196/69, Form 4.

Form 5

The Operating Engineers Act

NOTICE OF ISOLATION OF A BOILER OR COMPRESSOR

Serial No..... Plant Registration No.....

NOTICE

The seal affixed to this.....
(description of boiler and compressor being sealed)

and is subject to the provisions of section 22 of Regulation 649 of Revised Regulations of Ontario, 1970. No person shall remove this seal except with the permission of the Chief Officer. Any person removing or defacing this seal is guilty of an offence under the Act and on summary conviction is liable to a fine of not more than $1,000 or to imprisonment for a term of not more than twelve months, or to both.

Date.....

Inspector..... .....
Chief Officer

Serial No..... Plant Registration No.....

This part of the notice to be attached to the inspection report.

Description of item sealed.....

.....

Name of plant user.....

Report No.....

Inspector..... Date.....

O. Reg. 196/69, Form 5.

Form 6

The Operating Engineers Act

APPLICATION FOR CERTIFICATE OF QUALIFICATION

NOTE: This application must be completed in detail and submitted to the office of the Chief Officer at least 14 days prior to date of examination.

To: Chief Officer,
Operating Engineers Branch,
Department of Labour,
Parliament Bldgs.,
Toronto, Ontario.

I, ...
(print name in block letters) (number and street) (municipality)

apply for issue of a Certificate of Qualification as a.....

and in support thereof I make the following statements:

1. I hold a current certificate ..... class, No....., Province.....

2. Date of birth: Day....., Month ....., Year .....

3. Social Insurance No.....

4. My previous training and experience (*including present employment*) is as follows:

STATIONARY ENGINEER:

Name of Employer	Plant Registration No.	Therm-hour Rating	Safety Valve Set At	Employed As	Dates of Employment				
					From		To		Period
					Month	Year	Month	Year	
							TOTAL		

REFRIGERATION OPERATOR A OR B, COMPRESSOR OPERATOR OR *HOISTING ENGINEER:

Name of Employer	Type of Machine	Therm-hour Rating	Safety Valve Set At	Employed As	Dates of Employment				
					From		To		Period
					Month	Year	Month	Year	
							TOTAL		

*NOTE: The applicant must furnish a written statement signed by his employer that he has demonstrated his ability to operate a hoisting plant in a safe manner.

The applicant must submit with this form a statutory declaration stating that he has acquired the qualifying experience specified on this form.

Dated at ....., this ..... day of ....., 19....

.....
(signature of applicant)

O. Reg. 196/69, Form 6.

Form 7

The Operating Engineers Act

CERTIFICATE OF QUALIFICATION

Certificate No.....

This is to certify that.....

is issued a Certificate of Qualification as a

.....

under *The Operating Engineers Act* and the regulations thereunder.

This certificate remains in force during the year 19.... and until the date of renewal or the 31st day of January, 19...., whichever occurs first.

Dated at Toronto, this .....day of ....., 19....

.....
Chairman, Board of Examiners

O. Reg. 196/69, Form 7.

Form 8

The Operating Engineers Act

APPLICATION FOR RENEWAL OF CERTIFICATE OF QUALIFICATION

I, ...
(print name in block letters)

apply for a renewal of my Certificate of Qualification as: .....
and herewith remit the prescribed renewal fee.

Social Insurance No.....

Date.....

Signature.....

IF CHANGE IN NAME OR ADDRESS SINCE LAST RENEWAL OF CERTIFICATE, PLEASE COMPLETE BELOW:

(Please print)

Surname.....

Given Names.....

Street Address.....

City or Town.....

O. Reg. 196/69, Form 8.

Form 9

The Operating Engineers Act

RENEWAL OF A CERTIFICATE OF QUALIFICATION

Certificate No..... 19....

RENEWAL OF CERTIFICATE OF QUALIFICATION ISSUED TO:

.....

under *The Operating Engineers Act* as:

.....

For the year 19.... and until the date of renewal or the 31st day of January, 19...., whichever occurs first.

Dated at Toronto, this ..... day of ....., 19....

.....
Chairman, Board of Examiners

O. Reg. 196/69, Form 9.

Form 10

The Operating Engineers Act

APPLICATION FOR A DUPLICATE CERTIFICATE OF QUALIFICATION OR FOR A PROVISIONAL CERTIFICATE OF QUALIFICATION

To: Chief Officer,
Operating Engineers Branch,
Department of Labour,
Parliament Buildings,
Toronto, Ontario,

I, ...
(print name in block letters)

.....
(number and street) (municipality)

apply for the issue of:

☐ a Provisional Certificate of Qualification (class)

☐ a Duplicate Certificate of Qualification (class) and in support thereof,

☐ I provide evidence that I hold a current Certificate of Qualification as a Stationary Engineer

(class) issued by the Province of .....

in 19...., and identification that I am the applicant.

☐ I furnish evidence, satisfactory to the Board, that

the Certificate of Qualification.....

issued to me in 19.... was lost under the following circumstances:

.....

.....

.....

Social Insurance No.....

Dated at ....., this .....

day of ....., 19....

.....
(signature of applicant)

O. Reg. 196/69, Form 10.

Form 11

The Operating Engineers Act

PROVISIONAL CERTIFICATE OF QUALIFICATION

Certificate No.....

This is to certify that.....

is issued a Provisional Certificate of Qualification as

a.....
under *The Operating Engineers Act* and the regulations thereunder.

This certificate remains in force for one year from the date of issue hereof, or subject to reinstatement pursuant to section 4, 5 or 6 of Regulation 649 of Revised Regulations of Ontario, 1970.

Dated at Toronto, this ..... day of .....,

19....

.....
Chairman, Board of Examiners

O. Reg. 196/69, Form 11.

REGULATION 650

under The Ophthalmic Dispensers Act

GENERAL

REGISTRATION

1. An application for registration as an ophthalmic dispenser shall be in Form 1 and the fee payable for such registration is $50. O. Reg. 248/65, s. 1.

2.—(1) Every certificate of registration as an ophthalmic dispenser shall be renewed on or before the 31st day of December in each year.

(2) An application for a renewal of a certificate of registration shall be in Form 2 and the fee payable for such renewal is $25. O. Reg. 248/65, s. 2.

3. Where an ophthalmic dispenser fails to renew his certificate, the registrar shall notify him by registered mail addressed to him at his latest address appearing on the register that his certificate has expired. O. Reg. 248/65, s. 3.

4. The fee for re-registration as an ophthalmic dispenser of a person whose registration has expired is $50. O. Reg. 248/65, s. 4.

5. During the period commencing at least sixty days and ending not less than thirty days before the expiration of a certificate of registration, the registrar shall give each ophthalmic dispenser by mailing to him at his last address as shown on the Register of Ophthalmic Dispensers, notice that his certificate of registration shall expire unless renewed before the date of expiry specified in his certificate of registration. O. Reg. 248/65, s. 5.

6. For the purpose of clause *b* of section 7 of the Act, the Board shall conduct a Home Study Course composed of:

1. Courses on the theory and characteristics of light, including the nature of light, theories of light, interference, polarization, absorption, optical images, reflection and principles of geometry and physics.

2. Courses on the human eye, including ocular movement, astigmatism, physiology of the eye and physiology generally.

3. Courses on the theory of lenses, including the principles of ocular refraction and optics generally in relation to lenses and detailed study of various types of lenses.

4. Courses in laboratory procedures and dispensing.

5. Courses in geometry, trigonometry and physics. O. Reg. 248/65, s. 6.

DISCIPLINE

7.—(1) Before holding a hearing under subsection 2 of section 14 of the Act, the Board shall send by registered mail to the ophthalmic dispenser at his latest address shown on the register a notice,

(*a*) giving, in addition to the information required by subsection 2 of section 14 of the Act,

(i) the details of the alleged unprofessional conduct or the incompetency, fraud or misrepresentation, and

(ii) the nature of the evidence in support thereof; and

(*b*) appointing the date, time and place for the hearing.

(2) The Board shall allow at least ten clear days between the date of sending the notice and the date fixed for the hearing.

(3) If the ophthalmic dispenser fails to attend the hearing on the date and at the time and place appointed, the hearing may proceed and a decision may be made in his absence.

(4) The proceedings at the hearing shall be recorded in shorthand or by other means.

(5) At the hearing, the ophthalmic dispenser is entitled to hear the evidence against him, to cross-examine thereon, to call witnesses in his behalf and to present his argument.

(6) The ophthalmic dispenser may be represented at the hearing by counsel or by an agent.

(7) Where the Board decides to suspend the registration, the period of suspension shall not be for a longer period than six months.

(8) A majority of the members of the Board shall be present at a hearing and shall consitute a quorum.

(9) The decision of the majority of the members of the Board present is the decision of the Board.

(10) In the event of an equal division of votes, the complaint made against the ophthalmic dispenser shall be dismissed. O. Reg. 248/65, s. 7.

8. For the purposes of the Act unprofessional conduct means,

(*a*) negligence or improper conduct in a professional respect;

(*b*) being mentally or physically incapable of practice as an ophthalmic dispenser;

(*c*) being so given over to the use of alcohol or drugs as to be incapable of practising as an ophthalmic dispenser; or

(*d*) being convicted of a crime that affects the fitness of a person to practise as an ophthalmic dispenser. O. Reg. 248/65, s. 8.

REMUNERATION OF THE BOARD

9.—(1) Members of the Board shall be paid,

(*a*) a per diem allowance of $50 for each day or part thereof engaged in carrying out their duties under the Act; and

(*b*) the actual amount spent in travelling and living expenses necessarily incurred while engaged in business of the Board.

(2) The amount of allowance paid to a member of the Board under clause *a* of subsection 1 shall not exceed $600 in a year. O. Reg. 248/65, s. 9.

EXAMINATIONS

10. The Board shall conduct or cause to be conducted examinations at least once a year. O. Reg. 248/65, s. 10.

11.—(1) The Board or its representative shall prepare the examination questions and shall conduct and preside over the examinations at the time and place fixed by the Board.

(2) No examination question shall be submitted to a candidate for examination unless it has been approved by the Board. O. Reg. 248/65, s. 11.

12. A person who,

(*a*) pays a fee of $50;

(*b*) completes the courses of study required by this Regulation; and

(*c*) notifies the Board of his intention to try the examination at least one week prior to the date set for the examination,

may try the examination. O. Reg. 248/65, s. 12.

Form 1

The Ophthalmic Dispensers Act

APPLICATION FOR A CERTIFICATE OF REGISTRATION

1. Name.....
(in full, surname preceding)

2. Address.....

City of.....Province.....

3. Birth Date.....Place of Birth.....

4. Schools attended and diploma or certificates obtained:

Name.....From.....To.....19...

Address.....

Cert. or Diploma Obtained.....

Name.....From.....To.....19...

Address.....

Cert. or Diploma Obtained.....

Name.....From.....To.....19...

Address.....

Cert. or Diploma Obtained.....

5. Optical certificates submitted with this application (attach certified copies, NOT originals)

.....

.....

6. Give details of practical training:

.....

.....

.....

7. References as to character, morality and good behaviour (not relative):

Name.....Address.....

Name.....Address.....

Name.....Address.....

To: The Board of Ophthalmic Dispensers,
Province of Ontario.

I.....of the.....

of.....in the County of.....,

Do Certify That I have filled in and signed answers to the questions above and that to the best of my knowledge and belief the questions have been answered correctly.

Witness:

.....
(signature)

Attach Recent Photograph of Yourself

O. Reg. 248/65, Form 1.

Form 2

The Ophthalmic Dispensers Act

APPLICATION FOR RENEWAL

Name.....

Office Address.....

Other Offices.....

Home Address.....

City of.....Province.....

I Hereby apply for a renewal of my Certificate of Registration for the year 19..... I enclose the amount of the prescribed fee.

.....
(signature)

O. Reg. 248/65, Form 2.

REGULATION 651

under The Optometry Act

GENERAL

1. Any person desiring to be admitted as a student at the College of Optometry shall register at the College of Optometry and produce evidence of good character and shall present Ontario Grade 13 certificates or equivalent certificates in,

(*a*) English Literature and English Composition;

(*b*) Mathematics consisting of Algebra, Geometry, Trigonometry; and

(*c*) Science consisting of Chemistry and Physics,

and one of,

(*d*) Science consisting of Botany and Zoology;

(*e*) French Authors and French Composition;

(*f*) German Authors and German Composition;

(*g*) Greek Authors and Greek Composition;

(*h*) Latin Authors and Latin Composition;

(*i*) Spanish Authors and Spanish Composition; and

(*j*) History. O. Reg. 166/63, s. 1.

2. The course of instruction in the College of Optometry shall consist of,

(*a*) general science courses including Zoology, Optics, Human Anatomy, Physiology, Neurology, Pathology and Psychology;

(*b*) special science courses including Physiology and Neurology of the Eye, Physiological Optics Embryology and Comparative Ophthalmology, Optometry;

(*c*) applied science and clinical courses including,

(i) Mechanical and Applied Optics,

(ii) Personality and Abnormal Psychology, and

(iii) Ocular Pathology, Clinical Optometry including Orthoptics, Visual Training, Subnormal Vision, Recognition of Ocular Pathology, Occupational Vision, Aniseikonia, Application of Contact Lenses, Optometrical Praxis and Dispensing;

(*d*) related subjects including English, Scientific Method, Statistics, Optometrical Research, Industrial and School Surveys, Vision on the Highways, Vision applied to Aviation; and

(*e*) such other subjects as the Board provides. O. Reg. 166/63, s. 2.

3. Every person applying to the Board to be admitted to examination by the Board as to his qualifications to practise optometry shall file with the Board an application in Form 1, together with a registration fee of $50. O. Reg. 166/63, s. 3.

4. No person shall be admitted to examination as to his qualifications to practise optometry unless he,

(*a*) has completed the course of study as provided in section 2;

(*b*) has completed the course of study which is equivalent to the course provided in section 2; or

(*c*) has been practising as an optometrist outside of Ontario and has received training as an optometrist equivalent to the course provided in section 2. O. Reg. 166/63, s. 4.

5.—(1) The examinations as to qualifications to practise optometry shall be held at least once a year and at such other times as the Board determines.

(2) Supplemental examinations may be held at such times and places as the Board determines. O. Reg. 166/63, s. 5.

6. A certificate of registration expires on the 31st day of January in each year and shall be renewed by the Board upon receipt of an application for renewal accompanied by a renewal fee of $100. O. Reg. 166/63, s. 6; O. Reg. 316/65, s. 1.

7. A person whose registration has expired may be reinstated upon application therefor made on or before the 30th day of April next following the expiration and upon payment of a reinstatement fee of $125. O. Reg. 166/63, s. 7; O. Reg. 316/65, s. 2.

8. A person whose certificate of registration has expired and is not reinstated on or before the 30th day of April next following the expiration may be re-registered upon passing the examinations of the Board as to qualifications to practise optometry and payment of a re-registration fee of $100. O. Reg. 166/63, s. 8.

9. A member is guilty of unprofessional conduct who, with respect to the practice of the profession of optometry,

(*a*) uses or permits to be used any description or vocational designation other than "optometrist" and academic degrees;

(*b*) permits, counsels or assists any person who is not registered under the Act to practise the profession of optometry;

(*c*) shares with any person other than the patient or the employer of the member the fees and charges received from the patient but this shall not apply to the terms of any lease made by a member or employer of a member;

(*d*) publishes, displays, distributes, uses or permits or is associated with or employed by any person who publishes, displays, distributes or uses any advertisement, except,

(i) professional cards which shall contain the name of the member and his vocational designation, and in addition may contain not more than his address, academic degrees, telephone number, office hours and the name of his employer,

(ii) the publishing in a newspaper or weekly or monthly periodical of a professional card not exceeding one standard newspaper column in width and two inches in depth, including the margins and which is not part of an advertisement containing reference to ophthalmic appliances and does not appear more than twice in any one issue,

(iii) issuing appointment cards which shall not contain more than the information contained in a professional card and the time and date of the appointments,

(iv) the mailing to patients of reminder notices,

(v) the distribution of announcement cards of commencing to practise, change of location, new association in practice or change of employment,

(vi) one sign, on the premises where the member practices, giving his name and vocational designation, provided the lettering on such sign does not exceed eight inches in height, and

(vii) door plates and listing on building directories on the premises where the member practises;

(*e*) signs or issues any certificate, report or similar document that contains statements the member knows or ought to have known are false or misleading or that is otherwise improper;

(*f*) signs or issues any certificate, report or similar document that withholds statements or information the member knows or ought to have known should be disclosed to the person to whom the document is issued or to a person to whom the member knows or ought to have known the document will be delivered or its contents made known;

(*g*) knowingly submits any false or misleading account or charges for services rendered to a patient or to a person other than the patient or to an insurance company, association, board or commission or similar organization that makes payment of fees or charges, for professional services rendered by an optometrist to a patient; or

(*h*) prescribes or dispenses ophthalmic appliances or counsels a patient who consults him, without the application and use of reasonable and appropriate clinical procedures to determine or attempt to determine the physical, refractive or muscular condition of the eye or fails to keep record of the procedures used and the clinical findings obtained,

but nothing in this section applies to the conduct of a business or part of a business other than the practice of the profession of optometry. O. Reg. 166/63, s. 9; O. Reg. 299/66, s. 1.

Form 1

The Optometry Act

COLLEGE OF OPTOMETRISTS

APPLICATION FOR REGISTRATION

1. Name.....
(in full, surname preceding)

2. Address.....City of.....Province of.....

3. Birth date.....Place of Birth.....

4. Nationality.....

5. Elementary schools attended:

Name.....From.....To....., 19....

Address.....

Name.....From.....To....., 19....

Address.....

6. Secondary schools attended:

Name.....From.....To....., 19....

Address.....

Name.....From.....To....., 19....

Address.....

7. Matriculation or equivalent certificates submitted with application. (Attach certified copies of certificates, not originals.)

.....

8. College or university attended:

.....From.....To....., 19....

.....From.....To....., 19....

9. Optometrical college attended:

.....From.....To....., 19....

.....From.....To....., 19....

10. Optometrical certificates submitted with this application. (Attach certified copies, not originals.)

.....

.....

11. Practised as an optometrist:

From.....To....., 19....

and practised with the following as an optometrist:

Name.....From.....To....., 19....

Address.....

Name.....From.....To....., 19....

Address.....

12. I hold the following additional qualifications:

.....

.....

.....

13. References as to character, morality and good behaviour (not relatives).

Name.....Address.....

Name.....Address.....

Name.....Address.....

ATTACH
RECENT PHOTOGRAPH
OF YOURSELF
IN THIS SPACE

....
(date) (signature)

O. Reg. 166/63, Form 1, *amended.*

REGULATION 652

under The Parks Assistance Act

GENERAL

1.—(1) An applicant for a grant under section 3 of the Act shall file with the Board an application signed by the clerk of the applicant municipality setting out,

(*a*) the necessity for the acquisition, development or conversion, as the case may be, of the park, having regard to existing parks in the vicinity that provide camping, picnicking and bathing facilities;

(*b*) an outline of plans for the maintenance, operation and policing the park and the estimated cost and method of financing thereof;

(*c*) where the application is for a grant to assist in developing a park, the estimated cost of developing the park and the method of financing the development of the park; and

(*d*) where the application is for a grant to assist in acquiring a park,

(i) a list of the lands to be included in the park containing the legal description of each parcel of land and the names and addresses of the owners thereof, and

(ii) the estimated cost of acquiring the lands to be included in the park, and the method of financing the acquisition of the land.

(2) An application under subsection 1 shall be accompanied by,

(*a*) a certified copy of the by-law providing for the establishment or development of the park;

(*b*) a plan drawn on a scale of not less than 2,000 feet to the inch showing the location of the park;

(*c*) a plan of survey drawn on a scale not less than 200 feet to the inch showing the boundaries of the park; and

(*d*) a plan drawn on a scale of thirty feet to the inch illustrating the buildings, improvements, roads, waters and wooded areas on the lands to be included in the park and the buildings, improvements, roads and other facilities to be erected or provided on the said lands. R.R.O. 1960, Reg. 475, s. 1.

2. A grant under section 3 of the Act is made on the condition that the applicant,

(*a*) assumes all responsibility for the maintenance, operation and policing of the park;

(*b*) establishes and maintains,

(i) facilities for overnight camping,

(ii) facilities for overnight trailer camping,

(iii) picnic areas,

(iv) sanitary facilities,

(v) a supply of drinking water,

(vi) picnic tables and shelters, and

(vii) entrances controlling admission to the park;

(*c*) collects fees, which shall be not less than the fees charged in provincial parks and which shall be fixed at amounts that as nearly as is practicable pay the cost of operating and maintaining the park, for,

(i) the admission of motor vehicles to the park, which may be charged for one admission or for a season,

(ii) the admission or docking of boats,

(iii) the use of camping facilities, and

(iv) the use of trailer camping facilities; and

(*d*) limits the number of days in which any person may camp in the park in a trailer to a number not exceeding twenty-eight days in a year. R.R.O. 1960, Reg. 475, s. 2.

3. Notwithstanding section 2, a grant may be made under section 3 of the Act in respect of a park or proposed park that does not comply with subclauses i, ii, v and vii of clause *b* and with clause *c* of section 2 where the purpose of the park is to develop and utilize a natural beach for recreation purposes. O. Reg. 331/67, s. 1.

4. A grant under section 3 of the Act for the acquisition of land for an approved park shall not be paid until the applicant has obtained the title to the land, free from encumbrances. R.R.O. 1960, Reg. 475, s. 3.

REGULATION 653

under The Partnerships Registration Act

GENERAL

1. A registrar of deeds is entitled to the fees set out in Schedule 1. O. Reg. 422/69, s. 1.

2.—(1) Every registrar of deeds shall keep in book form two alphabetical indexes of declarations filed under the Act and of certificates filed under *The Limited Partnerships Act* and such books shall be called the "Firm Index" and the "Individual Index".

(2) The firm index shall be in Form 1 and the individual index shall be in Form 2. O. Reg. 422/69, s. 2.

3. Where an instrument filed with a registrar of deeds is other than a declaration under section 1 or section 8 of the Act, the nature of the instrument shall be shown in the entry made in the indexes mentioned in section 2. O. Reg. 422/69, s. 3.

4.—(1) Effective on the date specified in column 1 of Schedule 2 all records kept under the Act and *The Limited Partnerships Act* in the registry office for the registry deivision set opposite thereto in column 2 shall be transferred to the registry office for the registry division set opposite thereto in column 3.

(2) On and after the effective date specified in column 1 of Schedule 2 any declaration under the Act or any certificate under *The Limited Partnerships Act* that, except for this section, would be filed in the registry office for the registry division set opposite thereto in column 2 shall be filed in the office for the registry division set opposite thereto in column 3.

(3) Every registrar of deeds to whom records are transferred under subsection 1 shall, within such time as the Director of Land Registration requires, combine with his records the records so transferred and shall maintain thereafter only one set of records. O. Reg. 422/69, s. 4.

Schedule 1

FEES PAYABLE TO REGISTRARS OF DEEDS

1.—(1) For filing a declaration, including endorsing one duplicate	$3.00
(2) For each additional duplicate endorsed	.50
2. For a certificate of registration or for a certificate of non-registration	1.00
3.—(1) For typewritten or handwritten copies of declarations when required, 30 cents for each 100 words or fraction thereof.	
(2) For a photographic or electrostatic copy of a declaration or part thereof, for each foolscap size page required	.50
(3) Where the copy is certified by the registrar of deeds	.50
4. For a search of the firm index or the individual index	.50
5. For production of a registered declaration	.20

O. Reg. 422/69, Sched. 1.

Schedule 2

Column 1	Column 2	Column 3
Effective Date	Registry Division	Registry Division
January 1, 1966	Toronto Boroughs and York South	Toronto
June 6, 1966	Carleton	The City of Ottawa
June 6, 1966	Middlesex East	The City of London
June 27, 1966	Middlesex West	The City of London

O. Reg. 422/69, Sched. 2, *amended.*

Form 1

The Partnerships Registration Act

FIRM INDEX

Number	Date of Filing Declaration			Name of Firm	Name of Persons Composing the Firm
	Day	Month	Year		

O. Reg. 422/69, Form 1.

Form 2

The Partnerships Registration Act

INDIVIDUAL INDEX

Number	Date of Filing Declaration			Name of Individual	Name of Firm of which a Member
	Day	Month	Year		

O. Reg. 422/69, Form 2.

REGULATION 654

under The Pension Benefits Act

GENERAL

1. In this Regulation,

(*a*) "accountant" means a public accountant licensed under *The Public Accountancy Act* or having such other qualifications as may be accepted by the Commission;

(*b*) "actuary" means a Fellow of the Canadian Institute of Actuaries;

(*c*) "experience deficiency", when applied to a pension plan, means any deficit, determined at the time of a review of the plan, that is attributable to factors other than,

(i) the existence of an initial unfunded liability, or

(ii) the failure of the employer to make any payment as required by the terms of the plan or by the Act or this Regulation;

(*d*) "fully funded", when applied to a pension plan, means a pension plan that at any particular time has assets that will provide for the payment of all pension and other benefits required to be paid under the terms of the plan in respect of service rendered by employees and former employees prior to that time;

(*e*) "government" means Her Majesty in right of Ontario, an agent of Her Majesty, a municipality as defined in *The Department of Municipal Affairs Act* and a metropolitan municipality and the local boards thereof;

(*f*) "initial unfunded liability" means the amount by which on the 1st day of January, 1965, or the date on which the plan qualifies for registration, or subsequently as the result of an amendment, the assets are required to be augmented to ensure that the plan is fully funded;

(*g*) "provisionally funded", when applied to a pension plan, means a pension plan that at any particular time has not assets sufficient to make it fully funded but has made provision for special payments sufficient to liquidate all initial unfunded liabilities or experience deficiencies; and

(*h*) "special payment" means a payment or payments made to or under a pension plan for the purpose of liquidating an initial unfunded liability or experience deficiency in accordance with section 2. O. Reg. 103/66, s. 1.

2.—(1) An application for registration of a pension plan shall be in Form 1.

(2) Every pension plan submitted for registration shall include a provision for funding which shall set forth the obligation of the employer to contribute both in respect of the current service cost of the plan and in respect of any initial unfunded liabilities and experience deficiencies.

(3) The employer shall pay currently into any plan or fund providing pensions for his employees,

(*a*) all current service costs, including any contributions made by employees;

(*b*) where the plan has an initial unfunded liability, special payments consisting of equal annual amounts sufficient to liquidate such initial unfunded liability over a term not exceeding,

(i) in the case of an initial unfunded liability existing on the 1st day of January, 1965, in any pension plan established before that date, twenty-five years from that date, and

(ii) in the case of an initial unfunded liability resulting from an amendment to a pension plan made on or after the 1st day of January, 1965, or resulting from the establishment of a pension plan on or after the 1st day of January, 1965, fifteen years from the date of such amendment or establishment or the number of years to the anniversary of such date in 1989, whichever is the greater;

(*c*) where a pension plan has an experience deficiency, special payments consisting of equal annual amounts sufficient to liquidate such experience deficiency over a term not exceeding five years from the date on which the experience deficiency was determined.

(4) Payments in respect of current service shall be made not later than 120 days after the end of the fiscal year of the pension plan to which they relate.

(5) Where special payments are required, the amount of such payments required to be made in

respect of any fiscal year of the plan shall be not less than the annual amount required to liquidate the initial unfunded liability during the balance of the applicable period specified in subsection 3, but where a fiscal year of the plan is subject to the Act and the regulations for less than twelve months, the amount required to be paid shall be proportionate to the number of months that the Act and the regulations apply. O. Reg. 103/66, s. 2 (1-5).

(6) Notwithstanding the terms of a pension plan where additional pension benefits are created on or after the 1st day of January, 1965 with respect to service prior to the date of an amendment to the pension plan or the establishment of the pension plan and such additional pension benefits are being funded by means of special payments, the administrator of the pension plan shall not, after the 1st day of January, 1969, transfer or withdraw funds from the pension fund to purchase annuities for retired, retiring or terminating members or other beneficiaries with respect to such additional pension benefits except to the extent that the aggregate amount of such funds transferred or withdrawn from the pension fund does not exceed the aggregate of the special payments made and the accruals thereon in respect of such additional pension benefits plus any surplus in the fund. O. Reg. 91/69, s. 1.

(7) A special payment shall be made not later than thirty days after the end of the fiscal year to which it applies.

(8) Where two or more special payments are made in respect of a fiscal year or special payments are made in advance or any surplus is allocated to the amortization of an initial unfunded liability or experience deficiency, the minimum annual amount of the special payments required to be paid with respect to the next and subsequent fiscal years shall be re-computed.

(9) Where an insured pension plan established before the 1st day of January, 1965 is funded by level premiums to retirement age for each individual member, it shall be deemed to meet the requirements of subclause i of clause *b* of subsection 3.

(10) Where a plan has an initial unfunded liability and the requirements with respect to special payments under this Regulation differ from those under the legislation or regulations of any designated province to which the plan is also subject, the Commission may permit an appropriate variation from the requirements of this section with respect to the special payments required.

(11) Unless otherwise provided in the plan, the fiscal year of a pension plan shall be deemed to be from the 1st day of January to the 31st day of December and, except on such basis as may be approved by the Commission, no fiscal year of a pension plan shall exceed twelve months.

(12) Subject to subsections 5 and 8, if the report of a person authorized by section 5 discloses a surplus in a pension plan, the amount of any future payments required to be made to the fund or plan may be reduced by the amount of such surplus.

(13) Where a pension plan is administered for the employees of a government, the special payments in respect of an initial unfunded liability existing on the 1st day of January, 1965 may be limited to the annual amount required to prevent any increase in such liability. O. Reg. 103/66, s. 2 (6-12).

3.—(1) Within sixty days after the date of establishment of the plan the employer shall submit a report of the person authorized by section 5 certifying,

(*a*) the estimated cost of benefits in respect of service in the first year during which such plan is registered and the rule for computing such cost in subsequent years up to the date of the next report;

(*b*) the initial unfunded liability, if any, for benefits under the pension plan as at the date on which the plan qualified for registration; and

(*c*) the special payments required to liquidate such initial unfunded liability in accordance with section 2. O. Reg. 103/66, s. 3 (1), *amended*.

(2) Where an insured pension plan is funded by level premiums extending not beyond the retirement age for each individual member, the report may certify the adequacy of the premiums to provide for the payment of all benefits under the plan in lieu of the matters required to be certified under clauses *a*, *b* and *c* of subsection 1. O. Reg. 103/66, s. 3 (2).

4.—(1) The employer in respect of a registered pension plan shall cause the plan to be reviewed and a report prepared by a person authorized by section 5 not more than three years after the date of the establishment of the plan and at intervals of not more than three years thereafter.

(2) The report shall certify,

(*a*) the estimated cost of benefits in respect of service in the next succeeding year and the rule for computing such cost in subsequent years up to the date of the next report;

(*b*) the surplus or the experience deficiency in the pension plan after making allowance for the present value of all special payments required to be made in the future by the employer as determined by previous reports; and

(*c*) the special payments which will liquidate any such experience deficiency over a term not exceeding five years.

(3) The employer shall file the report with the Commission upon its receipt together with such additional information as the Commission requires.

(4) Where the Commission is not satisfied that the report has been prepared in conformity with generally accepted principles of sound actuarial practice, the report shall be amended so as to be acceptable to the Commission. O. Reg. 91/69, s. 2.

5. The reports and certificates referred to in sections 3 and 4 and subsection 2 of section 9 shall be made by an actuary, except that reports and certificates in respect of,

(*a*) a pension plan under which all benefits are determined on a money purchase basis and purchased from an insurer on or before retirement;

(*b*) a pension plan underwritten by a contract or contracts with an insurance company, other than such a contract operating on a deposit administration or segregated fund principle;

(*c*) a pension plan underwritten by a contract or contracts issued under the *Government Annuities Act* (Canada); or

(*d*) a pension plan under which the solvency does not in the opinion of the Commission substantially depend on actuarial probabilities,

may be made by an accountant or a person authorized by the insurance company or by the trust company, or by the Annuities Branch, Department of Labour (Canada) administering the plan. O. Reg. 103/66, s. 5.

6.—(1) The annual information return required under subsection 4 of section 18 of the Act shall be in Form 2 and shall be furnished by the employer to the Commission annually not later than six months following the end of the fiscal year of the pension plan.

(2) The employer shall certify in Form 2 that all contributions required with respect to the fiscal year have been paid into the pension plan. O. Reg. 103/66, s. 6.

7. Every pension plan shall be deemed to be solvent if it is fully funded or provisionally funded. O. Reg. 103/66, s. 7.

8. Upon application for registration of a pension plan having in Ontario and a designated province the number of members shown in column 1 of the following Table, and on submission of an information return in Form 2 respecting such plan, the employer shall pay the fee set opposite thereto in column 2.

TABLE OF FEES

Column 1	Column 2
No. of Plan Members	Fee
0 - 9	$ 5
10 - 49	10
50 - 99	25
100 and over	50

O. Reg. 103/66, s. 8; O. Reg. 92/69, s. 1.

9.—(1) Every pension plan filed with the Commission for registration shall be accompanied by a certified copy of the trust deed, insurance contract, by-law, collective agreement on pensions or other documents under which such plan is constituted.

(2) Where a registered pension plan or a relevant portion of any document under which the plan is constituted is amended, the employer shall immediately file with the Commission a copy of the amendment and such additional information as the Commission requires to determine if the plan as amended continues to qualify for registration, and in the case of an amendment that affects contributions or creates or changes an initial unfunded liability, the employer shall also file with the Commission a report similar to the report required by subsection 1 of section 3.

(3) The Commission may, at any time upon reasonable notice, require an employer to obtain and file such special reports as the Commission requires.

(4) Where the Commission does not accept a plan for registration or cancels a certificate of registration, the Commission shall state the reasons for rejection or cancellation in the notice sent to the employer under section 20 of the Act. O. Reg. 103/66, s. 9.

10.—(1) Every pension plan shall define the benefits provided by the plan, the method of determination and the payment of benefits, conditions for qualification for membership in the plan and the financial arrangements made to ensure provisional or full funding of benefits under the plan.

(2) The formula for the pension benefit for each year of future service shall be uniform, except to the extent that the Commission approves such increments in the formula as it considers reasonable. O. Reg. 103/66, s. 10.

11.—(1) Notwithstanding the terms of the plan, where a pension plan is terminated or wound-

up, no part of the assets of the plan shall revert to the benefit of the employer until provision has been made for all pensions and other benefits in respect of service up to the date of such termination or winding-up to members of the plan and for all benefits to former employees, pensioners, dependants and estates, and the provisions of section 14 shall apply to any funds held for the purpose of effecting such provision.

(2) Except as provided in subsection 3, suspension or cessation of contributions to a pension plan shall be construed as a termination of the plan.

(3) Where contributions to a pension plan cease on or after the 1st day of January, 1965, as the result of the adoption of a new plan, the original pension plan shall be deemed not to have been terminated or wound-up under this section or under subsection 7 of section 21 of the Act and the benefits of the original plan shall be deemed to be benefits associated with the new plan in whole or in part in respect of service prior to the establishment of the new plan, whether or not the assets and liabilities of the original plan have been consolidated with those of the new plan.

(4) Upon the termination or winding-up of a pension plan the administrator of the plan shall file with the Commission a report prepared by an actuary setting out the nature of the benefits to be provided under the plan and a description of the methods of allocation and priorities for determining the full or partial benefits of the members thereof, and no assets of the plan shall be applied toward the provision of any such benefits until the Commission has approved the said report, provided that, pending such approval, the administrator of the plan may pay as they fall due any periodic payments to persons entitled thereto and may pay any refunds of the employee contributions to persons entitled thereto.

(5) For the purposes of subsection 7 of section 21 of the Act the actuary shall in his report prepared under subsection 4 reduce the amounts of the additional pension benefits to which any person may otherwise be entitled to such extent as will in his opinion prevent unfair impairment of the other pension benefits accrued under the plan, provided that the aggregate value of any additional pension benefits already paid and proposed to be paid after such reduction, to the extent that such additional pension benefits form part of deferred life annuities provided for in section 21 of the Act or of any life annuities arising therefrom, shall be not less than the value, as estimated by the actuary, of the special payments made in respect of the additional pension benefits forming such part.

(6) Where a pension plan is terminated or wound-up in part, the rights and interests of those employees and former employees thereby affected shall be not less than those to which such employees and former employees would have been entitled if the whole of the pension plan had been terminated or wound-up on the same date as such partial termination or winding-up. O. Reg. 91/69, s. 3.

12.—(1) The commuted value of a deferred life annuity shall be calculated in a manner acceptable to the Commission.

(2) Where a plan is insured by individual level premium contracts, the deferred life annuity referred to in clause *a* of subsection 1 of section 21 of the Act may, in the case of a contract issued prior to the qualification date, be equal to the paid-up annuity under the contract arising from contributions made for service on and after the qualification date if the special payments required with respect to such deferred life annuity under the contract have all been paid or shall continue to be paid. O. Reg. 103/66, s. 12.

13. Where a pension plan provides for a supplemental or minimum make-up annuity that is not on the average a substantial portion of the total annuity of the employees retiring under the plan, the supplemental or minimum make-up annuity may, with the approval of the Commission, be excluded in computing the pension benefit under subsection 1 of section 21 of the Act. O. Reg. 103/66, s. 13.

14.—(1) This section applies notwithstanding the provisions of any pension plan or any instrument governing the plan.

(2) The funds of a pension plan may be invested and loaned only in investments and loans in which a company may invest and lend under subsections 1, 2, 5, 6 and 10 of section 63 of the *Canadian and British Insurance Companies Act* (Canada), as amended from time to time and the restrictions and limitations contained therein apply.

(3) Where a pension fund owns securities of a corporation and as a result of a *bona fide* arrangement for the reorganization or liquidation of the corporation or for the amalgamation of the corporation with another corporation, such securities are to be exchanged for bonds, debentures or other evidences of indebtedness, or shares not eligible as investments under subsection 2, the pension fund may accept and hold such bonds, debentures or other evidences of indebtedness or shares.

(4) The funds of a pension plan may be invested or loaned in investments or loans not authorized by subsection 2 or 3, including investments in real estate or leaseholds, subject to the following provisions:

1. Investments in real estate or leaseholds under this subsection shall be made in Canada and only for the production of income and may be made either alone or jointly with another plan and the fund or plan may hold, maintain, improve, develop, repair, lease, sell or otherwise deal with or

dispose of such real estate or leaseholds, but the total investment of a fund under this subsection in any one parcel of real estate or in any one leasehold shall not exceed 1 per cent of the book value of the total assets of the fund.

2. This subsection shall be deemed not to enlarge the authority conferred by subsections 1 and 2 of section 63 of the *Canadian and British Insurance Companies Act* (Canada) to invest in mortgages or hypothecs and to lend on the security of real estate or leaseholds, and not to affect the operation of sub-paragraphs iii, iv and v of paragraph *l* of subsection 1 of the said section 63.

3. The total book value of the investments and loans made under this subsection and held by the fund, excluding those that are or at any time since acquisition have been eligible apart from this subsection, shall not exceed 7 per cent of the book value of the total assets of the fund. O. Reg. 103/66, s. 14 (1-4).

(5) The funds of a pension plan shall not be lent to,

(*a*) the wife or a child of the employer or, where the employer is a corporation, a director or officer of the corporation or his wife or child;

(*b*) a corporation of which more than one-half of the shares of the capital stock are owned by the wife or a child of the employer, or any combination thereof, or, where the employer is a corporation, by a director or officer of the employer corporation or his wife or child, or any combination thereof;

(*c*) an officer or employee of the fund or plan or an administrator or trustee of the fund or plan or an officer or employee of an administrator or trustee of the fund or plan or a union representing employees of the employer or an officer or employee of the union, or the wife or child of any of them; or

(*d*) the wife or child of an employee of the employer or an employee of the employer except on the security of a mortgage on the residential property of an employer's employee or the spouse or child of such employee primarily for his or her own use. O. Reg. 103/66, s. 14 (5); O. Reg. 148/67, s. 2.

(6) The funds of a pension plan shall not be invested or loaned if the result of the investing or loaning would be that more than 10 per cent of the book value of the total assets of the fund are invested in the assets of or loaned to any one corporation, partnership, association or person, including investment in shares, bonds, debentures or other evidences of indebtedness, loans by way of mortgage or otherwise and investment in real estate, plant or equipment occupied or used by the corporation, partnership, association or person.

(7) All investments and deposits of the funds of a pension plan and all loans made out of a pension fund shall be made in the name of the fund or plan, and no officer or employee of the fund or plan, no trustee or administrator or officer or employee thereof, no employer, officer or employee thereof, no association of employees and no union, officer or employee thereof shall accept or be the beneficiary of, either directly or indirectly, any fee, brokerage, commission, gift or other consideration for or on account of any loan, deposit, purchase, sale, payment or exchange made by or on behalf of the pension fund.

(8) In addition to the investments and loans authorized by subsections 2 and 3, the funds of a pension plan may be invested in,

(*a*) a pooled, segregated or mutual fund; or

(*b*) the shares of a corporation,

(i) whose assets are at least 98 per cent cash, investments and loans,

(ii) that does not issue debt obligations, and

(iii) that obtains at least 98 per cent of its income from investments and loans,

if the pooled, segregated or mutual fund or the corporation is limited in its investments to those a pension plan may make under this section and is subject to the limitations and restrictions of this section.

(9) Where the funds of a pension plan are invested in accordance with subsection 8, subsection 6 does not apply to such funds.

(10) A pension fund or plan may take additional securities of any nature further to secure the repayment to the fund of any loan or investment, or further to secure the sufficiency of any of the securities in or upon which such fund or plan is authorized to invest or lend any of its funds.

(11) Where, on the date the fiscal year of a pension fund ends next following the 4th day of August, 1964, the loans and investments of a pension fund do not conform in whole or in part to the provisions of this Regulation, they shall be brought into conformity within five years of the end of such fiscal year.

(12) Where the provisions of this section differ from the corresponding provisions under the legislation of a designated province, the Commission may, in the case of a plan having plan members in such designated province, accept in whole or in part such

corresponding provisions. O. Reg. 103/66, s. 14 (6-12).

15. A profit-sharing plan that has been accepted for registration by the Minister of National Revenue for Canada before the 1st day of January, 1965 under the *Income Tax Act* (Canada) and that provided at the time of such acceptance that each member may take his entire interest in the plan in a cash sum when he ceases to be an employee whether by retirement or other termination of employment may, with the approval of the Commission, be excepted from the Act and the regulations. O. Reg. 103/66, s. 15.

16.—(1) A transfer of a pension benefit credit arising from a deferred life annuity under section 21 of the Act to the administrator, insurer or trustee of another pension plan or to a registered retirement savings plan, or to an insurer on the winding-up of a pension plan may be made only where the transferee agrees to administer the amount of deferred life annuity established by the pension benefit credit transferred as a deferred life annuity under the Act.

(2) Except to the extent permitted by subsection 4 of section 21 of the Act, no policy or contract or benefit description issued by a transferee mentioned in subsection 1 to an employee shall contain any cash or loans or assignment clause. O. Reg. 103/66, s. 16.

17. For the purposes of subsection 5 of section 21 of the Act, mental or physical disability means a disability that is likely to shorten considerably the life expectancy of an employee or former employee. O. Reg. 103/66, s. 17.

18.—(1) Where the funds of a pension plan are not administered by a government, they shall be administered under *the Government Annuities Act* (Canada) or by a life insurance company, a corporate trustee, individual trustees or a society established under *the Pension Fund Societies Act* (Canada).

(2) Except as provided in section 11, no funds shall be paid out of a pension plan to an employer unless consent of the Commission is obtained. O. Reg. 103/66, s. 18.

19. Where a plurality of the members of a pension plan is employed in a designated province, such plan may be excepted, subject to agreement with the designated province, from registration, audit and inspection under the Act, and for the purpose of ascertaining where the plurality of the members is employed, members not employed in Ontario or a designated province shall not be counted. O. Reg. 103/66, s. 19.

20. The following provinces and territories of Canada are designated as provinces or territories, as the case may be, in which there is in force legislation substantially similar to the Act:

1. The Province of Alberta.
2. The Province of Quebec.
3. The Northwest Territories and Yukon Territory.
4. The Province of Saskatchewan. O. Reg. 10/68, s. 1; O. Reg. 323/68, s. 1.

21. The following pension plans are excepted from the application of the Act and the regulations:

1. Pension plans under which annual retirement allowances are granted or purportedly granted under section 239 of *The Municipal Act* or section 45 of *The Schools Administration Act*. O. Reg. 409/67, s. 1.

Form 1

The Pension Benefits Act

The Pension Commission of Ontario

APPLICATION FOR REGISTRATION
OF A PENSION PLAN

For Commission Use Only
C
RA

In compliance with *The Pension Benefits Act*, I/we

.....

(name of company, association or other employer)

hereby make application for registration of the pension plan, details of which have been entered on the forms which constitute parts of this application, and attach hereto the text of the said pension plan together with any amendments thereto, and hereby certify that the information given in all forms, texts, and amendments relating to this application is true and correct to the best of my/our knowledge and belief.

.....
(signature)

.....
(name (print))

.....
(title or position)

Date....., 19....

For Commission Use Only	Plan Text Amendments
REMARKS:	
	Check enclosed ☐ Amount $.....
	Receipt sent No.....
	Checked
	Accepted

THE PENSION COMMISSION OF ONTARIO

APPLICATION FOR REGISTRATION
OF A PENSION PLAN

(DATA SHEET)

1. Employer's Name:

2. Head Office Address:

3. Principal Ontario Address (if other than in paragraph 2):

4. Names and Addresses of Other Subsidiary or Associated Companies (if any) included in plan covered by this Application. (Instruction Sheet A2)

(*a*) .....

(*b*) .....

(*c*) .....

(*d*) .....

(*e*) .....

5. Nature of Business. Check One. (Instruction Sheet C5)

1. ☐ Agriculture, forestry, fishing
2. ☐ Mines, quarries, oil wells
3. ☐ Manufacturing
4. ☐ Construction
5. ☐ Transport and Communications
6. ☐ Trade, wholesale and retail
7. ☐ Finance and Insurance
8. ☐ Education and Services
9. ☐ Government

6. Type of Employer Organization. Check One.

Note: If the pension plan covers employees of a particular industry and is contributed to by a number employers—please check 8 and specify 'multi-employer'.

1. ☐ Corporation (other than Crown)
2. ☐ Partnership
3. ☐ Sole Proprietor
4. ☐ Registered Association
5. ☐ Federal Gov't. or Agency
6. ☐ Provincial Gov't. or Agency
7. ☐ Municipal Gov't, or Agency
8. ☐ Other (specify).....

.....

7. Identification of Plan

(*a*) Name and Title of Plan:.....

(*b*) Plan or Agreement No:.....

(*c*) Name and Address of Insurance Company, if any:.....

.....

(*d*) Name and Address of Trustee, if any:.....

.....

(*e*) Name and Address of Administrator, if any:.....

.....

(*f*) Effective Date of Plan:.....

(*g*) Plan Year ends on.....of each year.

8. ELIGIBILITY FOR MEMBERSHIP FOR NEW EMPLOYEES

(*a*) Class of employees (other than part-time) eligible for membership in this plan:

1. ☐ All employees. 2. ☐ Salaried only. 3. ☐ Hourly rated only.

4. ☐ Other (please specify) .....

(*b*) Age limits for entry to plan

	Male	Female
Minimum age		
Maximum age		

(*c*) Minimum service for entry .....

9. NORMAL RETIREMENT AGE OF MEMBERS (No reference required to exceptional cases).

	Male	Female

10. CONTRIBUTIONS

(*a*) Are members *required* to pay contributions?

Male	☐ Yes	☐ No
Female	☐ Yes	☐ No

(*b*) If 'yes', at what rate?

1. ☐ .....% of earnings

2. ☐ $.....per year

3. ☐ Variable formula

11. PENSION FORMULA (Instruction Sheet Section C)

(*a*) Future Service Pension

NOTE: Please check ONE of the following and enter applicable details only for that alternative. The entry should show the basis of the future service pension, excluding the effect of any adjustment to integrate with the Canada Pension Plan (see Question 11 (*b*) below) and excluding any maximum or minimum pension. (See Section C of Instruction Sheet for further details.) If plan provides for better of two alternatives, then shown here the one that you consider the most usually applicable and show the other as a minimum pension under Question 11 (*d*).

1. ☐ Final Earnings or Final Average Earnings Pension Plan.

Pension for each year of service.....% of average of last or best.....years before retirement.
(NOTE: If pension is based on earnings at retirement, enter 1 year.)

2. ☐ Career Average Earnings Pension Plan.

Pension for each year of service.....% of earnings in that year.

3. ☐ Money Purchase Pension Plan.
(With specified contributions of employer or of employer and employee.)

☐ Employer contributions..... % of employee's earnings.

☐ Employer contributions of $.....per year.

☐ Employer contributions—variable formula.

4. ☐ Profit-Sharing Pension Plan.
(With employer contributions based upon the company's profits.)

5. ☐ Flat Benefit Pension Plan.
Pension for each year of service $.....per month.

6. ☐ Other types or combinations (please describe).....

.....

.....

.....

(*b*) Canada Pension Plan adjustment.

Is the plan integrated with the Canada Pension Plan by providing a lower level of benefits on earnings up to the Canada Pension Plan ceiling? ☐ Yes ☐ No

If 'yes', state formula.....

.....

(*c*) Past Service Pension.

If plan was first established on or after January 1, 1965, are any pensions provided for service prior to effective date of the plan? ☐ Yes ☐ No

What is the formula for such past service pension?.....

.....

(*d*) Is there a minimum pension? ☐ Yes ☐ No

If 'yes', state formula.....

.....

Is there a maximum pension? ☐ Yes ☐ No

If 'yes', state formula.....

.....

12. DEATH BENEFITS

(*a*) Benefits on death *prior to* retirement (other than benefits from a group life insurance plan) Check ONE. Information is not required as to whether items 2, 3 and 4 include or exclude interest.

1. ☐ Nil
2. ☐ Employee contributions
3. ☐ Employee plus total employer contributions
4. ☐ Employee plus vested portion of employer contributions
5. ☐ Widow's Pension
6. ☐ Other (please specify).....

(*b*) Benefits on death *after* retirement. Check ONE, showing the normal basis.

1. ☐ Nil
2. ☐ Pension guaranteed for.....years
3. ☐ Balance of employee contributions over pension payments
4. ☐ Depends on option chosen (no standard form of pension)
5. ☐ Widow's Pension
6. ☐ Other (please specify).....

13. VESTED RIGHTS ON TERMINATION OF EMPLOYMENT In answering these questions, please ignore pensions provided by employee additional voluntary contributions, or special conditions applying in the case of disability or applying to pensions of less than $10.00 per month.

(*a*) Does a member who terminates employment after attaining age 45 and completing 10 years of continuous service have an unrestricted vested right to the pension in respect of his service to his date of termination? ☐ Yes ☐ No

(*b*) What is the maximum percentage of the vested pension under (a) (from both employer and employee required contributions) that may be commuted for cash?.....%

(*c*) Does the plan provide for any vesting for a member who terminates employment before attaining age 45 or before completing 10 years of service? ☐ Yes ☐ No

14. FUNDING

(*a*) Does the pension plan provide that the employer shall pay the current service cost each year (in excess of employee contributions, if any)? ☐ Yes ☐ No

(*d*) Does the pension plan provide that the employer shall liquidate the unfunded liability existing at the qualification date over a period ending not later than the year 1989, or a period not exceeding 15 years from the effective date of the plan (whichever is the longer period)? ☐ Yes ☐ No

15. INFORMATION TO MEMBERS

Has each member received a written explanation of the terms and conditions of the plan and his rights and duties thereunder? ☐ Yes ☐ No

16. UNDERWRITING

What instrument of underwriting is being used? (Check one or more).

1. ☐ Individual insurance or annuity policies.
2. ☐ Fully insured group annuity contract.
3. ☐ Deposit administration contract with insurance company.
4. ☐ Segregated fund contract with insurance company.
5. ☐ Government Annuities Branch individual or group contracts.
6. ☐ Pension trust fund with a corporate trustee (pooled or individual fund).
7. ☐ Pension trust fund with individual trustees.
8. ☐ Other (describe) .....

---

17. INVESTMENT

If any of the assets of the pension plan are held in trust or under a segregated fund contract, does the plan provide that the investment of pension fund moneys shall be restricted to the securities and loans prescribed by the Regulation? ☐ Yes ☐ No

---

18. PLAN MEMBERSHIP

NOTE: Please enter the number as at August 1, 1964, or, in the case of a pension plan established after that date, as at the effective date of such plan.

Number of Members in this plan on payroll in each of the following provinces:

	Male	Female	Total
Ontario	.....	.....	.....
Quebec	.....	.....	.....
Alberta	.....	.....	.....
British Columbia	.....	.....	.....
Manitoba	.....	.....	.....
New Brunswick	.....	.....	.....
Newfoundland	.....	.....	.....
Nova Scotia	.....	.....	.....
Prince Edward Island	.....	.....	.....
Saskatchewan	.....	.....	.....
Northwest Territories and Yukon Territory	.....	.....	.....

---

19. ADDITIONAL EXPLANATION:

.....

.....

.....

Form 2

The Pension Benefits Act

The Pension Commission of Ontario

For Commission Use Only

ANNUAL INFORMATION RETURN

1. Employer's Name:

2. Head Office Address:

3. Mailing Address:

4. Name, Title or Agreement No. of Plan:

5. Certificate of Registration Number—C:

	Day	Month	Year
6. (*a*) End of Plan Fiscal Year under review.....	.....	.....	.....

(*b*) Number of months in this Plan Fiscal Year
12 months ☐ Other.....

7. Employed Plan members as at the fiscal year end under review

(*a*)	Male	Female	Total
Ontario.....			
Quebec.....			

(*b*)	Total		Total
Alberta.....	.....	British Columbia.....	
Manitoba.....	.....	Newfoundland.....	
New Brunswick.....	.....	Nova Scotia.....	.....
Prince Edward Island...	.....	Northwest Territories and Yukon Territory.....	
Saskatchewan			

(*c*) Total employed Plan members in Canada.....

8. (*a*) Were any amendments made to this pension plan or fund during the fiscal year under review?
Yes ☐ No ☐

(*b*) If "yes", have the amendments been submitted to the Commission?
Yes ☐ Attached ☐ hereto

For Commission Use Only	Cheque enclosed ☐ Amount $.....
	Receipt sent No.....
	Check Control

9. Amount of Special Payments paid into the pension plan or fund for the fiscal year under review to liquidate INITIAL UNFUNDED LIABILITIES existing at initial registration or created by amendment, or to liquidate DEFICITS discovered by actuarial valuation.

Amount paid for plan fiscal year $.....

.....

.....

.....

10. Amounts paid into the pension plan or fund for the fiscal year under review for CURRENT SERVICE with respect to service during the plan fiscal year or as additional voluntary contributions, if any, made by members. Please enter figures for members IN CANADA only.

(*a*) Total members' contributions, if any, including additional voluntary contributions $.....

(*b*) Employer's contribution for Current Service net of withdrawal credits, etc..... $.....

(*c*) Remarks.....

.....

.....

11. (*a*) Have the above amounts paid into the pension plan or fund under Questions 9 and 10 been determined in accordance with the formulas given in the last Cost Certificate filed with the Commission? Yes ☐ No ☐

(*b*) If the answer to (*a*) is "No", please explain.....

.....

.....

CERTIFICATE

I hereby certify that to the best of my knowledge and belief,

(*a*) the contributions paid to the plan have been at least equal to those required under the Regulation; and

(*b*) the plan and the investments thereof have been administered in accordance with the Act and Regulation; and

(*c*) the details entered on this information return are true and correct.

.....
(signature)

.....
(name (print))

.....
(title or position)

Date....., 19....

O. Reg. 103/66, Form 2.

REGULATION 655

under The Personal Property Security Act

BRANCH OFFICES

1. The office of the clerk of the county or district court of a county or district listed in column 1 of the Schedule is designated a branch office. O. Reg. 112/68, s. 1.

Schedule

COUNTY COURT OFFICES

Column 1	Column 2
County	Location
1. Brant	Brantford
2. Bruce	Walkerton
3. Carleton	Ottawa
4. Dufferin	Orangeville
5. Elgin	St. Thomas
6. Essex	Windsor
7. Frontenac	Kingston
8. Grey	Owen Sound
9. Haldimand	Cayuga
10. Halton	Milton
11. Hastings	Belleville
12. Huron	Goderich
13. Kent	Chatham
14. Lambton	Sarnia
15. Lanark	Perth
16. United Counties of Leeds and Grenville	Brockville
17. Lennox and Addington	Napanee
18. Lincoln	St. Catharines
19. Middlesex	London
20. Norfolk	Simcoe
21. United Counties of Northumberland and Durham	Cobourg
22. Ontario	Whitby
23. Oxford	Woodstock
24. Peel	Brampton
25. Perth	Stratford
26. Peterborough	Peterborough
27. United Counties of Prescott and Russell	L'Orignal
28. Prince Edward	Picton
29. Renfrew	Pembroke
30. Simcoe	Barrie
31. United Counties of Stormont, Dundas and Glengarry	Cornwall
32. Victoria	Lindsay
33. Waterloo	Kitchener
34. Welland	Welland
35. Wellington	Guelph
36. Wentworth	Hamilton
37. York	Toronto

DISTRICT COURT OFFICES

Column 1	Column 2
District	Location
38. Algoma	Sault Ste. Marie
39. Cochrane	Cochrane
40. Kenora	Kenora
41. Manitoulin	Gore Bay
42. Muskoka	Bracebridge
43. Nipissing	North Bay
44. Parry Sound	Parry Sound
45. Rainy River	Fort Frances
46. Sudbury	Sudbury
47. Thunder Bay	Port Arthur
48. Timiskaming	Haileybury

O. Reg. 112/68, Sched.

REGULATION 656

under The Personal Property Security Act

FEES CONCERNING SECURITY DOCUMENTS

1. In this Regulation, "security document" means a chattel mortgage, conditional sale contract or assignment of book debts. O. Reg. 543/70, s. 1.

2. The fees to be paid on the registration of a security document or other instrument tendered for registration are the following:

1. For registration of a security document ..... $ 1.00

2. For registration of a security document and an assignment contained in or attached to the security document, if a financing statement is submitted therewith setting out the name of the assignee as the secured party 1.00

3. For registration of a renewal statement, discharge, partial discharge, assignment 1.00

4. Where a form of statement is submitted with a security document or other instrument tendered for registration, an additional fee of 1.00

O. Reg. 543/70, s. 2.

3. The fees to be paid in respect of the following matters are:

1. For the preparation of a statement . $ 1.00

3. For a search ..... .50

3. For a certificate of registration ..... .50

4. For copies of documents, each page .50

5. For production of a document for inspection ..... .10

O. Reg. 543/70, s. 3.

REGULATION 657

under The Pesticides Act

GENERAL

1. In this Regulation,

(*a*) "Director" means an officer of the Department designated by the Minister as Director for the purpose of this Regulation;

(*b*) "herbicide" means any substance used for the destruction or control of vegetation and includes defoliants and substances used for soil sterilization;

(*c*) "hormone type herbicide" means a herbicide that upon coming in contact with a plant or vegetation, may move from the point of contact throughout the plant or vegetation causing injury or death to the plant or vegetation;

(*d*) "pesticide" means any substance used for the destruction or control of insects, vermin, birds, rodents or other pests and fungi or vegetation and includes micro-biological agents;

(*e*) "warning gas" means a gas that readily identifies its presence by its effect on the sense of smell or touch. O. Reg. 445/67, s. 1.

THE BOARD

2.—(1) A member of the Board, other than an officer of the Crown, shall hold office for three years or until his successor is appointed.

(2) Every vacancy on the Board caused by the death, resignation or incapacity of a member shall be filled by the appointment of a member for the remainder of the term of such member. O. Reg. 445/67, s. 2.

3.—(1) The Board shall,

(*a*) consider and report upon any matter that may be referred to it by the Minister;

(*b*) meet,

(i) at least once every month, and

(ii) at the request of the Minister, and

(iii) at the request of any three members of the Board;

(*c*) appoint teams of examiners composed of members of the Board for the purpose of conducting the examinations prescribed by this Regulation and such examiners shall report the results of the examinations to the Board; and

(*d*) report the results of all examinations to the Director within five days after the completion thereof.

(2) The Chairman of the Board shall,

(*a*) keep a record of all business transacted at a meeting of the Board;

(*b*) have the custody of all reports, submissions and correspondence received by the Board; and

(*c*) produce the records and other documents mentioned in clause *b* for inspection when requested by the Director or an officer of the Department designated by him. O. Reg. 445/67, s. 3.

REMUNERATION OF THE BOARD

4. A member of the Board, other than a member who is an officer of the Crown shall be paid,

(*a*) $100 if he is the chairman; or

(*b*) $50 if he is not the chairman; and

(*c*) his necessary travelling and other expenses,

for each day that he is engaged upon the work of the Board. O. Reg. 445/67, s. 4.

LICENCES

5. A licence mentioned in column 1 of the following Table shall be in the form set opposite thereto in column 3, an application therefor shall be in the form set opposite thereto in column 2 and an application for renewal thereof shall be in the form set opposite thereto in column 4.

TABLE

Item	Column 1	Column 2	Column 3	Column 4
	Type of Licence	Form of Application for Licence	Form of Licence	Form of Application for Renewal of Licence
1	Operator	2	1	3
2	Land Exterminator	4	5	5
3	Structural Exterminator	4	6	6
4	Assistant Exterminator to Perform Structural Exterminations	7	8	8

O. Reg. 445/67, s. 5.

6. A licence referred to in column 1 of the Table of section 5 or a renewal thereof expires with the 15th day of February in the year next following the year in which it is issued. O. Reg. 445/67, s. 6.

7.—(1) An application for a licence referred to in column 1 of the Table of section 5 or a renewal thereof shall be made to the Director who shall forward the application to the Board.

(2) An application for renewal of a licence shall be made prior to the 15th day of January in the year in which the licence expires. O. Reg. 445/67, s. 7.

8. An application for an operator's licence shall be accompanied by two letters of reference respecting the character and financial responsibility of the applicant. O. Reg. 445/67, s. 8.

9.—(1) At least three members of the Board shall examine the applicant for an operator's licence.

(2) Upon receiving the application from the Director, the Board shall give notice by registered mail to the applicant of,

(*a*) the date, time and place fixed for the examination; and

(*b*) any information or evidence in respect of the qualifications of the applicant to operate an extermination service that the Board may require him to produce.

(3) The notice mentioned in subsection 2 shall be given at least seven days before the day fixed for the examination. O. Reg. 445/67, s. 9.

10. An operator's licence shall not be granted unless the applicant satisfies the Board that,

(*a*) he has a sufficient knowledge of the Act and the regulations;

(*b*) he can comply with the relevant provisions the Act and the regulations; and

(*c*) he can provide the insurance prescribed by section 18. O. Reg. 445/67, s. 10, *amended*.

11.—(1) Before making its recommendation respecting the renewal of a licence of an operator, the Board may require the applicant to appear before it and submit such evidence and information respecting the qualifications of the operator as the Board may require.

(2) At least seven days before the appearance mentioned in subsection 1, the Board shall,

(*a*) give the applicant notice by registered mail of the date, time and place fixed for his appearance before the Board; and

(*b*) furnish the applicant with particulars of the information and evidence that the Board may require the applicant to produce. O. Reg. 445/67, s. 11.

12.—(1) An applicant for an exterminator's licence or an assistant exterminator's licence shall ensure that the certificate of a legally qualified medical practitioner in Form 4 or Form 7, as the case may be, has been completed and signed.

(2) When so required by the Board, an applicant for renewal of an exterminator's licence or an assistant exterminator's licence shall provide the Board with a report of a legally qualified medical practitioner respecting the physical fitness of the applicant to use pesticides. O. Reg. 445/67, s. 12.

13.—(1) An applicant for an exterminator's licence shall submit with his application at least two letters from reputable persons who have known the applicant for at least one year attesting to his good reputation.

(2) An exterminator's licence shall not be granted unless the applicant,

(*a*) is physically fit for the purpose of performing exterminations;

(*b*) is recommended by the Board as competent to hold the class of licence for which he has applied;

(*c*) in the case of an applicant for a licence to do structural exterminations, has been the holder of an assistant exterminator's licence and has served as an assistant exterminator with a licensed exterminator doing structural exterminations for a period of one year or more, or submits evidence of experience that in the opinion of the Board is equivalent to service as an assistant exterminator for a period of one year;

(*d*) has grade 10 standing or other qualifications deemed by the Board to be equivalent thereto; and

(*e*) complies with the Act and the regulations. O. Reg. 445/67, s. 13 (1, 2).

(3) An applicant for a licence to perform exterminations on his own premises or the premises of his employer is exempt from,

(*a*) clauses *a* and *c* of subsection 2; and

(*b*) clause *d* of subsection 2, but the Board may require the applicant to pass such examination as the Board considers proper. O. Reg. 445/67, s. 13 (3); O. Reg. 139/69, s. 1.

14.—(1) The Board shall give an applicant for an exterminator's licence at least seven days' notice of the date, time and place fixed by the Board for his examination.

(2) At least two members of the Board shall be present for an oral examination.

(3) At least one member of the Board or a person designated by the Board shall be present at a written examination.

(4) The examiners shall examine the applicant for an exterminator's licence on his knowledge,

(*a*) of the provisions of the Act and the regulations and in respect of an extermination,

(i) the toxicity and hazard,

(ii) first aid and antidotes, and

(iii) forms and methods of application,

of the group or groups of substances that the class of licence for which the applicant is applying shall entitle him to use; and

(*b*) of the identification, life history, habits, characteristics and control of insects, vermin, birds, rodents or other pests, fungi or vegetation that may be subject to extermination. O. Reg. 445/67, s. 14 (1-4).

(5) No applicant shall be permitted to try an examination for a licence as an operator or for the same class of licence to perform exterminations more than twice in any period of twelve months. O. Reg. 139/69, s. 2.

15. The Board may require an applicant for a renewal of an exterminator's or assistant exterminator's licence to pass an examination on ability to perform exterminations. O. Reg. 445/67, s. 15.

16. No licence shall be granted to an applicant for an assistant exterminator's licence unless he is physically fit to perform exterminations and demonstrates to the Board a sufficient knowledge of the Act and the regulations. O. Reg. 445/67, s. 16.

17. An operator, an exterminator or an assistant exterminator shall notify the Director of a change of his address within ten days after the change has taken place. O. Reg. 445/67, s. 17.

18. -(1) An operator shall carry insurance in a form approved by the Superintendent of Insurance against his liability and the liability of any of his employees for death, injury or property damage from the conduct of exterminations, as follows:

1. In the case of structural extermination,

(*a*) not less than $25,000 for each employee or $50,000 for two or more employees;

(*b*) not less than $300,000 for one person and $500,000 for two or more persons who are not employees; and

(*c*) not less than $200,000 for property damage and the insured may assume liability for the first $250 of each claim.

2. In the case of land extermination,

(*a*) not less than $25,000 for each employee or $50,000 for two or more employees;

(*b*) not less than $100,000 for one person and $200,000 for two or more persons who are not employees; and

(*c*) not less than $10,000 for property damage and the insured may assume liability for the first $250 of each claim. O. Reg. 189/68, s. 2.

(2) The insurer may impose an aggregate limit for any one policy year,

(*a*) in the case of structural extermination $500,000 for bodily injury and $200,000 for property damage; and

(*b*) in the case of land extermination $200,000 for bodily injury and $10,000 for property damage. O. Reg. 189/68, s. 2.

(3) Where an aggregate limit is imposed in any contract of insurance, the insurer shall within ten days notify the Director of all sums of money paid by reason of the liability of the insured. O. Reg. 189/68, s. 2.

(4) Where an operator furnishes satisfactory evidence that his business is subject to Part I of *The Workmen's Compensation Act* and provided his contract remains in good standing, clause *a* of paragraph 1 of subsection 1 and clause *a* of paragraph 2 of subsection 1 do not apply. O. Reg. 445/67, s. 19 (2).

19.—(1) Every operator shall employ at least one licensed exterminator for every five or fewer employees who assist in performing exterminations.

(2) Where an operator carries on business at more than one location, a licensed exterminator shall be in charge of each branch office. O. Reg. 445/67, s. 20.

SUBSTANCES

20. Substances used in extermination are classified as,

(*a*) Group A substances made up of,

(i) hydrocyanic acid gas and cyanide compounds,

(ii) methyl bromide, and

(iii) sulphuryl fluoride (Vikane);

(*b*) Group B substances made up of all pesticides except those designated in,

(i) Group A,

(ii) Group C, and

(iii) Group D;

(*c*) Group C substances made up of,

(i) aldrin; DDT; dieldrin, endrin, chlordane; heptachlor; DDD (TDE, Rhothane), carbofuran; parathion; TEPP; mevinphos (Phosdrin); demeton (Systox); azinphos-methyl (guthion); phosphamidon (dimecron); phorate (Thimet); Zinophos; Dasanit; Bidrin; methyl parathion; ethyl parathion; EPN; disolfoton (Disyston) and sodium fluoride; and

(ii) all pesticides containing inorganic arsenic except those designated in Group D; and

(*d*) Group D substances made up of all herbicides except methyl bromide. O. Reg. 445/67, s. 21; O. Reg. 139/69, s. 3.

21.—(1) No person shall use any product unless it has been registered under the *Pest Control Products Act* (Canada) and assigned a registration number under that Act for the performance of a land extermination on the premises of a person engaged in plant or animal production on that part of the premises used for plant or animal production. O. Reg. 139/69, s. 4.

(2) Subsection 1 does not apply to an extermination performed for the purpose of research or as a test,

(*a*) by a research centre, university or other institution of learning, a professional researcher from industry who is registered with the Department or a person under the supervision or authority of the professional researcher from industry, on the premises of such centre or institution or on experimental land obtained for this purpose, provided that the produce remaining at the conclusion of the research or test is destroyed; or

(*b*) where approval of the extermination has been obtained from the Director at least seven days before the extermination is performed. O. Reg. 139/69, s. 4.

(3) No person shall use in an extermination any substance or product registered under the *Pest Control Products Act* (Canada),

(*a*) for any purpose other than that for which the substance is sold or represented; or

(*b*) in a manner other than that designated on the condition of registration.

(4) Clause *b* of subsection 3 does not apply to Group D substances. O. Reg. 445/67, s. 22 (3, 4).

(5) Notwithstanding subsection 1, a person engaged in plant or animal production may import and use on his own premises,

(*a*) a pesticide product that is identical with a pesticide product registered under the *Pest Control Products Act* (Canada); or

(*b*) with the approval of the Director, a pesticide product that is not identical with a pesticide product so registered. O. Reg. 340/69, s. 1.

(6) Subsection 3 applies *mutatis mutandis* to the products mentioned in subsection 5. O. Reg. 340/69, s. 1.

22.—(1) Subject to subsection 2, no person shall use aldrin, dieldrin or heptachlor to perform an extermination.

(2) Subsection 1 does not apply where,

(*a*) aldrin, dieldrin or heptachlor is used by an exterminator licensed to perform structural exterminations class 1 or class 3 to destroy, control or prevent termites; or

(*b*) the Director considers the use of aldrin, dieldrin or heptachlor to be in the public interest. O. Reg. 197/69, s. 1.

23.—(1) Notwithstanding any other provisions of this Regulation or the provisions of any other Act or Regulation, no person shall use DDT or TDE except,

(*a*) for the purpose of bat extermination while holding a licence to perform structural exterminations;

(*b*) for cut worm control on tobacco, except from an airborne machine or concentrated airblast machine; or

(*c*) for plant bug extermination on apples, provided an official of the Department of Agriculture and Food verifies that a plant bug situation exists.

(2) No person shall perform an extermination under clause *a*, *b* or *c* of subsection 1 unless he has obtained a permit in duplicate therefor in Form 16 from the Director.

(3) The Director may refuse to issue a permit in Form 16 where he is of the opinion that the extermination in respect of which the permit is sought cannot be carried out in safety. O. Reg. 386/69, s. 1.

24. Notwithstanding the provisions of section 23, the Minister may grant permission to use DDT or TDE where in his opinion an emergency has arisen or the public interest so dictates. O. Reg. 386/69, s. 1.

25.—(1) No person shall sell or distribute DDT or TDE to any other person for the purpose of performing an extermination except where the purchaser presents the original and one copy of a duly signed permit in Form 16.

(2) The vendor shall retain the duplicate of the permit.

(3) The vendor shall return the duplicate permit to the Department at the end of each month showing how much DDT or TDE was purchased on the permit. O. Reg. 386/69, s. 1.

26. Every exterminator shall report to the Department not later than the 1st day of October in each calendar year, the disposition of all DDT or TDE purchased by him during the preceding twelve-month period. O. Reg. 386/69, s. 1.

27. No person shall use any Group B, Group C or Group D substance in an extermination in such a manner that the substance comes in contact with an area other than the area to be treated. O. Reg. 445/67, s. 23.

28.—(1) No person shall deposit any extermination substance from any hopper, tank or other equipment used in performing exterminations upon any site other than a site used for the deposit of such substances.

(2) Where an extermination substance has been deposited in any lake, river or other surface water, the operator, exterminator or other person who deposited the extermination substance shall notify the Director and the local medical officer of health. O. Reg. 445/67, s. 24, (1-2).

29. No water from a lake, river or other surface water shall be used for performing exterminations unless the equipment used in the extermination is equipped with an effective device to prevent back-flow that is approved by the Director. O. Reg. 445/67, s. 25.

30. No person shall wash any equipment used to perform an extermination in any lake, river or other surface water. O. Reg. 445/67, s. 26.

31. No person shall store any substance for extermination in such a manner that it is likely to come in contact with,

(*a*) food or drink for human consumption; or

(*b*) feed, forage or drink for animal consumption. O. Reg. 445/67, s. 27.

32.—(1) No operator or exterminator shall have in his possession a substance for extermination in a container other than the container in which it was originally offered for sale.

(2) Subsection 1 does not apply to an exterminator who performs structural exterminations if the secondary container,

(*a*) is of a type and composition that is customarily used or approved by the manufacturer of the extermination substance for that substance; and

(*b*) bears a label denoting the common name of the extermination substance together with the concentration of the substance in percentage. O. Reg. 445/67, s. 28.

33. An empty container that has been used to hold a substance used in an extermination shall be disposed of,

(*a*) in the case of combustible containers, by burning in such a manner that no one is exposed to the smoke; and

(*b*) in the case of a metal or glass container, by puncturing or breaking and burying the container in such a manner that it is covered by at least eighteen inches of earth and it does not pollute any water course or table. O. Reg. 445/67, s. 29.

34. Any person who has an organic phosphorous compound, as designated in section 55, in his custody or control shall ensure that,

(*a*) the room in which it is stored is ventilated to outside atmosphere;

(*b*) a placard is affixed and maintained on the outside of each door leading into the room in which it is stored bearing the words "danger—poisonous substances stored inside" in red block letters at least 2½ inches in height on a white background;

(*c*) no person can enter the room in which it is stored without his express permission; and

(*d*) the organic phosphorous compound is stored in the original container of the manufacturer or a substitute container in accordance with the instructions of the manufacturer. O. Reg. 445/67, s. 30 (1); O. Reg. 139/69, s. 5 (1).

35.—(1) Where the original container of a pesticide product is damaged or broken the person having custody or control of the product shall, under the direction of the person who has registered the product under the *Pest Control Products Act* (Canada), and to the satisfaction of the Director,

(*a*) replace the container with a container equivalent to that originally used; or

(*b*) dispose of the container and its contents by burying under eighteen inches of soil or depositing on a site used for the disposal of pesticide products; and

(*c*) clean up any spillage and decontaminate any area, carrier or commodity that has come in contact with the pesticide product.

(2) Where a commodity to be used for food has been contaminated by any pesticide product, the commodity shall be held and no disposal shall be made of the commodity except according to the instructions of the Director. O. Reg. 139/69, s. 6.

STRUCTURAL EXTERMINATION

36. A person who performs a structural extermination or who assists in a structural extermination,

(*a*) with an extermination substance referred to in column 1 of the following Table; and

(*b*) under the conditions of use set opposite thereto in column 2 thereof,

is classified as the class of exterminator or assistant exterminator set opposite thereto in column 3 and his classification shall be noted on his licence.

TABLE

Item	Column 1	Column 2	Column 3
	Substance authorized for use	Conditions of use	Class of Exterminator or Assistant Exterminator
1	Group A, B and C	Any structural use	1
2	Group A, B and C	Any structural use except termite control	2
3	Group B and C	Any structural use	3
4	Group B and C	Any structural use except termite control	4
5	Group A	Extermination on his own premises or premises of his employer	5
6	Group C	On his own premises or the premises of his employer	6

O. Reg. 445/67, s. 31.

GROUP A SUBSTANCES

37. Sections 38 to 49, both inclusive, apply to structural exterminations in which a Group A substance is used. O. Reg. 445/67, s. 32.

38.—(1) No person shall commence a structural extermination in which a Group A substance is used in a vehicle, building or groups of attached buildings having a common owner without a permit from the Director.

(2) An application for a permit shall be in Form 9.

(3) A permit shall be in Form 10. O. Reg. 445/67, s. 33.

39.—(1) The Director shall issue a permit where he is satisfied that,

(*a*) the applicant is licensed to perform structural exterminations as a Class 1, Class 2 or Class 5 exterminator; and

(*b*) the extermination can be carried out without hazard to health.

(2) Where the Director refuses to issue a permit he shall advise the applicant in writing of his reason for such refusal. O. Reg. 445/67, s. 34.

40. Upon being issued a permit and prior to the extermination, the exterminator shall notify the police and fire department having jurisdiction where the premises are situated of the issuance of the permit. O. Reg. 445/67, s. 35.

41.—(1) At least twenty-four hours before commencing an extermination with a Group A substance, the exterminator shall deliver a notice in writing,

(*a*) to every occupant over eighteen years of age in the building or vehicle or on the land where the extermination is to be carried out; and

(*b*) to at least one occupant over eighteen years of age,

(i) of every building adjoining the building where the extermination is to be carried out, and

(ii) of every building so located that the extermination constitutes an actual or potential hazard to its occupants.

(2) Clause *a* does not apply to a commercial or industrial building where notice has been given to the owner of the building or his representative.

(3) Every notice under subsection 1 shall state,

(*a*) the address where the extermination is to be carried out;

(*b*) that there is danger of poisonous gas;

(*c*) the date and day of the week when it is proposed to commence the extermination;

(*d*) that occupants are to vacate and remain out of the buildings, vehicles or lands during the periods of extermination and airing-out; and

(*e*) such other information as the Director may prescribe.

(4) The exterminator shall ensure that the buildings, vehicles or lands referred to in this section are unoccupied during the periods of extermination and airing-out.

(5) Within seven days after the extermination has been completed, the exterminator shall so notify the Director. O. Reg. 445/67, s. 36.

42. The exterminator shall perform the extermination in accordance with the specifications set out in his application for the permit. O. Reg. 445/67, s. 37.

43. Where the gas being used for the purpose of an extermination is not a warning gas, the exterminator shall release a warning gas with the release of the gas being used in the extermination. O. Reg. 445/67, s. 38.

44. No person shall use hydrocyanic acid gas or cyanide compounds for extermination in any building or vehicle where the extermination substance would come in contact with the waters of any stream, lake or water flowing into any stream or lake. O. Reg. 445/67, s. 39.

45. Before an extermination is performed in a building or vehicle, the exterminator shall,

(*a*) seal all openings into the area in which the extermination is to be performed, including drains, ducts, vents and cracks, in a manner sufficient to make the area gas-tight; and

(*b*) remove from the area all water and food likely to absorb the gas being used. O. Reg. 445/67, s. 40.

46.—(1) Before beginning an extermination the exterminator shall post a placard at least fourteen inches long and ten inches wide,

(*a*) at all entrances to the building or vehicle and land on which the extermination is to be performed, and bearing the word "danger" in red letters at least 2½ inches high on a white background, and indicating that an extermination is being performed on the premises; and

(*b*) at all entrances to buildings designated in clause *b* of subsection 1 of section 41 and bearing the word "danger" in green letters at least 2½ inches high on a white background and indicating that an extermination is being performed in an adjoining building.

(2) The exterminator shall cause the placards posted under subsection 1 to be illuminated from sundown to sunrise.

(3) The exterminator shall ensure that,

(*a*) no placard is removed; and

(*b*) the building or vehicle is not reoccupied until twenty-four hours have elapsed since the gas was last released in the extermination. O. Reg. 445/67, s. 41.

47.—(1) No person shall enter or remain in a building or vehicle after an extermination therein is commenced and before the airing-out is completed in accordance with section 49 except,

(*a*) the exterminator;

(*b*) an assistant exterminator;

(*c*) a full-time fire fighter as defined in *The Fire Departments Act*; or

(*d*) a member of any police force established under *The Police Act*.

(2) During the period mentioned in subsection 1 the exterminator shall,

(*a*) lock by a lock supplied by the exterminator, all doors and entrances to the building or vehicle in which the extermination is being performed; and

(*b*) post adult guards in a manner sufficient to prevent any person, other than those mentioned in subsection 1, and an inspector, from entering the building or vehicle. O. Reg. 445/67, s. 42.

48.—(1) No person shall enter or remain in a building or vehicle after an extermination therein is commenced and before the airing-out is completed under section 49 unless,

(*a*) he wears, subject to subsection 2,

(i) a gas mask fitted with a canister capable of absorbing all poisonous gases present, or

(ii) a self-contained apparatus providing an independent supply of air; and

(*b*) he is accompanied by at least one other adult person.

(2) Where sulphuryl fluoride is used, the apparatus specified in subclause ii of clause *a* of subsection 1 shall be worn. O. Reg. 445/67, s. 43.

49.—(1) Where an extermination is completed, the exterminator shall,

(*a*) remove and burn or bury under at least two feet of earth all substances used for the extermination or for sealing openings;

(*b*) shake or beat in the open air all moveable fabrics contained in the building or vehicle during the extermination, for a time sufficient to remove all gases used in the extermination;

(*c*) circulate fresh air for at least twelve hours to every air space in the buildings or vehicles described in section 41; and

(*d*) where a Group A substance was used in the extermination, make the test prescribed in subsections 2, 3 or 4, as the case may be.

(2) Where methyl bromide was used in the extermination, the exterminator shall make tests by means of a halide leak-detector for the detection of the presence of methyl bromide gas at the floor level of each room, basement, closet, attic and any other enclosed space in the building or vehicle in which the extermination was performed.

(3) Where hydrocyanic acid gas was used in the extermination, the exterminator shall make tests for the detection of the presence of hydrocyanic gas in the building or vehicle in which the extermination was performed by means of methyl-orange litmus paper held for at least two minutes against,

(*a*) each wall in every room, closet or other enclosed space;

(*b*) each floor and wall in the basement; and

(*c*) each ceiling and wall of every attic room.

(4) Where sulphuryl fluoride was used in the extermination, a detector satisfactory to the Director shall be used.

(5) The airing-out of the building or vehicle shall be deemed not completed,

(*a*) where methyl bromide has been used, if the flame of the halide leak-detector changes to a greenish colour;

(*b*) where hydrocyanic acid has been used, if the methyl-orange litmus paper changes to a red or pink colour; or

(*c*) where sulphuryl fluoride has been used, the detector mentioned in subsection 4 shows evidence of the gas. O. Reg. 445/67, s. 44.

GROUP B SUBSTANCES

ANTU, ARSENIC, ETC.

50. Antu, arsenic trioxide, thallium sulphate, strychnine, fluoroacetamide or zinc phosphide shall not be used for extermination,

(*a*) in a room while it is being used for human habitation;

(*b*) in an area to which entry by any person cannot be barred; or

(*c*) in such a manner as to come in contact with or be likely to come in contact with food or drink for human consumption. O. Reg. 445/67, s. 45; *amended*.

51.—(1) Where a substance listed in section 50 is used in an extermination, the exterminator shall,

(*a*) keep, during the period of extermination, a record of the number and location of the baits used in the extermination; and

(*b*) remove every bait from the area when the extermination is completed.

(2) Any inspector may examine the record required by subsection 1 at any time. O. Reg. 445/67, s. 46.

52.—(1) An exterminator shall not use aldrin, chlordane, dieldrin, DDT, TDE, endrin or lindane,

(*a*) in any building used by an animal that produces milk for human consumption or any milk room;

(*b*) on any forage being used or to be used by animals producing milk for human consumption or being prepared for slaughter for human consumption; or

(*c*) in such a manner as to come in contact with or likely to come in contact with food or drink for human consumption.

(2) Clause *c* of subsection 1 does not apply to lindane in the vapour form. O. Reg. 445/67, s. 47.

53. An exterminator shall not use chlordane or dieldrin in an extermination,

(*a*) as a suspension in air in any building; or

(*b*) as a deposit applied to an area greater than 10 per cent of the floor space of the room in which it is applied. O. Reg. 445/67, s. 48.

54.—(1) Where lindane in vapour form is used in an extermination in a building while the building is occupied,

(*a*) the building shall not be sealed so as to impede the normal change of air;

(*b*) the amount of vapour released in a twenty-four hour period shall not exceed the amount produced by one gram of lindane for each 15,000 cubic feet of space in the room in which the vapour is generated; and

(*c*) the point from which the lindane vapour is generated shall be more than,

(i) three feet from the underside of any horizontal surface above the point of generation,

(ii) six inches from the nearest vertical surface, and

(iii) seven feet from the floor, or surrounded by a protective barrier extending for two feet from the point of generation.

(2) No person shall use lindane in vapour form to perform an extermination in a home, school, nursery, house trailer, sleeping quarters, hospital, institution caring for sick persons, dairy, creamery, cheese factory, dairy barn or milk house.

(3) No person shall release lindane in vapour form in an extermination at a rate greater than that set out in clause *b* of subsection 1 unless,

(*a*) the area in which the extermination is performed is vacant from the time the vapour is released until the area has been aired out by means of a free circulation of air for one hour;

(*b*) all surfaces in the area likely to come into contact with food are washed; and

(*c*) there has been no release of vapour during the two-week period immediately preceding the extermination. O. Reg. 445/67, s. 49.

ORGANIC PHOSPHOROUS COMPOUNDS

55. In this Regulation, an "organic phosphorous compound" means an organic phosphorous compound listed under subclause i of clause *c* of section 20. O. Reg. 445/67, s. 50.

56. No exterminator shall use an organic phosphorous compound as a dust or a suspension in air or water in a structural extermination unless he is accompanied by at least one exterminator or assistant exterminator. O. Reg. 445/67, s. 51.

57.—(1) Before a structural extermination is performed in which an organic phosphorous compound as a suspension in air is used, the exterminator shall,

(*a*) lock from the outside all doors, except one leading into the building in which the extermination is to be performed;

(*b*) place on the outside of all doors leading into the building a placard,

(i) at least fourteen inches long and ten inches wide, and

(ii) bearing the words "danger—poisonous substances being used inside" in red block letters at least 2½ inches in height on a white background; and

(*c*) ensure that the building is vacant.

(2) After an organic phosphorous compound as a suspension in air is released in a building, the exterminator shall lock the door excepted in clause *a* of subsection 1. O. Reg. 445/67, s. 52.

58. An exterminator who performs an extermination in a building by the use of an organic phosphorous compound as a suspension in air shall not permit any person to enter the building until the building is free of organic phosphorous vapour. O. Reg. 445/67, s. 53.

59. When an extermination with an organic phosphorous compound is completed, the exterminator shall immediately burn all material being discarded, or bury the material under at least eighteen inches of earth in such a manner as not to pollute any surface water or water table. O. Reg. 445/67, s. 54.

60.—(1) Where an exterminator uses Dichlorvos (DDVP) in a vapour form, he shall ensure that,

(*a*) no person is in the area in which the extermination is to be performed;

(*b*) the premises are thoroughly aired out after the extermination; and

(*c*) the extermination is performed in such a manner that the Dichlorvos (DDVP) will not come in contact with any food for human consumption.

(2) Where Dichlorvos (DDVP) is applied so that the concentration of Dichlorvos in the air in the area in which the extermination is to be performed does not exceed 0.5 milligrams per cubic metre of air, subsection 1 does not apply. O. Reg. 445/67, s. 55.

61. Where an exterminator uses or stores sodium fluoride, he shall ensure,

(*a*) that it is coloured blue;

(*b*) that it is not stored in a room in a building,

(i) in which food or drink for human consumption is stored, prepared or served, or

(ii) to which a person under sixteen years of age has access; and

(*c*) that it is not used,

(i) in an area accessible to humans or domestic animals, or

(ii) in such a manner as to come in contact with food or drink for human consumption. O. Reg. 445/67, s. 56.

SPOT FUMIGANTS

62. Where an extermination is performed in which,

(*a*) ethylene dichloride;

(*b*) propylene dichloride;

(*c*) ethylene dibromide; or

(*d*) carbon tetrachloride,

is used, every person performing the extermination shall,

(*e*) wear a mask with a suitable canister; and

(*f*) be accompanied by at least one exterminator or assistant exterminator. O. Reg. 445/67, s. 57.

63. Where a person performs an extermination in a building or enclosure with cholorpicrin, he shall ensure that,

(*a*) no person is in the building or any adjoining building;

(*b*) a gas mask and suitable canister is immediately available at all times; and

(*c*) the building or enclosure is free from chloropicrin before any other person is allowed to enter. O. Reg. 445/67, s. 58.

1080

64. No person shall use the compound 1080 in an extermination. O. Reg. 445/67, s. 59.

EXEMPTIONS

65. Where a person,

(*a*) is a householder and performs an extermination in the house in which he occupies; or

(*b*) is a tenant of an apartment or flat which he has rented unfurnished and performs an extermination in the apartment or flat occupied by him,

by the use of a Group B or C substance, the householder or tenant, as the case may be, is exempt from section 2 of the Act and sections 50 to 61 of this Regulation. O. Reg. 445/67, s. 60.

66.—(1) Where a person performs a structural extermination using a Group B substance on his own premises or the premises of his employer he is exempt from section 2 of the Act.

(2) For the purpose of subsection 1, an apartment in an apartment building under lease to a person is not the premises of the owner of the apartment building. O. Reg. 445/67, s. 61.

67. Where a person performs an extermination on animals within a structure using a Group B substance he is exempt from subsection 1 of section 2 of the Act. O. Reg. 445/67, s. 62.

68. Where an exterminator engages in an extermination in or upon an installation or machinery that is a fixture in a building using a combination of not more than 30 per cent by weight methyl bromide with ethylene dibromide or a substance designated in section 62 and,

(*a*) performs the extermination in a building,

(i) that is not attached to any other building, and

(ii) in which no part is used for human habitation;

(*b*) wears a gas mask; and

(*c*) excludes all persons not engaged in the extermination from the building during the extermination,

he is exempt from sections 38 to 49, both inclusive. O. Reg. 445/67, s. 63.

69. Where an exterminator is engaged in the extermination of rodents in burrows in the ground by the use of a Group A substance and,

(*a*) the burrows do not open into a building; and

(*b*) the exterminator or assistant exterminator wears a gas mask during the extermination,

he is exempt from sections 38 to 49, both inclusive. O. Reg. 445/67, s. 64.

70.—(1) Where an exterminator engages in an extermination by the use of a Group A substance in an enclosed space or vault that,

(*a*) is gas-tight;

(*b*) where the vault is inside or opens into a building, is equipped in accordance with subsection 2; and

(*c*) is approved by the Director in accordance with subsection 3,

and if the exterminator,

(*d*) has a gas mask readily available at all times;

(*e*) before a gas is released, searches the enclosed space or vault to ensure that it contains no person, locks the door by a padlock and keeps the keys in his possession;

(*f*) is present during the airing-out period; and

(*g*) performs the tests prescribed in subsections 2, 3 and 4 of section 49 to determine whether the airing-out period is completed,

he is exempt from sections 38 to 48, both inclusive.

(2) The enclosed space or vault that is inside, or opens into a building, referred to in subsection 1 shall be equipped with,

(*a*) a sheet-metal lining of which the joints are soldered and covering the walls and ceilings or any other lining that is equivalent in the opinion of the Director;

(*b*) a concrete floor, or wooden floor of which the joints are made gas-tight by means of tar;

(*c*) a rubber gasket around the perimeter of all doors;

(*d*) an exhaust fan controlled by a switch from outside the enclosed space or vault, capable of giving ten changes of air per hour, and discharging exhaust gases into outside atmosphere at a point removed from any door, windows or openings; and

(*e*) provision to introduce gas from outside the enclosed space or vault.

(3) Before the initial use for an extermination of the enclosed space or vault referred to in subsection 1, the exterminator shall notify the Director and shall not proceed with the extermination until the Director has approved the construction and equipment of the enclosed space or vault as required by this section. O. Reg. 445/67, s. 65.

71. Where an exterminator engages in an extermination in which a Group A substance is used and the gas is enclosed under a tarpaulin, and the extermination takes place,

(*a*) outside a building while,

(i) the exterminator and at least one other exterminator or assistant exterminator is present during the airing-out, and

(ii) gas masks are worn by all present during the introduction of the gas and the airing-out period; or

(*b*) inside a building that is separate from any other building and,

(i) in which no person other than persons engaged in the extermination is present during the extermination and airing-out,

(ii) in which no part is used for human habitation, and

(iii) while the exterminator and at least one other exterminator or assistant exterminator is present during the introduction of gas and airing-out,

he is exempt from sections 38 to 49, both inclusive. O. Reg. 445/67, s. 66.

72.—(1) Where a person who is licensed to perform land exterminations as a Class 1 or a Class 2 exterminator performs an extermination in soil or in conjunction with plant production in a building used for plant production with a Group A substance he is exempt from being licensed to perform structural exterminations as a Class 1, Class 2 or Class 5 exterminator. O. Reg. 139/69, s. 7.

(2) Where a person is exempt from subsection 1 of section 2 of the Act, his assistants are exempt from subsection 3 of section 2 of the Act.

(3) An employee of an operator whose duties are exclusively clerical or managerial and who does not take part in an extermination is exempt from subsection 3 of section 2 of the Act and from this Regulation.

(4) A person who is licensed as an exterminator to perform structural exterminations is exempt from subsection 3 of section 2 of the Act. O. Reg. 445/67, s. 67 (2-4).

LAND EXTERMINATIONS

73. A person who performs an extermination on land,

(*a*) with an extermination substance referred to in column 1 of the following Table; and

(*b*) under the conditions of use set opposite thereto in column 2,

is classified as the class of exterminator set opposite thereto in column 3 and his classification shall be noted on his licence.

TABLE

Item	Column 1 Substance authorized for use in extermination	Column 2 Conditions of use	Column 3 Class of Exterminator
1	Group A	Outside a structure	Class 1
2	Group A	On his own premises or premises of his employer	Class 2
3	Group B and C	On land not used in conjunction with plant or animal production	Class 3
4	Group B and C	Concentrated air blast machine or power duster	Class 4
5	Group C	On land used for plant or animal production	Class 5
6	Group C	On his own premises or premises of his employer	Class 6
7	Group B and C	From an airborne machine	Class 7
8	Group D	From an airborne machine	Class 8
9	Group D	Horticultural maintenance	Class 9
10	Group D	On public roads	Class 10
11	Group D	On rights of way	Class 11
12	Group D	On industrial premises	Class 12
13	Group D	On aquatic vegetation	Class 13
14	Group D	Concentrated air blast machine	Class 14

O. Reg. 445/67, s. 69; O. Reg. 139/69, s. 9.

74. Where an organic phosphorous compound is used in a land extermination, the exterminator shall not apply the compound in a manner,

(*a*) likely to expose any person to contact with it; or

(*b*) likely to cause the organic phosphorous compound to fall outside the area in which it is intended to perform the extermination. O. Reg. 445/67, s. 70.

75.—(1) No person shall perform a land extermination with an airborne machine, concentrated air blast machine or a power duster using a Group C substance or a Group D substance of the hormone type, unless,

(*a*) he has notified the Director in Form 11 at least fourteen days before commencing the extermination; and

(*b*) he has obtained the consent of the Director in Form 12.

(2) Notwithstanding clause *a* of subsection 1, where a Group D substance of the hormone type is to be used, the notice may be given not later than forty-eight hours before commencing the extermination.

(3) The consent of the Director may be withheld where, in his opinion, the land extermination mentioned in subsection 1 cannot be carried out in safety. O. Reg. 445/67, s. 71.

76. Where a land extermination with an airborne machine is performed using a Group C substance,

(*a*) the substance shall be in liquid or granular form; and

(*b*) the pilot of the machine shall not assist in the loading of the machine with the substance or otherwise expose himself to contact with it. O. Reg. 445/67, s. 72.

77.—(1) Every person who operates an airborne machine, concentrated air blast machine or power duster in performing land exterminations, shall,

(*a*) keep a record in Form 13 of each extermination performed by him for a period of one year after the extermination is completed; and

(*b*) produce the records for inspection by an inspector when requested by him.

(2) An inspector may remove the records mentioned in subsection 1 or any portion thereof. O. Reg. 445/67, s. 73.

78. No person shall use,

(*a*) aldrin, chlordane, dieldrin, DDT, endrin, heptachlor, lindane or TDE on any forage used or intended to be used by animals that are,

(i) producing milk for human consumption; or

(ii) being prepared for slaughter for human consumption,

(*b*) a Group D substance containing arsenic, other than sodium arsenite, for the purpose of killing potato tops;

(*c*) phenyl mercuric acetate as a herbicide other than on a golf course;

(*d*) Antu, sodium fluorcetamide, thallium sulphate or arsenic trioxide for a land extermination; or

(*e*) strychnine or zinc phosphide in a land extermination unless,

(i) the baits are placed where they are inaccessible to other persons or animals, and

(ii) all baits remaining after the extermination is completed are buried under at least eighteen inches of soil in such a manner as not to come in contact with any water course or water table. O. Reg. 445/67, s. 74.

79.—(1) No person shall sell, offer for sale, or distribute,

(*a*) any Group A substance;

(*b*) aldrin, chlordane, dieldrin, DDT, endrin, heptachlor, lindane, TDE; or

(*c*) an extermination substance containing inorganic arsenic,

to any other person to be used by him for the purpose of performing an extermination unless he is registered with the Department and has obtained a certificate of registration from the Director.

(2) Notwithstanding subsection 1, a person who is not the holder of a certificate of registration may sell or distribute a substance mentioned in clauses *b* and *c* of subsection 1 if the substance is,

(*a*) in liquid form and the amount sold or distributed to any person is less than 160 fluid ounces; or

(*b*) in powder, dust or granular form and the amount sold or distributed to any person is less than four pounds.

(3) A certificate of registration or renewal thereof expires with the 31st day of December of the year next following its date of issue.

(4) Every person registered under subsection 1 shall,

(*a*) keep a record in duplicate in Form 14 of each sale or distribution of,

(i) any Group A substance, or

(ii) any extermination substance mentioned in clauses *b* and *c* of subsection 1 sold or distributed to any person in amounts greater than those specified in subsection 2;

(*b*) produce the record for inspection when so requested by an inspector; and

(*c*) return to the Department all original copies of the record on the first days of January, April, July and October in each year. O. Reg. 445/67, s. 75, *amended*.

EXEMPTIONS

80. Where a householder performs a land extermination on land owned and occupied by him, using a Group B, C or D substance, he is exempt from section 2 of the Act and sections 36 and 73 to 78, both inclusive, of this Regulation. O. Reg. 445/67, s. 76.

81. Where a person is engaged in plant or animal production and performs a land extermination on the premises on which he is engaged in plant or animal production by use of a Group B, Group C or Group D substance, he is exempt from section 2 of the Act and sections 36, 73, 75 and 77 of this Regulation. O. Reg. 445/67, s. 77.

82. Where a person performs a land extermination using a Group B substance on his own premises or the premises of his employer, he is exempt from section 2 of the Act. O. Reg. 445/67, s. 78.

83.—(1) A person who performs an extermination on the premises of a person engaged in plant or animal production,

(*a*) on that part of the premises that is used for plant or animal production; and

(*b*) by the use of a Group B or Group D substance,

is exempt from section 2 of the Act if he is enrolled with the Department as a custom sprayer.

(2) Where a custom sprayer enrolls with the Department, the Director shall issue a certificate of enrolment in Form 15 and the enrolment and certificate expire on the 15th day of February next following the date on which the certificate is issued.

(3) Subsection 1 does not apply to a person who performs an extermination by means of,

(*a*) an airborne machine;

(*b*) a concentrated air blast machine; or

(*c*) a power duster. O. Reg. 445/67, s. 79.

84. Where an inspector under *The Bees Act* is engaged in destroying bees by extermination under the authority of that Act by the use of a Group A substance and,

(*a*) wears a gas mask capable of absorbing the poisonous gas present;

(*b*) performs the extermination in open air;

(*c*) prevents all persons from coming into contact with the poisonous gases; and

(*d*) remains at the site of the extermination during the time that any poisonous gases are present,

he is exempt from subsection 1 of section 2 of the Act, and from sections 38 to 49, both inclusive, of this Regulation. O. Reg. 445/67, s. 80.

85.—(1) Where a county weed inspector under *The Weed Control Act*, in accordance with his duties under that Act, performs a land extermination by the use of a Group D substance and uses equipment no larger than that commonly called a knapsack sprayer, he is exempt from subsections 1 and 2 of section 2 of the Act.

(2) Where a municipality performs a land extermination for another municipality using a Group B, Group C or Group D substance, the former municipality is exempt from subsection 2 of section 2 of the Act. O. Reg. 139/69, s. 10.

86. Where an exterminator who is licensed as a Class 1, 2, 3 or 4 exterminator to perform structural exterminations performs a land extermination for rodents or insects of the orders hymenoptera, diptera, orthoptera or acarina,

(*a*) on or in the vicinity of a private or municipal waste disposal site; or

(*b*) near or in the vicinity of a building or vehicle,

he is exempt from being licensed as an exterminator to perform land exterminations. O. Reg. 445/67, s. 81.

87. An assistant to an exterminator licensed to perform land exterminations is exempt from subsection 3 of section 2 of the Act. O. Reg. 445/67, s. 82.

88. No operator shall permit a vehicle to be used in connection with a land extermination performed by a person licensed to perform land exterminations as a Class 2 or Class 6 exterminator unless a metal plate obtained from the Department is affixed to the rear of the vehicle in such a manner that the plate is visible and legible at all times. O. Reg. 445/67, s. 83.

89. An exterminator licensed to perform land exterminations shall be present when mechanically powered equipment is being used in a land extermination unless a person is in charge of the equipment who,

(*a*) carries a certificate signed by the operator stating that he is competent to perform land exterminations;

(*b*) is under the supervision of a person who is licensed to perform land exterminations and who is not required to supervise more than five pieces of equipment; and

(*c*) is visited by the supervisor mentioned in clause *b* at least once during each daily working period. O. Reg. 445/67, s. 84.

Form 1

The Pesticides Act

LICENCE AS AN OPERATOR

No.....

Under *The Pesticides Act* and the regulations, and subject to the limitations thereof, this licence is issued to.....
(name of operator)

as an operator.

This licence expires with the 15th day of February, 19....

Date....., 19....

.....
Director

O. Reg. 445/67, Form 1.

Form 2

The Pesticides Act

APPLICATION FOR LICENCE AS AN OPERATOR

1. Name of operator.....
(if incorporated give name of company and names and addresses of Directors)

.....
(address)

hereby makes application for a licence as an operator.

2. The address of the place of business is.....

.....

Branch offices are located at.....

.....

.....

Date....., 19....

.....
(signature of applicant)

O. Reg. 445/67, Form 2.

Form 3

The Pesticides Act

APPLICATION FOR RENEWAL OF OPERATOR'S LICENCE

I,.....apply for the renewal of the Operator's Licence No.....in the name of.....

located at.....

There have been changes in the officers, and/or location of.....
(name of company)

No ☐ Yes ☐ during the current year.

Date....., 19....

.....
(signature of applicant)

O. Reg. 445/67, Form 3.

Form 4

The Pesticides Act

APPLICATION FOR AN EXTERMINATOR'S LICENCE

I,.....
(name)

of.....
(address)

apply for a licence as an Exterminator, Class(es).....

to perform structural / land exterminations. I shall be performing under Operator's Licence No.....

in the name of.....

Date....., 19....

.....
(signature of applicant)

This is to certify that.....
(name of applicant)

has been given a medical examination which included a blood count, urine analysis and a check of the applicant's blood pressure and heart.

I find the applicant physically fit to conduct exterminations.

.....
(signature of medical practitioner)

O. Reg. 445/67, Form 4.

Form 5

The Pesticides Act

LICENCE AS AN EXTERMINATOR TO PERFORM LAND EXTERMINATIONS

No.....

Under *The Pesticides Act* and the regulations, and subject to the limitations thereof,

.....
(name of exterminator)

is licensed as an Exterminator, Class(es)..... to perform land exterminations.

This licence expires with the 15th day of February, 19....

Date....., 19....

.....
Director

I,.....
(name)

of.....
(address)

apply for renewal of my licence No.....as an Exterminator, Class(es).....to perform land exterminations, issued to me on....., 19....

I am in the employ of

.....
(name of operator)

Licence No.....

.....
(signature of applicant)

I,.....
(name)

of.....
(address)

Licence No.....hereby give notice of change of address.

The new address is:

.....

.....
(signature of licensee)

O. Reg. 445/67, Form 5.

Form 6

The Pesticides Act

LICENCE AS AN EXTERMINATOR TO PERFORM STRUCTURAL EXTERMINATIONS

No.....

Under *The Pesticides Act* and the regulations, and subject to the limitations thereof,

.....
(name of exterminator)

is licensed as an Exterminator, Class(es)..... to perform structural exterminations.

This licence expires with the 15th day of February, 19....

Date....., 19....

.....
Director

I,.....
(name)

of.....
(address)

apply for renewal of my licence No.....as an Exterminator, Class(es).....to perform structural exterminations issued to me on....., 19....

I am in the employ of

.....
(name of operator)

Licence No.....

.....
(signature of applicant)

I,.....
(name)

of.....
(address)

Licence No.....hereby give notice of change of address.

The new address is:

.....

.....
(signature of licensee)

O. Reg. 445/67, Form 6.

Form 7

The Pesticides Act

APPLICATION FOR LICENCE AS AN ASSISTANT EXTERMINATOR

I,.....
(name)

of.....
(address)

apply for a licence as an Assistant Exterminator,

Class(es).....to perform structural exterminations. I shall be working under the supervision of

.....
(name of structural exterminator)

Date....., 19....

.....
(signature of applicant)

This is to certify that.....
(name of applicant)

has been given a medical examination which included a blood count, urine analysis and a check of the applicant's blood pressure and heart.

I find the applicant physically fit to conduct exterminations.

.....
(signature of medical practitioner)

O. Reg. 445/67, Form 7.

Form 8

The Pesticides Act

LICENCE AS AN ASSISTANT EXTERMINATOR TO ASSIST IN STRUCTURAL EXTERMINATIONS

No.....

Under *The Pesticides Act* and the regulations, and subject to the limitations thereof,

.....
(name of assistant exterminator)

is licensed as an Assistant Exterminator, Class(es)... to perform structural exterminations.

This licence expires with the 15th day of February, 19....

Date....., 19....

.....
Director

I,.....
(name)

of.....
(address)

apply for renewal of my licence No.....as an Assistant Exterminator, Class(es).....to perform structural exterminations issued to me on

....., 19....

I am in the employ of

.....
(name of operator)

Licence No.....

.....
(signature of applicant)

I,.....
(name)

of.....
(address)

Licence No.....hereby give notice of change of address.

The new address is:

.....
(signature of licensee)

O. Reg. 445/67, Form 8.

Form 9

The Pesticides Act

APPLICATION FOR A PERMIT TO USE A GROUP A SUBSTANCE

1. I,.....
(name of exterminator)

of.....
(address of exterminator)

apply to the Director for a permit to use a Group A substance in an extermination in premises at

.....on the....., 19....
(location of premises)

2. I am the holder of Licence No.....as an Exterminator, Class(es).....to perform structural ☐ land ☐ exterminations.

3. Particulars of the extermination(s) are as follows:

i. Description of premises (indicate whether it is an attached or detached building, an apartment, a portion of a building, a vehicle or other premises).

.....

ii. Date on which premises were last inspected by exterminator.....

iii. Date on which notice required by the regulations was delivered.....

iv. Cubic feet capacity of the premises to be exterminated.....

v. Hour in which extermination to be commenced.....

vi. Name and amount of Group A substances to be used.....

vii. Proposed time of opening premises.....

viii. Names and addresses and brief description of duties of each assistant exterminator or other person who will assist:

.....

.....

.....

Date....., 19....

.....
(signature of exterminator)

O. Reg. 445/67, Form 9.

Form 10

The Pesticides Act

PERMIT TO USE A GROUP A SUBSTANCE

.....
(name of exterminator)

of.....
(address of exterminator)

may use a Group A substance to perform an extermination in premises at.....

.....
(address of premises)

on.....
(date of proposed extermination)

in accordance with the details set out in the application for a permit, dated the.....day of....., 19....

Date....., 19....

.....
Director

O. Reg. 445/67, Form 10.

Form 11

The Pesticides Act

NOTICE OF AN EXTERMINATION WITH AN AIRBORNE MACHINE, CONCENTRATED AIR BLAST MACHINE OR A POWER DUSTER

I,.....
(name)

of.....
(address)

apply for consent to use.....
(name of compound)

by means of.....
(type of machine)

on.....crops, located at
(name)

.....

within the period of.....

Date....., 19....

.....
(signature of exterminator)

O. Reg. 445/67, Form 11.

Form 12

The Pesticides Act

CONSENT FOR AN EXTERMINATION WITH AN AIRBORNE MACHINE, CONCENTRATED AIR BLAST MACHINE OR A POWER DUSTER

Consent is hereby granted to.....
(name)

of.....
(address)

to use.....from an airborne
(name of compound)

machine, concentrated air blast machine, power duster, on the crops located at.....

between the period of.....

Date....., 19....

.....
Director

O. Reg. 445/67, Form 12.

Form 13

The Pesticides Act

RECORD OF EXTERMINATIONS PERFORMED

DAILY SPRAY RECORD

Type of Machine..... Identification of Machine.....

Tank Capacity (Pesticide in gallons)..... Type of Nozzle Attached.....

Owner of Property Sprayed	Address				Crop(s) Treated	Treated for	Pesticide(s)		Application Rate/Acre	Acres Treated	Wind			Temperature Summary	Time of Treatment
	Lot	Con.	Twp.	County, etc.			Applied	%			Dir.	Vel.	Temp.		

Comments:

Signature of Applicator Date

....

Signature of Exterminator Date

....

Licence No.....

O. Reg. 445/67, Form 13.

Form 14

The Pesticides Act

RECORD OF SALE OF EXTERMINATION SUBSTANCES

Name of Vendor.....

Address of Vendor.....

.....

Date	Name of Purchaser	Address	Township and County, etc.	Product Name Code, Size, No/Size	Quantity

.....
(signature of vendor)

O. Reg. 139/69, s. 12.

Form 15

The Pesticides Act

CERTIFICATE OF ENROLMENT

.....
(name)

is enrolled with the Ontario Department of Health under the regulations as a custom sprayer in the Province of Ontario in the year 19....

Date....., 19....

.....
Director

O. Reg. 445/67, Form 15.

Form 16

The Pesticides Act

PERMIT TO PURCHASE AND USE DDT OR TDE

Permission is hereby granted to.....
(name of exterminator)

to purchase and use.....of.....
(amount) (substance)

for the control of.....on the premises
(name of pest)

at.....
(address of premises)

Date....., 19....

.....
Director

O. Reg. 386/69, s. 2.

REGULATION 658

under The Pharmacy Act

LABELLING

1. Every container in which any article or substance referred to in Part III of Schedule B to the Act is sold at retail shall bear the words "CAUTION: KEEP OUT OF REACH OF CHILDREN" legibly and conspicuously displayed on the outer surface of the container in which the article or substance is sold. O. Reg. 256/68 s. 1, *revised*.

2. Every container in which any article or substance referred to in Part IV of Schedule B to the Act is sold at retail shall bear the words "CAUTION: USE ONLY WITH ADEQUATE VENTILATION" legibly and conspicuously displayed on the outer surface of the container in which the article or substance is sold. O. Reg. 256/68, s. 2, *revised*.

REGULATION 659

under The Pharmacy Act

REGISTRATION AND APPRENTICESHIP

1. An applicant for registration as a pharmaceutical chemist shall have resided in Ontario during the six months preceding the application. R.R.O. 1960, Reg. 480, s. 1.

PART I

APPRENTICES AND INTERNS

2. This Part applies to apprentices and interns. O. Reg. 187/66, s. 1.

3. In this Part,

(*a*) "Director of Intern Training" means an officer of the College appointed by the Council to supervise and co-ordinate the training of apprentices and interns;

(*b*) "preceptor" means a pharmaceutical chemist registered under the Act to whom an apprentice is indentured. O. Reg. 187/66, s. 1.

4. An apprentice shall be at least fifteen years of age and shall file with the registrar,

(*a*) an application for registration in Form 1;

(*b*) evidence showing that he has obtained the required standing in the subjects prescribed by the University of Toronto for entrance to the course leading to the Degree of Bachelor of Science in Pharmacy;

(*c*) a contract of apprenticeship with a preceptor in Form 2;

(*d*) a certificate of the preceptor in Form 3; and

(*e*) the prescribed fee. R.R.O. 1960, Reg. 480, s. 4.

5.—(1) An apprentice shall serve under a contract of apprenticeship in Form 2 with a pharmaceutical chemist for a term of twelve months of which not less than four months shall be served,

(*a*) after the apprentice has been granted the degree of Bachelor of Science in Pharmacy by the University of Toronto or such other degree that, in the opinion of the Council, is the equivalent thereof, and

(*b*) consecutively in a pharmacy that dispenses not less than 2,000 prescriptions annually. O. Reg. 187/66, s. 2; O. Reg. 415/69, s. 1.

(2) No time served by an apprentice concurrently with his participation in the academic course counts as service of apprenticeship for the purpose of this section. O. Reg. 187/66, s. 2.

6. The council may terminate a contract of apprenticeship where, in its opinion, the standard of performance under clause 1 or 3 of the contract is not sufficient for an effective apprenticeship training. R.R.O. 1960, Reg. 480, s. 6.

7.—(1) Registration of an apprentice lapses,

(*a*) if he fails, within three years after registration, to commence the courses of study leading to the Degree of Bachelor of Science in Pharmacy of the University of Toronto;

(*b*) if he fails to attend such courses of study for two consecutive years after having commenced them; or

(*c*) on the date the Council notifies the applicant of its decision regarding his application for registration under Part II. O. Reg. 234/63, s. 2.

(2) Where the registration of an apprentice has lapsed by reason of accident, illness or other cause beyond his control, the Council may, upon his application, restore his registration. R.R.O. 1960, Reg. 480, s. 7 (2).

8.—(1) A preceptor shall not grant his apprentice leave of absence except for an annual vacation or on account of illness.

(2) The preceptor shall notify the Registrar of any absence of the apprentice not excused under subsection 1.

(3) A preceptor shall not indenture more than one apprentice at any one time. R.R.O. 1960, Reg. 480, s. 8.

9.—(1) Every preceptor shall, upon completion of the term of apprenticeship or upon the termination of the contract of apprenticeship, furnish his apprentice with a declaration of service in Form 4.

(2) The preceptor and apprentice shall each notify the registrar of the termination of the contract forthwith after the termination. R.R.O. 1960, Reg. 480, s. 9.

10. Every apprentice shall complete as a condition of apprenticeship such course of training as the

Council may require and shall file reports of such training in a form satisfactory to the Director of Intern Training. O. Reg. 187/66, s. 3.

11. Every apprentice who applies for registration as an intern shall,

(*a*) have served under a contract of apprenticeship with a pharmaceutical chemist for a term of eight months;

(*b*) have completed and filed in a form satisfactory to the Director of Intern Training, such reports of his training as the Council may require; and

(*c*) have been granted the degree of Bachelor of Science in Pharmacy by the University of Toronto or such other degree that, in the opinion of the Council, is the equivalent thereof. O. Reg. 187/66, s. 3; O. Reg. 415/69, s. 2.

12. Every application for registration as an intern shall be accompanied by,

(*a*) evidence of the applicant's service as an apprentice; and

(*b*) a diploma or certificate of graduation from each college of university from which the applicant graduated. O. Reg. 187/66, s. 3.

PART II

REGISTRATION OF PHARMACISTS FROM OUTSIDE ONTARIO

13. This Part applies to applications for registration by persons who are qualified to practise pharmacy in a jurisdiction other than Ontario. R.R.O. 1960, Reg. 480, s. 10.

14.—(1) The academic qualifications of an applicant for registration under this Part shall, in the opinion of the Council, be at least equivalent to the degree of Bachelor of Science in Pharmacy of the University of Toronto.

(2) Where, in the opinion of the Council, the academic qualifications of an applicant do not satisfy subsection 1, the applicant shall pass such of the examinations that lead to the degree of Bachelor of Science in Pharmacy of the University of Toronto as the Council requires. R.R.O. 1960, Reg. 480, s. 12.

15. An application for registration under this Part shall be in Form 5. R.R.O. 1960, Reg. 480, s. 13.

16.—(1) An applicant for registration under this Part shall,

(*a*) have resided in Ontario during the six months preceding the application;

(*b*) be fluent in the use of the English language;

(*c*) be at least twenty-one years of age;

(*d*) be of good character;

(*e*) have been employed as a pharmacist in a retail or hospital pharmacy during any twelve consecutive months during the three years preceding the date of the application; and

(*f*) have completed at least eighteen months service as an apprentice in pharmacy.

(2) An application for registration shall be accompanied by,

(*a*) the prescribed fee;

(*b*) evidence of the applicant's identity;

(*c*) the applicant's birth certificate;

(*d*) evidence that the applicant is of good character;

(*e*) the applicant's academic record from the registrar of the college or university from which he graduated;

(*f*) the diploma or certificate of graduation from each college or university from which the applicant graduated;

(*g*) evidence of the applicant's service as an apprentice; and

(*h*) the certificate of an officer of the professional pharmaceutical association of which the applicant is a member, showing that the applicant is a member in good standing of that association. R.R.O. 1960, Reg. 480, s. 14.

17.—(1) Subject to subsection 2, every applicant shall pass an examination set by the Faculty of Pharmacy of the University of Toronto, to be written within twelve months after the approval of the application and the completion of any required apprenticeship or course.

(2) The Council may approve the registration without examination of a person who is registered as a pharmaceutical chemist in a jurisdiction other than Ontario where,

(*a*) the requirements for registration in the other jurisdiction are, in the opinion of the Council, equivalent to the requirements for registration in Ontario; and

(*b*) persons registered under the Act may register in the other jurisdiction without examination. R.R.O. 1960, Reg. 480, s. 15.

18. The Council may, as a condition to registration under this Part, require an applicant,

(*a*) to appear before a special committee of the Council;

(*b*) to serve as an apprentice in Ontario for a term fixed by the Council; and

(*c*) to complete successfully such courses in the Faculty of Pharmacy of the University of Toronto as the Council requires. R.R.O. 1960, Reg. 480, s. 16.

PART III

FEES

19.—(1) The fee for registration as an apprentice under Part I is $5. R.R.O. 1960, Reg. 480, s. 17 (1); O. Reg. 234/63, s. 3.

(2) Except as provided in subsection 3, the initial fee for registration as a pharmaceutical chemist is $10 plus a proportionate amount of the current annual registration fee. O. Reg. 222/68, s. 2 (1).

(3) The fee for registration as a pharmaceutical chemist under Part II is $300 plus $20 for each subject in which a second examination is written or $50, whichever is the lesser, but, in the event that an applicant is unsuccessful, $250 of the registration fee shall be refunded. O. Reg. 222/68, s. 2 (2).

(4) The fee for registration as a student under Part IV is $2. O. Reg. 294/64, s. 1.

(5) The fee payable under subclause iii of clause *a* of section 36 of the Act is $25. O. Reg. 222/68, s. 2 (3).

20. The fees paid under subsection 1 of section 22 of the Act are,

(*a*) by a pharmaceutical chemist $60;

(*b*) by a pharmaceutical chemist who is owner or manager of a pharmacy, in addition to the fee paid under clause *a*, $10;

(*c*) by a pharmaceutical chemist who is a director of a corporation, operating a pharmacy, in addition to the fees paid under clauses *a* and *b*, $70; and

(*d*) by a person or corporation operating more than one pharmacy, for each additional pharmacy, $70. O. Reg. 222/68, s. 3.

PART IV

REGISTRATION OF STUDENTS

21. On or before the 1st day of December of the first year of his attendance in the course of study at the University of Toronto leading to a degree of Bachelor of Science in Pharmacy, a student shall file with the Registrar an application for registration in Form 6 and pay the prescribed fee. O. Reg. 294/64, s. 3.

Form 1

The Pharmacy Act

APPLICATION FOR APPRENTICESHIP REGISTRATION

First Given Name	Second Given Name	Third Given Name, if any	Surname (in block letters)
Permanent Address	Toronto Address		Telephone
Birthplace	Date of Birth Month..... Day..... Year.....		Age

Name of Father or Guardian	Father's Nationality	Father's Occupation
Father's Place of Birth	Mother's Place of Birth	Religious Denomination of Applicant (be specific)

Educational Institutions attended:	From	To
Elementary School	19	19
	19	19
Continuation or High School or Collegiate Institute	19	19
	19	19
	19	19
College or University	19	19

Special facts to be considered by the Committee on Admission:

RECORD OF SERVICE IN ARMED FORCES (if any)

Navy—Army—Air Force Rank.....

Reg. No.....Date of Enlistment.....

Discharged.....

Service in Canada.....

Service Overseas.....

This statement must be confirmed by official document at the time of registration

Name of registered Pharmacist who will act as Preceptor

Address of Preceptor

Date of application Signature of Applicant

The following statement should be submitted only by applicants presenting other than Canadian certificates. Length of time (years) devoted to following subjects in various education institutions attended by Applicant.

Subject	English Comp.	English Literature	Canadian History	Ancient History	Modern History	Algebra	Geometry	Trigonometry	Physics	Chemistry	Botany	Zoology	Greek	Latin	German	French	
Elementary School																	
Secondary School																	
College or University																	

The foregoing statements are to the best of my knowledge correct.

.....
Headmaster

Place and Date.....

Examination Record (the Applicant must not make any entry beyond this point).

Date							
Place							
Certificate							
English Composition							
" Literature							
Ancient and Mediaeval History							
Modern History							
Canadian History							
Algebra							
Geometry							
Trigonometry							
Botany							
Zoology							
Physics *or*							
Agric. I							
Chemistry *or*							
Agric. II							
Latin Authors							
" Composition							

French Authors							
,, Composition							
German Authors							
,, Composition							

The Committee recommends admission to.....without condition.

On condition that applicant before entering *Second Year* obtains credit for:

Entire First Year, including.....

The following Pass Subjects of the First Year.....

The following papers of Grade 12 and Grade 13.....

R.R.O. 1960, Reg. 480, Form 1.

Form 2

The Pharmacy Act

CONTRACT OF APPRENTICESHIP

THIS AGREEMENT made between..... hereinafter called the "Pharmacist",

OF THE FIRST PART

and—

.....

hereinafter called the "Apprentice", son or ward of

....., hereinafter called the "Parent" or "Guardian", with the consent of the said.....

as surety for the said Apprentice,

OF THE SECOND PART,

WITNESSETH that the apprentice for himself and his parent or guardian as surety for him, jointly and severally agree and bind themselves as follows:

(1) The apprentice shall honestly, faithfully and diligently serve the pharmacist in his profession and business of pharmacist and chemist for and during the full term of.....from the day of the date hereof, and shall faithfully serve, keep the secrets of and obey the lawful commands at all times of the pharmacist and, other than pursuing the studies hereinafter mentioned, shall not during the said term be engaged in any other occupation, pursuit or study but shall devote all his or her time during regular business hours to such service.

(2) The apprentice shall remain in the service of the pharmacist during the aforesaid period to the full expiration thereof and, until the term of this agreement expires, shall not quit the service of the pharmacist except with his written consent upon notice thereof to the Registrar of the Council, and the apprentice shall not engage in the service of any other pharmacist or pharmaceutical chemist during the aforesaid period except upon the termination of this contract.

(3) During the period of service under this agreement the pharmacist hereby agrees to teach and instruct the apprentice or cause him to be taught and instructed in a reasonable manner in the art, trade, business or profession of a pharmaceutical chemist and particularly in the subjects prescribed by the Ontario College of Pharmacy for study during such term of service, and to afford the apprentice such reasonable opportunities and work as may be required to enable him to learn the art, trade, business or profession.

(4) The pharmacist further agrees to discharge this agreement upon its due completion in the form provided and to furnish the apprentice with a declaration as to the time of service under this agreement.

(5) The pharmacist may, upon notice to the Registrar of the Council, cancel this agreement and the apprenticeship service therein mentioned for

cause or upon two weeks' notice to the apprentice, such notice to be delivered to the apprentice or mailed to him at his last known place of residence.

A party hereto may appeal to the Council if the provisions of clause 1 or 3 are not carried out and the Council, if of the opinion that the complaint is well founded, may terminate this agreement.

IN WITNESS WHEREOF the said parties hereto have hereunto set their hands and seals this.....

day of....., 19...

SIGNED SEALED AND DELIVERED in the presence of

.....
(pharmacist)

.....
(apprentice)

.....
(parent or guardian)

I hereby certify that the above-named applicant has submitted evidence of having the necessary qualifications to enter into apprenticeship and is consequently so registered on the records of the Ontario College of Pharmacy.

.....
Registrar-Treasurer

R.R.O. 1960, Reg. 480, Form 2.

Form 3

The Pharmacy Act

CERTIFICATE OF CONTRACT OF APPRENTICESHIP

The Registrar-Treasurer,
Ontario College of Pharmacy,
Toronto, Ontario.

This is to certify that.....

of....., with the consent of..... legal guardian, has this day entered into a binding contract with me, to serve as an apprentice for the term of.....years, from the day and date hereof, to learn the business of pharmaceutical chemist.

Dated at.....this.....

day of....., 19...

.....
Pharmaceutical Chemist

R.R.O. 1960, Reg. 480, Form 3.

Form 4

The Pharmacy Act

DOMINION OF CANADA
Province of Ontario
To Wit:

IN THE MATTER OF *The Pharmacy Act*

I,....., of the.....of.....,
(name in full)

in the.....of.....and Province of Ontario, Druggist,

Do Solemnly Declare:

1. That I am a duly qualified Pharmaceutical Chemist carrying on business in the..... of.....in the.....of .....and Province of Ontario.

2. That....., a registered
(name in full)
apprentice, in pursuance of a binding contract in writing for such purpose, has served with me as an apprentice to the drug business for a term extending from the.....day of ....., 19..., to the.....day of ....., 19...

And I make this solemn declaration conscientiously believing it to be true and knowing that it is of the the same force and effect as if made under oath.

Declared before me at the .....of..... in the.....of..... this.....day of....., 19...

A Commissioner, etc.

R.R.O. 1960, Reg. 480, Form 4.

Form 5

The Pharmacy Act

APPLICATION FOR REGISTRATION
BY A PHARMACIST REGISTERED OUTSIDE ONTARIO

First Given Name:	Second Given Name:	SURNAME: (print)

Present Address:	Telephone
Permanent Address:	

Birthplace:	Date of Birth:	Age:	Nationality:

High School qualifications: (Grade, certificate, or diplomas, etc., completed)

University record:

Name of University

Dates attended

Course completed

Degrees received Date of graduation

Dates of residence in Canada:

From To

From To

Licence held from following Boards:

Name Registration No.

Name Registration No.

Employment record:

Name and address of employers during the last three years:

.....

.....

.....

Date.....

.....
(Signature)

R.R.O. 1960, Reg. 480, Form 5.

Form 6

The Pharmacy Act

APPLICATION FOR STUDENT REGISTRATION

First Given Name:	Second Given Name:	Third Given Name, if any:	Surname (in block letters):

Permanent Address:	Toronto Address:	Telephone:

Birthplace:	Date of Birth: Month..... Day..... Year.....	Age:

Educational Institutions Attended:	From	To
Elementary School:	19	19
	19	19
Secondary School or Collegiate Institute:	19	19
	19	19
College or University:	19	19

O. Reg. 294/64, s. 4.

REGULATION 660

under The Pharmacy Act

SALE OF DRUGS

PRESCRIPTIONS

1. For the purposes of section 50 and of clause *b* of section 51 of the Act, a prescription of a legally qualified medical practitioner or dentist shall be given in writing, but the prescription may be given orally upon the condition that the person to whom the prescription is given complies with C.01.041 of the Food and Drug Regulations made under the *Food and Drugs Act* (Canada). R.R.O. 1960, Reg. 481, s. 1.

2.—(1) Subject to section 3, the following drugs referred to in Schedule C of the Act are designated as drugs that may be sold by a person not otherwise authorized under the Act to owners of live stock for the treatment of live stock:

1. Aureomycin and any salt or derivative thereof.
2. Dihydrostreptomycin and any compound thereof.
3. Penicillin, its salts and derivatives, or preparations thereof.
4. Streptomycin and any compound thereof.
5. Sulphonamides and any salt, homologue or derivative thereof.
6. Terramycin and any compound thereof.
7. Stilboestrol and its derivatives. O. Reg. 304/61, s. 1; O. Reg. 255/68, s. 1.

(2) A drug designated in subsection 1 may be sold without prescription to owners of live stock for the treatment of live stock. O. Reg. 304/61, s. 1.

3. No person who is not otherwise authorized under the Act shall sell a drug designated in subsection 1 of section 2 unless the drug is,

(*a*) sold to the owner of live stock for the purpose of treating the live stock;

(*b*) in a form not suitable for human use; and

(*c*) combined with a substance other than a substance referred to in subsection 1 of section 2. O. Reg. 304/61, s. 1.

4. The following units or amounts of vitamins are prescribed for the purpose of subclause v of clause *d* of section 1 of the Act:

1. 10,000 International Units of vitamin A or provitamin A.
2. 4.5 milligrams of thiamine.
3. 7.5 milligrams of riboflavin.
4. 45 milligrams of niacin or niacinamide.
5. 0.1 milligram of folic acid.
6. 14 micrograms of vitamin B_{12}.
7. 150 milligrams of ascorbic acid.
8. 400 International Units of Vitamin D.
9. 25 International Units of vitamin E.
10. any amount of vitamin K. O. Reg. 312/66, s. 1; O. Reg. 187/70, s. 1.

REGULATION 661

under The Pharmacy Act

STANDARDS FOR MAINTENANCE AND OPERATION OF PHARMACIES

1. In this Regulation, "utensil" means any article or equipment used in the preparation, service or storage of drugs, but does not include a single-service container. O. Reg. 386/66, s. 1.

CONSTRUCTION OF PHARMACIES

2. Every pharmacy shall be so constructed that,

(*a*) it contains a prescription laboratory in a well-defined area having a floor area of not less than 100 square feet and in which drugs and poisons are stored and prescriptions compounded;

(*b*) it is free from every condition that may,

(i) be dangerous to health,

(ii) injuriously affect its efficient operation, or

(iii) injuriously affect the drugs prepared, compounded, dispensed or stored therein;

(*c*) a separate room, compartment, locker or cupboard is provided for keeping wearing apparel of employees;

(*d*) floors and floor coverings are tight, smooth and non-absorbent in rooms where,

(i) drugs are prepared, compounded, dispensed or stored,

(ii) equipment is washed, or

(iii) washing fixtures and toilet fixtures are located;

(*e*) the walls and ceilings of rooms and passageways may be readily cleaned and the painting or decorating maintained in good condition; and

(*f*) all rooms and passageways are well lighted and ventilated. O. Reg. 386/66, s. 2.

EQUIPMENT IN PHARMACIES

3.—(1) Every pharmacy shall be provided with,

(*a*) a supply of hot and cold water adequate for the efficient operation of the pharmacy;

(*b*) facilities for washing utensils;

(*c*) separate hand-washing facilities available for employees and located in a convenient location;

(*d*) a prescription counter with at least twelve square feet of free working space;

(*e*) a system for filing prescriptions and a typewriter;

(*f*) a heat source fueled with gas, electricity or spirit lamp;

(*g*) adequate refrigerated space;

(*h*) sufficient containers with covers for storing refuse in a sanitary manner;

(*i*) the compounding and dispensing equipment prescribed by Schedule 1, and where required for the efficient operation of the pharmacy, the equipment mentioned in Schedule 2;

(*j*) a quantity of the consumable material mentioned in Schedule 3 sufficient for the efficient operation of the pharmacy;

(*k*) a library including as a minimum the texts, pharmacopoeia, periodicals and other books mentioned in Schedule 4; and

(*l*) a telephone that is listed in the local telephone directory.

(2) No non-potable water supply shall be used in any room where drugs are prepared, compounded, dispensed or stored. O. Reg. 386/66, s. 3.

4. Suitable racks or shelves shall be provided for the storage of drugs and no shelves or racks shall be placed less than three inches above the floor. O. Reg. 386/66, s. 4.

5. All refrigerators and refrigerated space shall have removable racks and trays. O. Reg. 386/66, s. 5.

MAINTENANCE OF PHARMACIES

6. All furniture, equipment and appliances in any room in which drugs are prepared, compounded, dispensed or stored shall be so constructed and arranged as to permit thorough cleaning and the maintenance of the room in a clean and sanitary condition. O. Reg. 386/66, s. 6.

7. Every room where drugs are prepared, compounded, dispensed or stored shall be kept free from materials and equipment not regularly used in the room. O. Reg. 386/66, s. 7.

8.—(1) Refrigerated space shall be maintained at a temperature not higher than 50°F.

(2) Refrigerators and storage rooms shall be kept clean and in a sanitary condition.

(3) No substances other than drugs and poisons shall be stored in the refrigerated space. O. Reg. 386/66, s. 8.

9.—(1) Refuse containers shall be kept in such a place and manner as to preclude odours on the premises.

(2) All refuse and waste shall be removed from the premises at least twice weekly and more often if necessary to maintain a sanitary condition.

(3) Containers of refuse, when filled, shall be removed from any room in which drugs are prepared, compounded, dispensed or stored, and, unless daily collection service is provided, shall be placed in a separate room. O. Reg. 386/66, s. 9.

Schedule 1

COMPOUNDING AND DISPENSING EQUIPMENT

Type	Minimum No. Required	Specifications
Prescription Balance	1	Sensibility reciprocal of 0.2 grain, equivalent to 10 mg.
Weights		
Apothecaries	1	Cylindrical from ½ gr. to 2 drachm
Metric Weights	1	10 mg. to 50 gm.
Scale	1	Counter or bulk, capable of weighing ¼ oz. to 1 lb. avoirdupois
Graduates		
Apothecary	5	1 or 2 fluid drachms to 16 fluid oz.
Metric	2	25 and 50 or 100 ml.
Mortars and Pestles		
Glass or	1	2 or 4 oz.
Earthenware	1	8 oz.
	1	16 oz.
Spatulas		
Stainless Steel	3	One each, small,
Non-metal	1	medium and large
Funnels		
Glass or plastic	1	Small, approx. 3 in. diameter
	1	Large, approx. 6 in. diameter
Stirring Rods		
Glass or rubber	2	
Ointment Slab, Pill Tile or Parchment Paper		
Counting Tray	1	

O. Reg. 386/66, Sched. 1.

Schedule 2

Suppository mould or machine	Prescription Number Device
Evaporating Dish	Tablet Triturate mould
Sieve or Sifter	Water Bath
Test Tubes	Autoclave or pressure cooker
Thermometer	Hand Homogenizer
Electric Mixer	Pipette 10 ml.

O. Reg. 386/66, Sched. 2.

Schedule 3

Consumable material including bottles, caps, ointment jars, tablet vials and powder boxes, labels, powder papers, filter papers, empty capsules, distilled or de-ionized water, where required for the efficient operation of the pharmacy. O. Reg. 386/66, Sched. 3.

Schedule 4

A Pharmacy Text

A Dispensatory

A Medical Dictionary

A New Products Listing

A Pharmacology Text

The Pharmacy Act and the regulations thereunder.

The *Narcotic Control Act* (Canada) and the regulations thereunder.

The *Food and Drugs Act* (Canada) and the regulations thereunder. O. Reg. 386/66, Sched. 4.

REGULATION 662

under The Planning Act

RESTRICTED AREAS—BLIND RIVER

1. This Order applies to the lands described in the Schedule. R.R.O. 1960, Reg. 482, s. 1.

2. The lands described in the Schedule are designated as areas of subdivision control under section 29 of the Act. R.R.O. 1960, Reg. 482, s. 2.

3. In this Order,

(*a*) "accessory building" means a detached, subordinate building that is not used for human habitation and that is located on the same building lot as the main building;

(*b*) "building lot" means the land appropriated for the exclusive use of one residential building with accessory buildings or of one commercial or industrial establishment;

(*c*) "dwelling unit" means a room or a suite of two or more rooms, designed or intended for use by a person or family, in which sleeping accommodation and cooking facilities are provided but does not include accommodation subject to regulation by the Department of Tourism and Information. R.R.O. 1960, Reg. 482, s. 3.

4. For the purposes of this Order, a building shall be deemed to be used for residential purposes if it contains one or more dwelling units. R.R.O. 1960, Reg. 482, s. 4.

5.—(1) No building to be used for residential purposes shall be erected on a building lot unless,

(*a*) where neither a piped-water distribution system nor sanitary sewers are available, the lot has a frontage of at least 200 feet and an area of at least one acre;

(*b*) where either a piped-water distribution system or sanitary sewers are available and used, the lot has,

(i) a frontage of at least 100 feet, and

(ii) an area of at least 10,000 square feet with an additional area of 2,000 square feet for each dwelling unit in excess of one in the building; or

(*c*) where a piped-water distribution system and sanitary sewers are available and used, the lot has,

(i) a frontage of at least 50 feet for a building containing one dwelling unit, 60 feet for a building containing two dwelling units and 70 feet for a building containing three or more dwelling units, and

(ii) an area of at least 5,000 square feet with an additional 1,500 square feet for each dwelling unit in excess of one in the dwelling.

(2) No building to be used for residential purposes, or an accessory building thereto, shall be erected,

(*a*) in the case of a building lot where a piped water distribution system and sanitary sewers are available and used, within 10 feet of a side limit of the lot and 30 feet of the rear limit of the lot; and

(*b*) in all other cases, within 20 feet of a side limit of a building lot and 30 feet of the rear limit of a building lot.

(3) Where a building is used for residential purposes, only that building, together with accessory buildings, shall be erected on the building lot. R.R.O. 1960, Reg. 482, s. 5.

6.—(1) No building or structure to be used for commercial or industrial purposes shall be erected within 30 feet of the side and rear limits of the building lot on which it is located.

(2) When a building or structure on a building lot is used for commercial or industrial purposes, the owner or occupant of the building or structure shall provide and maintain, within the limits of the building lot, parking facilities having an area of not less than twice the ground floor area of the building or structure on the lot. R.R.O. 1960, Reg. 482, s. 6.

7. No building or structure shall be erected within 25 feet of the limits of any public highway or road other than those under the jurisdiction of the Department of Highways. R.R.O. 1960, Reg. 482, s. 7.

8. Where a parcel of land exists that has an area or frontage less than that required by this Order and the parcel was held as a separate parcel before the 14th day of June, 1955, the parcel may be built upon. R.R.O. 1960, Reg. 482, s. 8.

9. This Order, except section 2, has the same force and effect and is subject to the same qualifications, except the requirement of approval by the Ontario Municipal Board, as a by-law passed under the authority of section 35 of the Act. R.R.O. 1960, Reg. 482, s. 9.

Schedule

ALL AND SINGULAR those certain parcels or tracts of land and premises situate, lying and being,

FIRSTLY:

In the geographic Township of Lewis, in the Territorial District of Algoma, and being composed of,

(*a*) lots 9 to 12, both inclusive, Concession II;

(*b*) all those parts of lots 7 and 8, Concession III, lying north of the northerly limits of surveyed and patented mining claims S.66141, S.66146, S.66154 and S.66157;

(*c*) Lot 12, Concession III; and

(*d*) the area lying north of Lot 12, Concession III, and west of a line drawn north astronomically from the northeast angle of the said Lot 12.

SECONDLY:

In the geographic Township of Long, in the Territorial District of Algoma, and being composed of,

(*a*) lots 11 and 12, Concession I;

(*b*) lots 1 to 4, both inclusive, and Lot 12, Concession II;

(*c*) those parts of lots 5 to 10, both inclusive, Concession II, lying south of Lauzon Lake;

(*d*) that part of Lot 11, Concession II, lying south of Lauzon Lake;

(*e*) locations A, B and X; and

(*f*) Mill Location.

THIRDLY:

In the geographic Township of Shedden, in the Territorial District of Algoma, and being composed of sections 25 to 29, both inclusive, and sections 32 to 41, both inclusive.

FOURTHLY:

In the geographic Township of Spragge, in the Territorial District of Algoma, and being composed of,

(*a*) sections 25 to 30, both inclusive; and

(*b*) that part of the easterly one mile of Spragge Township lying north of section 25.

FIFTHLY:

In the geographic Township of Striker, in the Territorial District of Algoma, and being composed of lots 1 to 11, both inclusive, and the north half of Lot 12, Concession I. R.R.O. 1960, Reg. 482, Sched., *amended*.

REGULATION 663

under The Planning Act

RESTRICTED AREAS—
COUNTY OF HALIBURTON,
TOWNSHIP OF CARDIFF

1. This Order applies to all of the lands contained within Registered Plan Number 480 and Registered Plan Number 481 for the Township of Cardiff registered in the Registry Office for the Registry Division of Haliburton. O. Reg. 122/68, s. 1, *revised*.

2. No land may be used and no building or structure may be erected, altered or used except for summer cottage purposes, but this section shall not prevent the use of any land for park, highway or gardening purposes. O. Reg. 122/68, s. 2.

3. Not more than one single family summer cottage together with such accessory buildings as are commonly used in connection with a summer cottage may be erected or used on each lot shown on the plans referred to in section 1 of this Order. O. Reg. 122/68, s. 3.

4.—(1) No summer cottage with a floor area of less than 320 square feet or with a ground coverage of more than 2,000 square feet may be erected or used. O. Reg. 122/68, s. 4 (1); O. Reg. 173/69, s. 1.

(2) No accessory building with a ground coverage of more than 1,000 square feet may be erected or used. O. Reg. 122/68, s. 4 (2).

5. No summer cottage may be erected within 25 feet of the front limit of the lot, within 25 feet of the rear limit of the lot or within 15 feet of the side boundaries of the lot. O. Reg. 122/68, s. 5.

6. No accessory building may be erected within 25 feet of the front limit of the lot, within 5 feet of the rear limit of the lot or within 5 feet of the side boundaries of the lot. O. Reg. 122/68, s. 6.

7. Notwithstanding section 6, where a limit of a lot abuts navigable waters, an accessory building may be erected to the limit which so abuts. O. Reg. 122/68, s. 7.

REGULATION 664

under The Planning Act

RESTRICTED AREAS—DISTRICT OF KENORA, PATRICIA PORTION

1. This Order applies to the lands contained within Registered Plans M-537, M-538 and M-555, being plans of subdivision North of Ear Falls, District of Kenora, Patricia Portion. O. Reg. 296/69, s. 1.

2. In this Order,

(*a*) "accessory building" means a detached building the use of which is incidental or subordinate to the use of the main building, is not used for human habitation and is located on the same lot as the main building;

(*b*) "accessory use" means a use customarily incidental or subordinate to the principal use and carried on or located on the same lot with such principal use;

(*c*) "dwelling unit" means one or more habitable rooms designed for use by, and occupied by, not more than one family and in which separate kitchen and sanitary facilities are provided for the exclusive use of such family, with a private entrance from outside the building or from a common hallway or stairway inside the building;

(*d*) "front lot line" means the lot-line that divides the lot from the street;

(*e*) "front yard" means a yard extending across the full width of a building lot on which a building is situate, and extending from the front lot line to the nearest main wall of the building for which such front yard is required;

(*f*) "mobile home" means a vehicle that is suitable for being attached to a motor vehicle for the purpose of being drawn or propelled by the motor vehicle and which is placed, located, kept or maintained on land, notwithstanding that such vehicle is jacked up or that its running gear is removed, but not including any vehicle unless it is used for the living, sleeping or eating accommodation of persons therein;

(*g*) "multi-family" means a building containing three or more dwelling units;

(*h*) "rear yard" means a yard extending across the full width of a building lot on which a building is situate, and extending from the rear lot line to the nearest main wall of the building for which such rear yard is required;

(*i*) "semi-detached" means a building that is divided vertically into two dwelling units;

(*j*) "side yard" means a yard extending from the front yard to the rear yard and from the side lot-line to the nearest main wall of the building for which such side yard is required.

(*k*) "single-family" means a separate building containing only one dwelling unit;

(*l*) "yard" means an open, uncovered, and unoccupied space appurtenant to a building. O. Reg. 296/69, s. 1.

3.—(1) Lots 1 to 25, 65 to 84, 93, 94 and 104 to 122, all inclusive, as shown on Plan M-537 and lots 26 to 37, 51 to 64 and 98 to 103, all inclusive, as shown on Plan M-538, and lots 1 to 6, all inclusive, as shown on Plan M-555, shall not be used for any purpose other than for single family residential purposes and accessory uses. O. Reg. 296/69, s. 3 (1); O. Reg. 464/69, s. 1 (1).

(2) Lots 85 to 92, both inclusive, as shown on Plan M-537, and lots 95 to 97, both inclusive, as shown on Plan M-538, shall not be used for any purpose other than for semi-detached residential purposes and accessory uses. O. Reg. 296/69, s. 3 (2); O. Reg. 464/69, s. 1 (2).

(3) Block J, as shown on Plan M-537, shall not be used for any purpose other than for multi-family residential purposes and accessory uses.

(4) Blocks A and B, as shown on Plan M-537, shall not be used for any purpose other than for mobile home purposes and accessory uses such as a management office, laundry and playground area. O. Reg. 296/69, s. 3 (3, 4).

(5) Blocks C, D, E, F, G, H, I, Q, P and R, as shown on Plan M-537 and Blocks K, L, M, N and O, as shown on Plan M-538 and Block A, as shown on Plan M-555, shall not be used for any purpose other than the purpose for which they were used on the 21st day of July, 1969. O. Reg. 296/69, s. 3 (5), *amended*.

(6) In the areas restricted by this Order to use for residential purposes no accessory building or any part thereof shall be erected in a front yard. O. Reg. 296/69, s. 3 (6).

4.—(1) In the areas restricted by this Order to use for single family, semi-detached and multi-family residential purposes no building, other than an accessory building, shall be erected, altered or used unless the following requirements are complied with:

i. Minimum front yard: 25 feet.

ii. Minimum rear yard: 35 feet.

iii. Minimum side yard: one side yard of 10 feet and the other side yard of 4 feet plus an extra 2 feet for each additional storey, or part thereof, of the main building above the first storey.

(2) In the areas restricted by this Order to use for single family and semi-detached residential purposes no building, other than an accessory building, shall be erected, altered or used unless, in addition to the requirements of subsection 1, the following requirements are complied with:

i. There shall be not more than one building on any one lot.

ii. Parking facilities shall be provided and maintained within the side yard or rear yard of each lot on the basis of not less than one parking space for each dwelling unit.

(3) No building, other than an accessory building, shall be erected, altered or used on Block J, as shown on Plan M-537, unless, in addition to the requirements of subsection 1, the following requirements are complied with:

i. Parking facilities shall be provided within Block J on the basis of not less than one parking space for each dwelling unit.

ii. There shall be not more than 11.8 dwelling units per acre. O. Reg. 296/69, s. 4.

5. Blocks A and B as shown on Plan 537 shall not be used unless the following requirements are complied with:

i. There shall be not more than seven mobile homes per acre.

ii. No mobile home shall be located nearer to the street line of Balsam Avenue than 40 feet, or nearer to the limit of the King's Highway No. 105 than 65 feet; and the areas so reserved from mobile home use shall not be used for any purpose other than for landscaping. O. Reg. 269/69, s. 5.

6.—(1) Nothing in this Order shall prevent the use of the lands contained within registered plans M-537, M-538 and M-555, for any of the following purposes:

1. Parks or recreational facilities.

2. A medical clinic, provided that it is operated in a mobile home.

3. School facilities.

(2) Notwithstanding clause *f* of section 2, for the purpose of this section "mobile home" means a vehicle that is suitable for being attached to a motor vehicle for the purpose of being drawn or propelled by the motor vehicle and that is placed, located, kept or maintained on land, notwithstanding that it is jacked up or that its running gear is removed. O. Reg. 464/69, s. 2.

REGULATION 665

under The Planning Act

RESTRICTED AREAS—DISTRICT OF KENORA, PATRICIA PORTION

PART I

1. This Order applies to those lands within the territorial District of Kenora, Patricia Portion, more particularly described as follows:

1. That part of the community known as Ear Falls shown as Schedule B on a map filed in the office of the Registrar of Regulations at Toronto as No. 939, saving and excepting thereout and therefrom those lands described in Registered Plans Numbers M-537, M-538 and M-555 filed in the Land Titles Office at Kenora, Ontario.

2. That part of the surrounding area of the community of Ear Falls extending from the westerly shore of Lac Seul on the southeast to the geographic townships of Byshe and Willans on the north shown as Schedule A on a map filed in the office of the Registrar of Regulations at Toronto as No. 939. O. Reg. 331/69, s. 1.

2. In this Order,

(*a*) "accessory", when used to describe a building or structure, means a building or structure normally incidental or subordinate to the main buildings, not used for human habitation and located on the same lot with the main buildings; and when used to describe a use means a use normally incidental or subordinate to the main use and located on the same lot;

(*b*) "dwelling unit" means one or more habitable rooms designed for use by, and occupied by, not more than one family, and in which separate kitchen and sanitary facilities are provided for the exclusive use of such family, with a private entrance from outside the building or from a common hallway or stairway inside the building;

(*c*) "floor area" means the area contained within the outside walls of a building (measured at each floor level) excluding, in the case of a dwelling, any private garage, porch, verandah, unfinished attic, basement and cellar;

(*d*) "front yard" means a yard extending across the full width of a building lot on which a building is situate, and extending from the front lot line to the nearest main wall of the building for which such front yard is required;

(*e*) "front yard set back" means the distance from the front of the dwelling to the front of the lot;

(*f*) "lot" means a parcel of land, whether such a parcel is described in a registered deed or shown in a registered plan of subdivision, including any of its parts that are subject to a right-of-way or easement;

(*g*) "parking space" means an off-street piece of land available for the parking of one motor vehicle and having an area of not less than 200 square feet, exclusive of passageways and driveways appurtenant thereto and giving access thereto, and having access to a public highway;

(*h*) "rear yard" means a yard extending across the full width of a building lot on which a building is situate and extending from the rear lot line to the nearest main wall of the building for which such rear yard is required;

(*i*) "side yard" means a yard extending from the front yard to the rear yard and from the side lot-line to the nearest main wall of the building for which such side yard is required;

(*j*) "single-family dwelling" means a detached building containing only one dwelling unit;

(*k*) "yard" means an open, uncovered and unoccupied space appurtenant to a building. O. Reg. 331/69, s. 2.

3. The purpose of this Order is to control the use of land and buildings within the areas referred to in section 1 and from the 18th day of August, 1969, no land in such areas shall be used, or any building erected, enlarged, or otherwise used or altered therein, except in accordance with this Order. O. Reg. 331/69, s. 3, *amended*.

4. This Order shall not apply to prevent the use of any land, building, or structure for any purpose that would be otherwise prohibited by this Order if such land, building or structure was lawfully used for such purpose on the 18th day of August, 1969, so long as it continues to be used for that purpose. O. Reg. 331/69, s. 4, *amended*.

5. This Order shall not prevent the erection of buildings or structures or the making of improvements on lands in connection with any development for which a permit has been issued by the Minister of Lands and Forests under section 17 of *The Public Lands Act* if an application for the permit was made prior to the 18th day of August, 1969. O. Reg. 331/69, s. 5.

6.—(1) For the purpose of this Order the following zones are established as shown in Schedule "A" and "B" respectively on the said map filed in the office of the Registrar of Regulations at Toronto as No. 939 as follows:

Zone	Symbol
Rural	"A"
Residential	"R1"
General Commercial	"C"
Highway Commercial	"HC"

O. Reg. 331/69, s. 6.

(2) Notwithstanding the provisions of subsection 1, Plan M-377 shown within Rural Zone "A" in Schedule B on the map filed in the office of the Registrar of Regulations at Toronto as No. 939, is hereby designated as within the Residential "R1" zone. O. Reg. 491/69, s. 1.

PART II

Rural Zone "A"

Permitted Uses

7.—(1) All uses within the "A" zone are prohibited except,

(*a*) lumbering and forestry;

(*b*) agriculture;

(*c*) recreational open space activities;

(*d*) mining, which includes surveying and drilling operations, but not the actual establishment of any new mine, pit or quarry;

(*e*) summer cottages on lots within registered plans of subdivision, or on parcels of land where consent to the creation of such parcels has been obtained under section 29 of *The Planning Act*, or on parcels of land with an area of not less than 15,000 square feet that existed in separate ownerships on the 18th day of August, 1969;

(*f*) accessory uses to permitted uses, including the erection of permanent dwellings and other ancillary buildings necessary for the operation of the permitted uses; and

(*g*) the repair, rebuilding or restoration to a safe condition of any building, not otherwise permitted except as above, existing on the 18th day of August, 1969, provided that the dimensions of the original building are not increased or its original use altered.

(2) Notwithstanding clause *g* of subsection 1, dwellings in the Rural Zone "A" existing on the 18th day of August, 1969, may be enlarged or otherwise altered, provided that the use of the original dwelling is not altered.

(3) A dwelling erected as an accessory use shall be subject to the requirements of sections 8 and 15. O. Reg. 331/69, s. 7.

PART III

Residential Zone "R1"

Permitted Uses

8. This part applies to the Residential Zone "R1". O. Reg. 331/69, s. 8.

9.—(1) All uses within the "R1" zone are prohibited except,

(*a*) single-family dwellings;

(*b*) accessory buildings; and

(*c*) enlargements and extensions to any of the buildings mentioned in clauses *a* and *b*, provided that there is compliance with all other relevant requirements of this Order. O. Reg. 331/69, s. 9.

(2) Notwithstanding the provisions of subsection 1, Block B on Plan M-338 may be used for the purposes of a curling rink or a skating rink, or both, together with the necessary uses accessory thereto. O. Reg. 491/69, s. 2.

General Requirements for Single-Family Dwellings

10. Not more than one single-family dwelling shall be erected on any one lot. O. Reg. 331/69, s. 10.

Minimum lot area and lot frontage

11.—(1) Where a lot is served by a public or communal water-supply system and a public or communal sanitary sewage system, the minimum area of such lot shall be 5,000 square feet and the minimum frontage shall be 50 feet.

(2) Where a lot is served by a public or communal water-supply system, but no public or communal sanitary sewage system, the minimum area of such lot shall be 7,500 square feet and the minimum frontage shall be 75 feet.

(3) Where a lot is not served by either a public or communal water-supply system or public or communal sanitary sewage system, the minimum area of such lot shall be 15,000 square feet and the minimum frontage shall be 75 feet. O. Reg. 331/69, s. 11.

Minimum Yard Requirements

12.—(1) The front yard set back of any lot shall be not less than the calculated average of the front yard set backs of the dwellings adjacent thereto and abutting on the same street, but in no case shall the front yard set back of any one lot be less than 20 feet.

(2) One side yard of any lot shall have a width of not less than 10 feet, except where a private garage is erected on the lot as an integral part of the main building, in which case the side yard shall have a width of not less than 4 feet; and the other side yard shall have a minimum width of 4 feet for one-storey dwellings plus 2 feet for each additional half or full storey.

(3) The rear yard shall have a depth of not less than 30 feet. O. Reg. 331/69, s. 12.

Minimum Floor Area

13. No single family dwelling unit shall be erected with a floor area of less than 800 square feet. O. Reg. 331/69, s. 13.

Accessory Buildings

14.—(1) No accessory building shall exceed 15 feet in height or be erected in any side or front yard or within 4 feet of any side or rear lot line.

(2) Notwithstanding subsection 1, a private garage may be erected in any side yard provided that it is not located nearer to the main building than 10 feet.

(3) Notwithstanding the provisions of this section, a lot that existed in separate ownership on the 18th day of August, 1969 and that does not meet the minimum lot area and frontage requirements may be built upon provided that all other provisions of this Part are complied with. O. Reg. 331/69, s. 14, *amended*.

PART IV

GENERAL COMMERCIAL "C" ZONE

Permitted Uses

15. All uses within the "C" zone are prohibited, except for,

(*a*) retail stores;

(*b*) service stores;

(*c*) offices;

(*d*) cinemas, theatres, dance halls, billiard halls and similar commercial recreational uses;

(*e*) restaurants and taverns;

(*f*) public and institutional uses including a library, but excluding schools and churches;

(*g*) residential uses incidental to the above mentioned uses provided they are carried out or located within the same building as the main use; and

(*h*) accessory buildings. O. Reg. 331/69, s. 15.

PART V

HIGHWAY COMMERCIAL "HC" ZONE

Permitted Uses

16. All uses within the "HC" zone are prohibited except for,

(*a*) service stations;

(*b*) restaurants;

(*c*) motels;

(*d*) hotels;

(*e*) establishments for the sale of automobiles, motorized toboggans, motorcycles and accessories;

(*f*) car washing establishments; and

(*g*) residential uses on the same lot and necessary for the operation of any of the above mentioned uses, provided,

(i) they are carried out or located in the same building as the main use, or

(ii) the requirements of Part III ("R1" zone) are complied with if the residential use is carried out or located in a separate building. O. Reg. 331/69, s. 16.

PART VI

General Requirements for the "C" and "HC" Zones

17. In the areas restricted by this Order to use for General Commercial "C", and Highway Commercial "HC", the minimum yard requirements shall be:

1. Minimum front yard: 30 feet
2. Minimum side yard: 15 feet on each side
3. Minimum rear yard: 25 feet

O. Reg. 331/69, s. 17.

Lot Coverage within the "C" and "HC" Zones

18. Not more than 35% of the area of a lot in the "C" or "HC" zones shall be covered with buildings, which includes the main use building and all related accessory buildings. O. Reg. 331/69, s. 18.

Lot Frontage within the "HC" Zone

19. Buildings may be erected in the "HC" zone on land used only in accordance with the following minimum lot frontage requirements:

1. Gas stations, hotels, motels: — 100 feet
2. Other permitted uses: — 50 feet

O. Reg. 331/69, s. 19.

Parking Requirements

20. The owner of any building erected or enlarged in the "HC" zone shall provide and maintain parking spaces in accordance with the following schedule:

Schedule

Type of building	*Parking required*
Any building containing a dwelling unit	1 space per dwelling unit
Restaurant	1 space per 5 seats
Motels and Hotels	1 space per suite or rental unit
Other permitted uses	1 space per 200 square feet of total floor area

O. Reg. 331/69, s. 20.

PART VII

General Provisions

21. Nothing in this Order shall prevent the use of Locations R.E.B. 2 and part R.F.D. 309, shown in Schedules "A" and "B", respectively, on the said map filed in the office of the Registrar of Regulations at Toronto as No. 939 for service stations only, provided that there is compliance with all other requirements of this Order in relation to such service stations. O. Reg. 331/69, s. 21.

22. Nothing in this Order shall prevent the use of any land for park purposes, public utilities, rights of way, and highways. O. Reg. 331/69, s. 22.

REGULATION 666

under The Planning Act

RESTRICTED AREAS—DISTRICT OF NIPISSING, TOWNSHIP OF STRATHY

1. In this Order, "accessory building" means a building or structure located on the same lot as the single-family dwelling to which it is appurtenant and used for a purpose subordinate to the principal residential use, such as a private garage, greenhouse or garden implement shed, but does not include a building used for the storage of commercial or industrial material, equipment or vehicles. O. Reg. 20/68, s. 1.

2. This Order does not apply to prevent the use of any land, building or structure for any purpose prohibited thereby if such land, building or structure was lawfully used for such purpose on the 29th day of January, 1968, so long as it continues to be used for that purpose. O. Reg. 20/68, s. 1.

3. The making or establishment of pits and quarries is prohibited on the lands described in the Schedule. O. Reg. 20/68, s. 3.

4. The lands described in Part 1 of the Schedule shall not be used for residential, commercial or industrial purposes. O. Reg. 20/68, s. 4.

5. The lands described in Part 2 of the Schedule shall not be used for commercial or industrial purposes. O. Reg. 20/68, s. 5.

6. No building or structure shall be erected, altered or used except for single-family dwelling purposes on the lands described in Part 2 of the Schedule. O. Reg. 20/68, s. 6.

7.—(1) No single-family dwelling with or without accessory buildings shall be erected, altered or used on the lands described in Part 2 of the Schedule unless the land appurtenant to the dwelling has an area of not less than 5,000 square feet.

(2) No single-family dwelling shall be erected, altered or used on the lands described in Part 2 of the Schedule if the dwelling is located,

(*a*) nearer to the street line than 15 feet;

(*b*) nearer to a side lot line than 4 feet on one side of the dwelling and 8 feet on the other side of the dwelling; or

(*c*) nearer to the rear lot line than 20 feet.

(3) Clause *b* of subsection 2 does not apply to dwellings erected prior to the 29th day of January, 1968, on lots 27, 31 and 37, Registered Plan M-383. O. Reg. 20/68, s. 7, *amended*.

8.—(1) No accessory building shall be erected, altered or used on the lands described in Part 2 of the Schedule if the building is located,

(*a*) nearer to the street line than 15 feet; or

(*b*) nearer to any other lot line than 4 feet.

(2) No accessory building shall be used for eating or sleeping accommodation by any person. O. Reg. 20/68, s. 8.

Schedule

PART 1

In the geographic Township of Strathy in the Territorial District of Nipissing and being composed of the following Mining Locations:

T. 55135
T. 55136
T. 55480, excluding the lands therein located west of that part of the King's Highway known as No. 11.
T. 55481, excluding those lands contained within Registered Plan M-383
T. 55482
T. 55483, excluding those lands contained within Registered Plan M-383
T. 55484
T. 55485, excluding the lands therein located west of that part of the King's Highway known as No. 11
T. 55486, excluding the lands therein located west of that part of the King's Highway known as No. 11
T. 55487
T. 55488
T. 55785
T. 55786
T. 55792
T. 55793
T. 55890
T. 56083
T. 56084
T. 56085
T. 56086
T. 56087
T. 56088
T. 56089
T. 56090
T. 56091
H.F. 3
TRT 4069
TRT 4070
TRT 4071
TRT 5313

TRT 5314
TRT 5626
TRT 5627
TRT 5628
TRT 5660
TRT 5848

PART 2

In the geographic Township of Strathy in the Territorial District of Nipissing and being composed of the whole of Registered Plan M-383. O. Reg. 20/68, Sched., *amended*.

REGULATION 667

under The Planning Act

RESTRICTED AREAS—
IMPROVEMENT DISTRICT OF TEMAGAMI

1. This Order applies to all of the lands within the limits of the Improvement District of Temagami, excluding those lands covered by Regulation 666 of Revised Regulations of Ontario, 1970. O. Reg. 343/68, s. 1.

2. In this Order,

(*a*) Zone 1 comprises the area generally referred to as the Village of Temagami and more specifically the lands in registered plans M-66, M-251, and M-269, formerly in the geographic townships of Strathcona and Strathy; and

(*b*) Zone 2 comprises all of the lands within the limits of the Improvement District of Temagami, excluding those lands covered by Regulation 666 of Revised Regulations of Ontario, 1970 and those lands included in Zone 1. O. Reg. 343/68, s. 2.

3.—(1) In Zone 1,

(*a*) no land or building shall be used for any purpose other than that for which it was used on the 2nd day of October, 1968; and

(*b*) no building shall be extended or structurally altered in any way other than such repairs as may be necessary for general maintenance or to render it in a safe condition. O. Reg. 343/68, s. 3.

(2) Notwithstanding clause *a* of subsection 1, this Order shall not apply to prevent the erection of a drive-in snack bar on the north half of Lot 136, Registered Plan M-66. O. Reg. 275/69, s. 1.

4. Notwithstanding section 3, nothing in this Order shall prevent the reconstruction of a BP service station on the east side of Highway No. 11, being part of Station Grounds, ONR Lease 2636. O. Reg. 388/69, s. 1.

5.—(1) In Zone 2, no land or building shall be used for any purpose other than that for which it was used on the 2nd day of October, 1968.

(2) Notwithstanding subsection 1, a dwelling may be erected and used as a summer cottage on any lot within any registered plan of subdivision, subject to the provisions of any by-law passed and in force under section 35 of *The Planning Act*.

(3) Any building or structure existing on the 2nd day of October, 1968 may be enlarged, restored to a safe condition, repaired, or rebuilt, provided that the use of such building or structure is not changed from that which existed on the 2nd day of October, 1968. O. Reg. 343/68, s. 4, *amended*.

6. Notwithstanding section 5, nothing in this Order shall prevent the erection of a single family residential dwelling on HS Loc. 2234 in the geographic Township of Strathcona, and a home occupation use of a portion of the same as a business office for the construction and sale of such type of dwelling. O. Reg. 388/69, s. 1.

7. Nothing in this Order shall prevent,

(*a*) the erection of any building or structure or prevent the change in use of any building, structure, or land where such erection or change of use is in accordance with a permit issued by the Department of Lands and Forests under section 17 of *The Public Lands Act*;

(*b*) the carrying out of mining exploration activities, including surveying, drilling, and similar operations;

(*c*) the enlargement of mining operation on lands already being used or partly used for that purpose on the 2nd day of October, 1968 or the erection of new buildings directly related to mining operations on such lands; or

(*d*) the conduct of forestry operations, lumbering, and other such directly associated activities. O. Reg. 343/68, s. 5, *amended*.

REGULATION 668

under The Planning Act

RESTRICTED AREAS—DISTRICTS OF NIPISSING AND TIMISKAMING

1. All lands in the territorial districts of Nipissing and Timiskaming described in the Schedule are designated as areas of subdivision control under clause *b* of subsection 1 of section 32 of the Act. O. Reg. 32/65, s. 1.

2. Registered Plans M-66, M-251 and M-269, in the Territorial District of Nipissing, are designated as plans of subdivision which shall be deemed not to be registered plans of subdivision for the purposes of subsection 2 of section 29 of the Act. O. Reg. 325/66, s. 1.

Schedule

1. In the Territorial District of Nipissing, and being composed of the following municipalities:

Town of Cache Bay
Township of Field
Township of Mattawan
Township of Springer

and the following geographic townships:

Angus
Antoine
Askin
Aston
Badgerow
Banting
Bastedo
Beaucage
Belfast
Bertram
Best
Blyth
Briggs
Burnaby
Butler
Canton
Cassels
Chambers
Charlton
Clarkson
Clement
Crerar
Cynthia
Dana
Eddy
Eldridge
Falconer
Fell
Flett
French
Garrow
Gibbons
Gladman
Gooderham
Grant
Hammell
Hartle
Hebert
Hobbs
Hugel
Joan
Jocko
Kenny
Kirkpatrick
La Salle
Latchford
Law
Le Roche
Lockhart
Loudon
Lyman
Macpherson
McAuslan
McCallum
McLaren
McWilliams
Merrick
Milne
Mulock
Notman
Olive
Olrig
Osborne
Pardo
Parkman
Pedley
Phelps
Phyllis
Poitras
Riddell
Scholes
Sisk
Stewart
Strathcona
Strathy
Thistle
Torrington
Vogt
Wyse
Yates

2. In the Territorial District of Timiskaming, and being composed of the following municipalities:

Town of Cobalt
Town of Latchford
Township of Coleman

and the following geographic townships:

Brigstocke
Cole
Dane
Gillies Limit
Kittson
Leo
Lorrain
Medina
South Lorrain

O. Reg. 32/65, Sched.

REGULATION 669

under The Planning Act

RESTRICTED AREAS—KAPUSKASING

1. In this Order, "accessory building" means a building or structure located on the same lot as the single-family dwelling to which it is appurtenant and used for a purpose subordinate to the principal residential use, such as a private garage, greenhouse or garden implement shed, but does not include a building used for the storage of commercial or industrial material, equipment or vehicles. O. Reg. 251/65, s. 1.

2. This Order applies to the lands described in the schedules. O. Reg. 251/65, s. 2.

3. No land shall be used except as a site for a single-family dwelling or for agricultural or forestry purposes. O. Reg. 251/65, s. 3.

4. No building or structure shall be erected, altered or used except for single-family dwelling purposes. O. Reg. 251/65, s. 4.

5. Nothing in this Order shall prevent the use of any land for the purposes of highways, parks or gardening. O. Reg. 251/65, s. 5.

6. This Order does not apply to prevent the use of any land, building or structure for any purpose prohibited thereby if such land, building or structure was lawfully used for such purpose on the 4th day of October, 1965, so long as it continues to be used for that purpose. O. Reg. 251/65, s. 6, *amended*.

7.—(1) Not more than one single-family dwelling, with or without accessory buildings, shall be erected, altered or used on a lot in a registered plan referred to in Schedule 1 or on a parcel referred to in Schedule 1.

(2) No single-family dwelling, with or without accessory buildings, shall be erected, altered or used on the lands described in Schedule 2 unless the land appurtenant to the dwelling has a frontage of not less than 400 feet and an area of not less than 10 acres. O. Reg. 251/65, s. 7.

8.—(1) No single-family dwelling shall be erected, altered or used if the building is located,

(*a*) nearer to the street line than 20 feet;

(*b*) where there is an attached garage, nearer to a side lot line than 4 feet in the case of a one-storey building or 6 feet in the case of a building of two or more storeys;

(*c*) where there is no attached garage, nearer to one side lot line than 10 feet or nearer to the other side lot line than the distance specified in clause *b*; and

(*d*) nearer to the rear lot line than 25 feet.

(2) The total area occupied by buildings and structures shall not exceed 33 per cent of the area of the land appurtenant to the dwelling. O. Reg. 251/65, s. 8.

9.—(1) No accessory building shall be erected, altered or used if the building,

(*a*) is located nearer to the street line than 15 feet;

(*b*) is located nearer to any other lot line than 2 feet; or

(*c*) is more than 15 feet in height.

(2) The total area occupied by accessory buildings shall not exceed 10 per cent of the area of the land appurtenant to the dwellings. O. Reg. 251/65, s. 9.

Schedule 1

All and Singular those certain parcels or tracts of land and premises situate, lying and being in the geographic Township of O'Brien, and now in the Town of Kapuskasing, in the Territorial District of Cochrane and being composed of,

(*a*) all of the lands contained within Registered Plans M-142, M-174 and M-235 filed in the Office of Land Titles at Cochrane; and

(*b*) those portions of Lot 19 in Concession 15 in the said Geographic Township of O'Brien, registered in the Office of Land Titles at Cochrane as Parcels 910 C.C., 1616 C.C., 1631 C.C., 2914 C.C. and 2948 C.C. O. Reg. 251/65, Sched. 1.

Schedule 2

All and Singular those certain parcels or tracts of land and premises situate, lying and being in the geographic Township of O'Brien, and now in the Town of Kapuskasing, in the Territorial District of Cochrane and being composed of,

(*a*) all of lots 11 to 19, both inclusive, in Concession 16, all that part of Lot 24 in Concession 16 lying west of the Kapuska-

sing River and all of lots 25 to 29, both inclusive, in Concession 16;

(*b*) all of lots 11 to 16, both inclusive, in Concession 15, that portion of Lot 17 in Concession 15 not included within Registered Plan M-235, that portion of Lot 18 in Concession 15 not included within Registered Plan M-174, all that part of Lot 24 in Concession 15 lying west of the Kapuskasing River and all of lots 25 to 29, both inclusive, in Concession 15;

(*c*) all of lots 11 to 18, both inclusive, in Concession 14, all of that part of Lot 23 in Concession 14 lying south of the Kapuskasing River, all that part of Lot 24 in Concession 14 lying south and west of the Kapuskasing River and all of lots 25 to 29, both inclusive, in Concession 14;

(*d*) all that part of Lot 22 in Concession 13 lying west of the east bank of the Kapuskasing River, all that part of Lot 23 in Concession 13 lying north and west of the east bank of the Kapuskasing River and all of lots 24 to 29, both inclusive, in Concession 13;

(*e*) all of that part of Lot 23 in Concession 12 lying west of the east bank of the Kapuskasing River, all of that part of Lot 24 in Concession 12 lying west and north of the east bank of the Kapuskasing River and all of lots 25 to 29, both inclusive in Concession 12;

(*f*) all of that part of Lot 25 in Concession 11 lying west of the centre of the Kapuskasing River, all of lots 26 to 29, both inclusive, in Concession 11;

(*g*) all that part of Lot 25 in Concession 10 lying north and west of the centre of the Kapuskasing River, all those parts of lots 26 and 27 in Concession 10 lying north of the centre of the Kapuskasing River, all that part of Lot 28 in Concession 10 lying north and west of the centre of the Kapuskasing River and all of Lot 29 in Concession 10;

(*h*) all of those parts of lots 27 and 28 in Concession 9 lying south and west of the centre of the Kapuskasing River and all of Lot 29 in Concession 9;

(*i*) all that part of Lot 27 in Concession 8 lying west of the centre of the Kapuskasing River and all of lots 28 and 29 in Concession 8; and

(*j*) all those parts of Lots 27 and 28 in Concession 7 lying northwest of the centre of the Kapuskasing River and all that part of Lot 29 in Concession 7 lying north of the centre of the Kapuskasing River. O. Reg. 251/65, Sched. 2.

REGULATION 670

under The Planning Act

RESTRICTED AREAS—REGIONAL MUNICIPALITY OF OTTAWA-CARLETON

TOWNSHIP OF FITZROY

1. All lands in the Township of Fitzroy, in The Regional Municipabily of Ottawa-Carleton, more particularly described in the Schedule, are designated as areas of subdivision control under clause *b* of subsection 1 of section 32 of the Act. O. Reg. 261/69, s. 1.

2. Plan No. 82 registered in the Registry Office for the County of Carleton on the 8th day of March, 1878 is designated as a plan of subdivision which shall be deemed not to be a registered plan of subdivision for the purposes of subsection 2 of section 29 of the Act. O. Reg. 376/69, s. 2.

Schedule

ALL AND SINGULAR those certain parcels or tracts of land and premises situate, lying and being in the Township of Fitzroy, in The Regional Municipality of Ottawa-Carleton, and being composed of:

Lots 1 to 27, both inclusive, in Concessions I, II, III, IV, V, VI and VII;

Lots 1 to 26, both inclusive, in Concession VIII;

Lots 1 to 24, both inclusive, in Concession IX;

Lots 1 to 27, both inclusive, in Concessions X, XI and XII;

Lots A, B, C, D, E and F in the Gore on Lake Chaudiere;

all Water Lots in the Township;

all islands in the Township; and

Plan No. 82 registered in the Registry Office for the County of Carleton on the 8th day of March, 1878.

O. Reg. 261/69, Sched. O. Reg. 376/69, s. 1.

REGULATION 671

under The Planning Act

RESTRICTED AREAS—DISTRICT OF TIMISKAMING

TECK TOWNSHIP

1. All lands in the Territorial District of Timiskaming described in the Schedule are designated as areas of subdivision control under clause *b* of subsection 1 of section 32 of the Act. O. Reg. 153/62, s. 1.

2. Registered Plan M-114, District of Timiskaming, is designated as a plan of subdivision which shall be deemed not to be a registered plan of subdivision for the purposes of subsection 2 of section 29 of the Act. O. Reg. 8/64, s. 1.

3. In this Order,

(*a*) "accessory building" means a detached, subordinate building located on the same building lot as the main building;

(*b*) "building lot" means the land appropriated for the exclusive use of one main building, with or without accessory buildings, or, in the case of industrial, mining, agricultural, forestry, summer camp, or tourist establishment operations, for the exclusive use of a group of related buildings. O. Reg. 153/62, s. 2.

4. No land in the Territorial District of Timiskaming described in the Schedule shall be used for residential purposes, but this section shall not prevent,

(*a*) the use, by an owner or operator, of residential accommodation in conjunction with the operation or carrying on of a business or industry;

(*b*) the use, by supervisory and maintenance personnel and employees of mining, forestry and agricultural operations who by the nature of their responsibilities must necessarily be located at the site of the operations, of residential accommodation located at the site of and on land owned or held under lease or licence of occupation by any of such mining, forestry or agricultural operations;

(*c*) the use of summer cottages or summer camps during such periods of the year as summer cottages or summer camps are customarily used; or

(*d*) the operation of a tourist establishment as defined in *The Department of Tourism and Information Act*. O. Reg. 153/62, s. 3.

5. Not more than one residence, with or without accessory buildings, shall be erected or located on any building lot. O. Reg. 153/62, s. 4.

6. No accessory building shall be used for human habitation. O. Reg. 153/62, s. 5.

7. No building lot having an area of less than one acre, and less than 200 feet in width, shall be used for any purpose. O. Reg. 153/62, s. 6.

8. No building or structure shall be erected or located within twenty-five feet of any lot line, or boundary of the area appropriated to a building, except for building lines abutting a highway or road under the jurisdiction of the Department of Highways in which case the requirements of that Department shall prevail. O. Reg. 153/62, s. 7.

9. Notwithstanding any other provision contained in this Order, lots 43 to 46, both inclusive, 92 to 97, both inclusive, 120 to 138, both inclusive, 150 to 170, both inclusive, 208 to 241, both inclusive, 269 to 306, both inclusive, 313 to 420, both inclusive, 432, 439 to 464, both inclusive, 476 to 484, both inclusive, and 537 to 540, both inclusive, all according to Registered Plan M-114, District of Timiskaming, may be used for residential purposes if,

(*a*) any building lot so used has an area of at least 9,000 square feet; and

(*b*) residential buildings are located not less than 10 feet from the side line or rear line of any building lot and not less than fifteen feet from any other building. O. Reg. 8/64, s. 1.

10. This Order does not apply to prevent the use of any land, building or structure for any purpose prohibited thereby if such land, building or structure was lawfully used for such purposes on the 19th day of June, 1962, so long as it continues to be used for that purpose. O. Reg. 153/62, s. 8, *amended*.

Schedule

In the Territorial District of Timiskaming, and being composed of the following:

1. Improvement District of Gauthier.
2. Geographic Township of Boston.
3. Township of Chamberlain.
4. Township of Dack.
5. Township of Evanturel.
6. Geographic Township of Lebel.
7. Geographic Township of Marquis.
8. Geographic Township of Marter.
9. Geographic Township of McElroy.
10. Geographic Township of Otto.
11. Geographic Township of Pacaud.
12. Town of Charlton. O. Reg. 153/62, Sched.

REGULATION 672

under The Planning Act

RULES OF PROCEDURE

1. Where a committee of adjustment has rules of procedure approved by the Minister on or before the 26th day of June, 1970, such rules of procedure shall continue to be the rules of procedure for such committee of adjustment. O. Reg. 287/70, s. 1.

REGULATION 673

under The Planning Act

SUBDIVISION CONTROL

1. Plan No. 38, registered in the Registry Office for the County of Hastings on September 22, 1853, is designated as a plan of subdivision which shall be deemed not to be a registered plan of subdivision for the purposes of subsection 2 of section 29 of the Act. O. Reg. 366/70, s. 1.

REGULATION 674

under The Planning Act

ZONING ORDER—COUNTY OF ESSEX, TOWNSHIP OF TILBURY NORTH

1. In this Order,

(*a*) "accessory", when used to describe a use, building or structure means a use, building or structure normally incidental or subordinate to the principal use, building or structure located on the same lot and includes the erection of permanent dwellings and other auxiliary buildings necessary for the operation of the principal use;

(*b*) "agricultural use" means a use of land, buildings or structures for the purpose of forestry, field crops, fruit farming, market gardening, dairying, animal husbandry, poultry or beekeeping, and such uses as are customarily and normally related to agriculture;

(*c*) "dwelling unit" means one or more habitable rooms designed for use by, and occupied by, not more than one family and in which separate kitchen and sanitary facilities are provided for the exclusive use of such family, with a private entrance from outside the building or from a common hallway or stairway inside the building;

(*d*) "front yard" means a yard extending across the full width of a lot on which a building is situated, and extending from the front lot line to the main wall of the building for which such front yard is required that is nearest to the front lot line;

(*e*) "frontage" means the width of a lot measured along a line 20 feet back from the street and parallel to the lot line abutting the street;

(*f*) "home occupation" means any occupation for gain or support conducted entirely within the dwelling by members of the family residing in the dwelling, provided that,

(i) there is no external display or advertising other than a sign having a total display area not exceeding 2 square feet,

(ii) there is no external storage of goods or materials, and not more than 25 per cent of the total floor area is used for home occupation use; and

(iii) there are no persons employed in the dwelling except,

(a) the members of the family residing in the dwelling, or

(b) in the case of a dentist, physician or veterinarian, a staff of one person;

(*g*) "lot" means a parcel of land, described in a deed or other document legally capable of conveying land, or shown as a lot or block on a registered plan of subdivision or part thereof, and includes any parts of such parcel that are within a right of way or easement;

(*h*) "lot coverage" means the percentage of the lot area covered by the ground floor area of all buildings situate on the lot;

(*i*) "rear yard" means a yard extending across the full width of a lot on which a building is situate, and extending from the rear lot line to the main wall of the building for which such rear yard is required that is nearest to the rear lot line;

(*j*) "side yard" means a yard extending from the front yard to the rear yard and from the side lot line to the main wall of the building for which such side yard is required that is nearest to the side lot line;

(*k*) "single-family dwelling" means a separate building containing only one dwelling unit but it does not include a cottage;

(*l*) "street" means a public highway that is a principal means of access to abutting lots, that is under the jurisdiction of the Province of Ontario or the County of Essex or the Township of Tilbury North; and

(*m*) "yard" means a space open from the ground to the sky on the same lot with a building, unoccupied except for accessory buildings as are specifically permitted in this Order. O. Reg. 127/70, s. 1.

APPLICATION

2. This Order applies to Plans 1620 and 1624 for the Township of Tilbury North in the County of Essex. O. Reg. 127/70, s. 2.

PART I

GENERAL

3. No land shall hereafter be used and no building or structure shall hereafter be erected or used except in accordance with the terms of this Order, but nothing in this Order prevents the use of any land, building or structure for a purpose prohibited by this Order if such land, building or structure was lawfully used for such purpose on the 18th day of March, 1970, or prevents the erection or use of any building or structure the plans for which have, prior to the 18th day of March, 1970, been approved by the Township of Tilbury North. O. Reg. 127/70, s. 3, *amended*.

PUBLIC SERVICES AND UTILITIES

4. Notwithstanding anything contained in this Order,

(*a*) the Township of Tilbury North, or any local board thereof, as defined in *The Department of Municipal Affairs Act*;

(*b*) any underground distribution system, or any transportation system, owned or operated by or for the Township;

(*c*) any department or agency of the Government of Canada or Ontario; and

(*d*) any other public utility,

may, for the purpose of providing a service to the public, use land and erect any building or structure, notwithstanding that the building, structure or use does not conform with the provisions of this Order. O. Reg. 127/70, s. 4.

REBUILDING AND REPAIRS

5.—(1) Nothing in this Order prevents the reconstruction of any building or structure that is damaged by causes beyond the control of the owner subsequent to the 18th day of March, 1970, provided that the dimensions of the original building or structure are not increased or its original use altered.

(2) Nothing in this Order prevents the strengthening or restoration to a safe condition of any building or structure or any part of any such building or structure. O. Reg. 127/70, s. 5, *amended*.

BUILDINGS TO FRONT ON STREET

6. No person shall erect any building or structure in the lands to which this Order applies unless the lot upon which such building or structure is to be erected fronts upon a street. O. Reg. 127/70, s. 6.

TEMPORARY USES

7. A tool shed, scaffold, or other building or structure, incidental to construction on the lot where it is situate may be maintained on such lot where construction work is in progress for as long as is necessary for such work but this section ceases to apply where there is completion or abandonment of such work. O. Reg. 127/70, s. 7.

EXISTING BUILDINGS ON LOTS WITH INADEQUATE LOT REQUIREMENTS

8. Where a building has been erected prior to the 18th day of March, 1970 upon a lot with less than the minimum lot frontage or area required by this Order, the building may be enlarged provided that there is compliance with all other applicable provisions of this Order. O. Reg. 127/70, s. 8, *amended*.

HEIGHT RESTRICTIONS

9. Nothing in this Order limits the height of a church spire, belfry, flagpole, clock tower, chimney, water tank, radio or television antenna, grain elevator, barn or silo. O. Reg. 127/70, s. 9.

BUILDING ACCESSORY TO SINGLE-FAMILY DWELLINGS AND SINGLE-FAMILY DETACHED COTTAGES

10. Notwithstanding any other provision of this Order, the minimum side and rear yards for a building accessory to a single-family dwelling or a single-family detached cottage permitted by the Order is 4 feet. O. Reg. 127/70, s. 10.

ACCESSORY BUILDINGS ADJOINING NAVIGABLE WATER

11. Where a lot abuts navigable water, the extensions or enlargements of accessory buildings existing on the 18th day of March, 1970 may be erected up to those portions of the lot boundary that so abut. O. Reg. 127/70, s. 11, *amended*.

REMOVAL OF BUILDINGS

12. No building shall be moved onto any lot in the lands to which this Order applies unless its erection and use is permitted by this Order. O. Reg. 127/70, s. 12.

PART II

PERMITTED USES

13. Every use of land and every erection or use of buildings or structures to which this Order applies are prohibited except,

(*a*) agricultural uses, and buildings and structures accessory thereto but not including dwellings;

(*b*) single-family dwellings and buildings accessory thereto existing on the 18th day of March, 1970;

(*c*) single-family detached cottages not used for permanent residency and uses and buildings and structures accessory thereto existing on the 18th day of March, 1970;

(*d*) golf courses and buildings accessory thereto and golf driving ranges;

(*e*) open air recreational uses;

(*f*) home occupation uses;

(*g*) schools, churches, Sunday schools or parish halls; and

(*h*) moorings for boats together with auxiliary launching ramps and parking areas. O. Reg. 127/70, s. 13, *amended*.

14. Requirements for agricultural uses and buildings and structures accessory thereto are established as follows:

Minimum side and rear yards	25 feet, providing that where a farm building or structure abuts a neighbouring residential use the farm building shall be set back a minimum of 100 feet.

O. Reg. 127/70, s. 14.

15. Requirements for extensions or enlargements of single-family detached cottages not used for permanent residency and uses, and buildings and structures accessory thereto existing on the 18th day of March, 1970 are established as follows:

	Where Municipal Water and Sanitary Sewers are not provided:	Where Municipal Water only is provided:
Minimum lot area	15,000 square feet	7,500 square feet
Minimum lot frontage	100 feet	50 feet
Maximum lot coverage	15 per cent	30 per cent
Maximum height	30 feet	30 feet
Minimum front yard	42 feet	42 feet
Minimum side yard	10 feet on one side and 4 feet on the other	10 feet on one side and 4 feet on the other

O. Reg. 127/70, s. 15, *amended*.

16. Requirements for extensions or enlargements of single-family detached dwellings and buildings and structures accessory thereto existing on the 18th day of March, 1970 are established as follows:

	Where Municipal Water and Sanitary Sewers are not provided:	Where Municipal Water only is provided:
Minimum lot area	15,000 square feet	7,500 square feet
Minimum lot frontage	100 feet	50 feet
Maximum lot coverage	15 per cent	30 per cent
Maximum height	30 feet	30 feet
Minimum front yard	42 feet	42 feet
Minimum side yard	10 feet on one side and 4 feet on the other	10 feet on one side and 4 feet on the other

O. Reg. 127/70, s. 16, *amended*.

17.—(1) Requirements for schools, churches, Sunday schools and parish halls are established as follows:

	Where Municipal Water and Sanitary Sewers are not provided:	Where Municipal Water only is provided:
Minimum lot area	30,000 square feet	15,000 square feet
Minimum lot width	200 feet	100 feet
Maximum lot coverage	25 per cent	50 per cent
Minimum front yard	42 feet	42 feet
Minimum side yards	one-half height of building	one-half height of building
Maximum height	30 feet	30 feet

(2) Where a lot containing any of the above structures or uses abuts a lot containing a single-family dwelling there shall be an additional side yard and rear yard of ten (10) feet each on the lot so abutting and this additional side yard and rear yard shall be used for no purpose other than landscaping. O. Reg. 127/70, s. 17.

18. Notwithstanding anything contained in this Order, the following uses are prohibited in the lands covered by this Order namely:

(*a*) racing of motor vehicles and motor cycles and the operation of go-carts; and

(*b*) storing of disused railroad cars, street car bodies, truck bodies, or trailers without wheels. O. Reg. 127/70, s. 18.

19.—(1) Notwithstanding any other provision of this Order, the lands described in schedules 1, 2, 3, 4 and 5 may be used for the erection of one single-family detached cottage or one single-family dwelling and structures accessory thereto provided the following requirements are met:

Minimum lot area	15,000 square feet
Minimum lot frontage	100 feet
Maximum lot coverage	15 per cent
Maximum height	30 feet
Minimum front yard	42 feet
Minimum side yard	10 feet on one side and 4 feet on the other
Minimum rear yard	50 feet
Minimum elevation	No building intended for human habitation shall be designed, constructed or located in such a way as to permit the entry of flood waters below the level of 581.0 feet, Canadian Geodetic Datum.

(2) For the purposes of this section, where a garage is attached to and forms part of a building, the garage portion only shall not be regarded as a building intended for human habitation. O. Reg. 445/70, s. 1.

20.—(1) Notwithstanding any other provision of this Order, the lands described in Schedule 6 may be used for the erection of one single-family detached cottage or one single-family dwelling and structures accessory thereto provided the following requirements are met:

Minimum lot area	15,000 square feet
Minimum lot frontage	100 feet
Maximum lot coverage	15 per cent
Maximum height	30 feet
Minimum front yard	42 feet
Minimum side yard	10 feet on one side and 4 feet on the other
Minimum rear yard	50 feet
Minimum elevation	No building intended for human habitation shall be designed, constructed or located in such a way as to permit the entry of flood waters below the level of 581.0 feet, Canadian Geodetic Datum. O. Reg. 520/70, s. 1.

(2) For the purpose of this section, where a garage is attached to and forms part of a building, the garage portion only shall not be regarded as a building intended for human habitation. O. Reg. 520/70, s. 1.

Schedule 1

All and singular that certain parcel or tract of land and premises situate, lying and being in the Township of Tilbury North in the County of Essex and being composed of lots 129 and 130 according to Plan 1620. O. Reg. 445/70, s. 2, *revised*.

Schedule 2

All and singular that certain parcel or tract of land and premises situate, lying and being in the Township of Tilbury North in the County of Essex and being composed of the northerly 30 feet in perpendicular width throughout from front to rear of Lot 312, the whole of Lot 313 and the southerly 20 feet in perpendicular width from front to rear of Lot 314, according to Plan 1620. O. Reg. 445/70, s. 2, *revised*.

Schedule 3

All and singular that certain parcel or tract of land and premises situate, lying and being in the Township of Tilbury North in the County of Essex and being composed of lots 574 and 575 according to Plan 1620. O. Reg. 445/70, s. 2, *revised*.

Schedule 4

All and singular that certain parcel or tract of land and premises situate, lying and being in the Township of Tilbury North in the County of Essex and being composed of lots 1 to 172, both inclusive, according to Plan 1624. O. Reg. 445/70, s. 2, *revised*.

Schedule 5

All and singular that certain parcel or tract of land and premises situate, lying and being in the Township of Tilbury North in the County of Essex and being composed of the northerly 10 feet in perpendicular width throughout from front to rear of Lot 382, the whole of Lot 383, the whole of Lot 384 and the southerly 10 feet in perpendicular width from front to rear of Lot 385, according to Plan 1620. O. Reg. 445/70, s. 2, *revised*.

Schedule 6

All and singular that certain parcel or tract of land and premises situate, lying and being in the Township of Tilbury North in the County of Essex and being composed of the northerly 20 feet in perpendicular width throughout from front to rear of Lot 245, the whole of Lot 246, and the whole of Lot 247 according to Plan 1620. O. Reg. 520/70, s. 2, *revised*.

REGULATION 675

under The Planning Act

ZONING ORDER—COUNTY OF SIMCOE, TOWNSHIP OF NOTTAWASAGA

1. In this Order,

(*a*) "accessory", when used to describe a use, building or structure, means a use, building or structure normally incidental or subordinate to the principal use, building or structure located on the same lot and includes the erection of permanent dwellings and other auxiliary buildings necessary for the operation of the principal use;

(*b*) "agricultural use" means a use of land, buildings or structures for the purpose of forestry, field crops, fruit farming, market gardening, dairying, animal husbandry, poultry or beekeeping, and such uses as are customarily and normally related to agriculture;

(*c*) "automobile service station" means a place where,

(i) gasoline and oil are kept for retail sale and sold by retail,

(ii) only minor and emergency repairs and services may be performed, and

(iii) grease, anti-freeze, tires, spark plugs and other automobile parts may be sold as incidental to the above operations;

(*d*) "dwelling unit" means one or more habitable rooms designed for use by, and occupied by, not more than one family and in which separate kitchen and sanitary facilities are provided for the exclusive use of such family, with a private entrance from outside the building or from a common hallway or stairway inside the building;

(*e*) "floor area" means the total area of all floors contained within the outside walls of a building, excluding in the case of a dwelling, the floor area of a private garage, porch, verandah, unfinished attic, basement or cellar;

(*f*) "front yard" means a yard extending across the full width of a lot on which a building is situate, and extending from the front lot line to the main wall of the building for which such front yard is required that is nearest to the front lot line;

(*g*) "frontage" means the width of a lot measured along a line 20 feet back from the street and parallel to the lot line abutting the street;

(*h*) "home occupation" means any occupation for gain or support conducted entirely within a dwelling by members of the family residing in the dwelling, provided that,

(i) there is no external display or advertising other than a sign having a total display area not exceeding 2 square feet,

(ii) there is no external storage of goods or materials, and not more than 25 per cent of the total floor area is used for the home occupation use, and

(iii) there are no persons employed in the dwelling except,

a. the members of the family residing in the dwelling, or

b. in the case of a dentist, physician or veterinarian, a staff of one person;

(*i*) "lot" means a parcel of land, described in a deed or other document legally capable of conveying land, or shown as a lot or block on a registered plan of subdivision or part thereof, and includes any parts of such parcel that are within a right of way or easement;

(*j*) "lot coverage" means the percentage of the lot area covered by the ground floor area of all buildings situate on the lot;

(*k*) "parking space" means off-street land available for the parking of one motor vehicle and having an area of not less than 200 square feet exclusive of passageways and driveways appurtenant thereto, and giving access thereto, and having vehicular access to a street;

(*l*) "public garage" means a building or place where motor vehicles may be repaired, serviced or worked upon, where vehicles may be kept for hire, and where gasoline and oils may be stored or sold by retail;

(*m*) "rear yard" means a yard extending across the full width of a lot on which a building is situate, and extending from the rear lot line to the main wall of the building for which such rear yard is required that is nearest to the rear lot line;

(*n*) "service shop" means a building or part of a building, either in conjunction with a retail store or otherwise, where services are provided such as barber shops and hairdressing salons or where facilities are provided for the repair or servicing of goods, commodities, articles or materials, but not the manufacture thereof;

(*o*) "side yard" means a yard extending from the front yard to the rear yard and from the side lot line to the main wall of the building for which such side yard is required that is nearest to the side lot line;

(*p*) "single-family dwelling" means a separate building containing only one dwelling unit;

(*q*) "street" means a public highway that is a principal means of access to abutting lots, that is under the jurisdiction of the Province of Ontario or the County of Simcoe or the Township of Nottawasaga, or is a road within a registered plan of subdivision, or is a road the maintenance of which has been assumed by the township;

(*r*) "yard" means a space open from the ground to the sky on the lot on which a building is situate unoccupied except for such accessory buildings as are specifically permitted in this Order. O. Reg. 81/70, s. 1.

APPLICATION

2. This Order applies to all the lands in the Township of Nottawasaga in the County of Simcoe. O. Reg. 81/70, s. 2.

PART I

GENERAL

3. No land shall hereafter be used and no building or structure shall hereafter be erected or used except in accordance with the terms of this Order, but nothing in this Order prevents the use of any land, building or structure for a purpose prohibited by this Order if such land, building or structure was lawfully used for such purpose on the 20th day of February, 1970, or prevents the erection or use of any building or structure the plans for which were approved by the Township of Nottawasaga prior to the 20th day of February, 1970. O. Reg. 81/70, s. 3. *amended*.

CLASSIFICATION OF ZONES

4.—(1) For the purposes of this Order, the Township of Nottawasaga is hereby divided into a Rural Zone, a Hamlet Zone, a Cottage Zone 1 and a Cottage Zone 2.

(2) All of the lands within the Township of Nottawasaga are included within the Rural Zone except the following lands:

1. Those lands included within the Hamlet Zone and being composed of parts of lots 4, 5 and 6 in concessions II and III; parts of lots 5, 6, 7, 16, 24, 25, 35, 36 and 37 in Concession VIII; and parts of lots 5, 6, 7, 24, 25, 35, 36 and 37 in Concession IX, all as shown on maps filed in the office of the Registrar of Regulations at Toronto as Nos. 1171, 1172, 1173, 1174 and 1175.

2. Those lands included within Cottage Zone 1 and being composed of part of Lot 34 in Concession I; part of Lot 34 in Concession II; parts of lots 34 and 35 in Concession III; and part of Lot 35 in Concession IV, all as shown on maps filed in the office of the Registrar of Regulations at Toronto as Nos. 1176, 1177, 1178 and 1179.

3. Those lands included within Cottage Zone 2 and being composed of parts of Lot 35 in concessions III and IV, all as shown on the said map No. 1176. O. Reg. 81/70, s. 4.

ZONE BOUNDARIES

5. Zone boundaries coincide with lot lines, street lines, railway rights of way or boundaries of registered plans, and where uncertainty exists as to the boundary of any zone the location of such boundary shall be determined in accordance with the dimensions shown on the scale of the maps referred to in section 4. O. Reg. 81/70, s. 5.

PUBLIC SERVICES AND UTILITIES

6. Notwithstanding anything contained in this Order,

(*a*) the Township of Nottawasaga, or any local board thereof, as defined in *The Department of Municipal Affairs Act*;

(*b*) any underground distribution system, or any transportation system, owned or operated by or for the Township;

(*c*) any department or agency of the Government of Canada or Ontario; and

(*d*) any other public utility,

may, for the purpose of providing a service to the public, use land and erect any building or structure in any zone, notwithstanding that the building, structure or use does not conform with the provisions of this Order in respect of such zone, but in the Hamlet Zone there shall be no exterior storage in yards of goods, materials or equipment. O. Reg. 81/70, s. 6.

REBUILDING AND REPAIRS

7.—(1) Nothing in this Order prevents the reconstruction of any building or structure that is damaged by causes beyond the control of the owner, provided that the dimensions of the original building or structure are not increased or its original use altered.

(2) Nothing in this Order prevents the strengthening or restoration to a safe condition of any building or structure or part of any such building or structure. O. Reg. 81/70, s. 7, *amended*.

BUILDINGS TO FRONT ON STREET

8. No person shall erect any building or structure in any zone unless the lot upon which such building or structure is to be erected fronts upon a street. O. Reg. 81/70, s. 8.

ONE SINGLE-FAMILY DWELLING PER LOT

9. No more than one single-family dwelling shall be erected on any one lot, but this section does not prohibit the erection of accessory buildings as temporary living accommodation for agricultural workers. O. Reg. 81/70, s. 9.

BUILDING LINE

10. No building or any part thereof in any zone shall be erected or extended nearer to the centre line of any street than in accordance with the following:

Provincial highways	100 feet
County roads	78 feet
Township roads and other roads or streets	60 feet

O. Reg. 81/70, s. 10.

11. Notwithstanding the provisions of this Order relating to setbacks, a building may be erected on any lot in the Hamlet Zone that lies between two existing buildings that are not more than 200 feet apart if its setback is not less than the average setbacks of the two adjacent buildings. O. Reg. 81/70, s. 11.

TEMPORARY USES

12. A tool shed, scaffold, or other building or structure incidental to construction on the lot where it is situate may be maintained on such lot where construction work is in progress for as long as is necessary for such work but this section ceases to apply where there is an abandonment or completion of such work. O. Reg. 81/70, s. 12.

EXISTING BUILDINGS ON LOTS WITH INADEQUATE LOT REQUIREMENTS

13. Where a building has been erected prior to the 20th day of Feburary, 1970, upon a lot with less than the minimum lot frontage or area required by this Order, the building may be enlarged provided that there is compliance with all other applicable provisions of this Order. O. Reg. 81/70, s. 13, *amended*.

HEIGHT RESTRICTIONS

14. Nothing in this Order limits the height of a church spire, belfry, flagpole, clock tower, chimney, water tank, radio or television antenna, grain elevator, barn or silo. O. Reg. 81/70, s. 14.

OFF-STREET PARKING

15. No building listed in column 1 of the Table shall be erected unless a minimum number of parking spaces are provided in accordance with the requirements set opposite thereto in column 2.

Table

Column 1	Column 2
Single-Family dwelling	One parking space or one garage or carport per dwelling unit.
Churches, restaurants, arenas, halls, private clubs and places of assembly	One parking space for every 5 seats or 10 feet of bench space. Where there are no fixed seats, one parking space for each 100 square feet of floor area devoted to public use.
Hospitals, nursing homes	One parking space for each 2 beds or each 400 square feet of floor area, whichever is the greater.
Offices or other commercial uses	One parking space for each 300 square feet of total floor area.

O. Reg. 81/70, s. 15.

BUILDING ACCESSORY TO SINGLE-FAMILY DWELLING AND SINGLE-FAMILY DETACHED COTTAGE

16. Notwithstanding any other provision of this Order, the minimum side and rear yards for a building accessory to a single-family dwelling or a single-family detached cottage permitted by this Order is 4 feet. O. Reg. 81/70, s. 16.

HOME OCCUPATION USES

17. Nothing in this Order prevents the carrying on of home occupation uses in a single-family dwelling that is situate in any zone in compliance with the provisions of this Order. O. Reg. 81/70, s. 17.

PART II

18. This Part applies to the Rural Zone. O. Reg. 81/70, s. 18.

PERMITTED USES

19. Every use of land and every erection or use of buildings or structures within the Rural Zone is prohibited except,

(*a*) agricultural uses, and buildings and structures accessory thereto, including one single-family dwelling used in connection with agricultural operations;

(*b*) single-family dwellings and buildings accessory thereto existing on the 20th day of February, 1970;

(*c*) single-family detached cottages and uses and buildings and structures accessory thereto existing on the 20th day of February, 1970; and

(*d*) golf courses and buildings accessory thereto and golf driving ranges. O. Reg. 81/70, s. 19, *amended*.

20. Requirements for agricultural uses and buildings and structures accessory thereto, including one single-family dwelling used in connection with the agricultural operation, are established as follows:

Minimum lot area	25 acres
Minimum lot frontage	600 feet
Minimum front, side and rear yards	25 feet, providing that where a farm building or structure abuts a neighbouring residential use the farm building shall be set back a minimum of 100 feet
Minimum ground floor area for dwellings	one storey—1000 square feet one and one-half storeys or more—750 square feet

O. Reg. 81/70, s. 20.

21. Requirements for extensions or enlargements of single-family dwellings and buildings accessory thereto existing on the 20th day of February, 1970, are established as follows:

Minimum front yard	25 feet
Minimum side yard	10 feet on one side and 4 feet on the other side
Minimum rear yard	25 feet

O. Reg. 81/70, s. 21, *amended*.

22. Requirements for extensions or enlargements of single-family detached cottages and uses and buildings and structures accessory thereto existing on the 20th day of February, 1970 are established as follows:

Minimum front yard	25 feet
Minimum side yard	10 feet on one side and 4 feet on the other side
Minimum rear yard	25 feet

O. Reg. 81/67, s. 22, *amended*.

23. Where a lot abuts navigable water, accessory buildings may be erected up to those portions of the lot boundary that so abut. O. Reg. 81/67, s. 23.

24. Requirements for buildings erected in connection with golf courses and golf driving ranges are established as follows:

Maximum coverage	5 per cent
Minimum front, side and rear yards	25 feet
Minimum ground floor area for an accessory dwelling	one storey—1000 square feet one and one-half storeys or more—750 square feet

O. Reg. 81/67, s. 24.

PART III

25. This Part applies to the Hamlet Zone. O. Reg. 81/67, s. 25.

PERMITTED USES

26. Every use of land and every erection or use of buildings or structures within the Hamlet Zone is prohibited except,

(*a*) single-family dwellings and uses and buildings accessory thereto;

(*b*) automobile service stations and public garages;

(*c*) dwelling units above retail stores or service shops;

(*d*) nursery schools;

(*e*) retail stores with a maximum floor area of 2500 square feet;

(*f*) service shops with a maximum floor area of 2500 square feet;

(*g*) offices with a maximum floor area of,

(i) 2500 square feet in separate buildings, and

(ii) 1000 square feet in part of a building containing another permitted use;

(*h*) funeral homes;

(*i*) churches;

(*j*) agricultural uses but not including the erection or construction of buildings in connection therewith; and

(*k*) public parks or playgrounds and uses accessory thereto. O. Reg. 81/67, s. 26.

27. Requirements for single-family detached dwellings and uses and buildings accessory thereto are established as follows:

	Where Municipal Water and Sanitary Sewers are not provided:	Where Municipal Water only is provided:
Minimum lot area	15,000 square feet	7,500 square feet
Minimum lot frontage	100 feet	75 feet
Maximum lot coverage	15 per cent	30 per cent
Minimum front yard	25 feet	25 feet
Minimum side yard	10 feet on one side and 4 feet on the other side	10 feet on one side and 4 feet on the other side
Minimum rear yard	25 feet	25 feet
Maximum height	30 feet	30 feet
Minimum ground floor area	one storey—1000 square feet one and one-half storeys or more—750 square feet	one storey—1000 square feet one and one-half storeys or more —750 square feet

O. Reg. 81/67, s. 27.

28.—(1) Requirements for automobile service stations and public garages are established as follows:

Minimum lot frontage	125 feet
Minimum lot area	15,000 square feet
Maximum lot coverage	20 per cent
Minimum front yard	30 feet
Minimum side and rear yards	25 feet

(2) Notwithstanding the front yard requirements established in subsection 1, gasoline pumps may be located in the front yard but not within 20 feet of the front lot line.

(3) Where a service station or public garage abuts a lot upon which a single-family dwelling is erected, an additional 10 feet shall be provided in the rear and side yards that so abut, and this additional land shall be used for no purpose other than landscaping. O. Reg. 81/70, s. 28.

29.—(1) Requirements for nursery schools, retail stores, service shops, offices, funeral homes and churches are established as follows:

	Where Municipal Water and Sanitary Sewers are not provided:	Where Municipal Water only is provided:
Minimum lot area	15,000 square feet	7,500 square feet
Minimum lot width	100 feet	75 feet
Maximum lot coverage	25 per cent	50 per cent
Minimum side yards	½ height of building	½ height of building
Minimum rear yard	25 feet	25 feet
Maximum height	30 feet	30 feet

(2) Where land to which subsection 1 applies abuts a lot upon which a single-family dwelling is erected, an additional 10 feet shall be provided in the side and rear yards that so abut, and this additional land shall be used for no purpose other than landscaping. O. Reg. 81/70, s. 29.

30. Requirements for dwelling units above retail stores or service shops are established as follows:

1. Not more than two dwelling units per store or shop.

2. Where dwelling units are located above a retail store or service shop the minimum lot area as required in subsection 1 of section 29 shall be increased by,

   (*a*) 5,000 square feet where neither sanitary sewers nor municipal water are available; or

   (*b*) 2,500 square feet where municipal water only is available. O. Reg. 81/70, s. 30.

31. Agricultural buildings existing on the 20th day of February, 1970 may be extended or enlarged subject to the yard requirements established for agricultural buildings in the Rural Zone. O. Reg. 81/70, s. 31, *amended*.

EXISTING UNDERSIZED LOTS

32. Notwithstanding anything in this Order, a vacant lot in the Hamlet Zone held in separate ownership from adjoining parcels on the 20th day of February, 1970, and having less than the minimum lot frontage or area, or both, required by this Order may be used for a purpose permited in the Hamlet Zone provided all other applicable provisions of this Order are complied with. O. Reg. 81/70, s. 32, *amended*.

PART IV

33. This Part applies to Cottage Zone 1. O. Reg. 81/70, s. 33.

PERMITTED USES

34. Every use of land and every erection or use of buildings or structures within Cottage Zone 1 are prohibited except,

(*a*) single-family detached cottages and buildings accessory thereto;

(*b*) public parks, playgrounds and uses accessory thereto; and

(*c*) agricultural uses existing on the 20th day of February, 1970. O. Reg. 81/70, s. 34.

35..—(1) Requirements for single-family detached cottages and uses and buildings accessory thereto are established as follows:

	Where Municipal Water and Sanitary Sewers are not provided:	Where Municipal Water only is provided:
Minimum lot area	15,000 square feet	7,500 square feet
Minimum lot frontage	100 feet	75 feet
Maximum lot coverage	15 per cent	30 per cent
Minimum front yard	25 feet	25 feet
Minimum side yard	10 feet on one side and 4 feet on the other side	10 feet on one side and 4 feet on the other side
Minimum rear yard	25 feet	25 feet

(2) Where the lot abuts navigable water, buildings may be erected up to those portions of the lot boundary that so abut. O. Reg. 81/70, s. 35.

PART V

36. This Part applies to Cottage Zone 2. O. Reg. 81/70, s. 36.

PERMITTED USES

37. Every use of land and every erection or use of buildings or structures within Cottage Zone 2 are prohibited except,

(*a*) single-family detached cottages and buildings accessory thereto existing on the 20th day of Feburary, 1970;

(*b*) public parks, playgrounds and uses accessory thereto; and

(*c*) single-family detached cottages and accessory buildings that may be erected on vacant lots bounded on both sides by existing single-family detached cottages, the lots of which are not more than 200 feet apart where neither municipal water nor sanitary sewers are provided, or 300 feet apart where municipal water only is provided. O. Reg. 81/70, s. 37, *amended*.

38. Single-family detached cottages and uses and buildings accessory thereto existing on the 20th day of February, 1970 may be extended or enlarged subject to the following requirements:

	Where Municipal Water and Sanitary Sewers are not provided:	Where Municipal Water only is provided:
Minimum front yard	25 feet	25 feet
Minimum side yard	10 feet on one side and 4 feet on the other side	10 feet on one side and 4 feet on the other side
Minimum rear yard	25 feet	25 feet

O. Reg. 81/70, s. 38, *amended*.

39. Requirements for single-family detached cottages and uses and buildings accessory thereto permitted under clause *c* of section 37 are established as follows:

	Where Municipal Water and Sanitary Sewers are not provided:	Where Municipal Water only is provided:
Minimum lot area	15,000 square feet	7,500 square feet
Minimum lot frontage	100 feet	75 feet
Maximum lot coverage	15 per cent	30 per cent
Minimum front yard	25 feet	25 feet
Minimum side yard	10 feet on one side and 4 feet on the other side	10 feet on one side and 4 feet on the other side
Minimum rear yard	25 feet	25 feet

O. Reg. 81/70, s. 39.

PART VI

MISCELLANEOUS

40. Notwithstanding the other provisions of this Order, the lands described in Schedule 1 may be used for the erection of one single-family dwelling and buildings and structures accessory thereto provided the following requirements are met:

Maximum lot coverage	15 per cent
Minimum front yard	25 feet
Minimum side yard	10 feet on one side and 4 feet on the other side
Minimum rear yard	25 feet
Maximum height	30 feet
Minimum ground floor area	one-storey—1,000 square feet one and one-half stories or more—750 square feet

O. Reg. 259/70, s. 1.

41. Notwithstanding the other provisions of this Order, the lands described in Schedule 2 may be used for the erection of one additional single-family dwelling and buildings and structures accessory thereto provided the following requirements are met:

Maximum lot coverage	15 per cent
Minimum front yard	25 feet
Minimum side yard	10 feet on one side and 4 feet on the other side
Minimum rear yard	25 feet
Maximum height	30 feet
Minimum ground floor area	one-storey—1,000 square feet one and one-half stories or more—750 square feet.

O. Reg. 313/70, s. 1.

42. Notwithstanding the other provisions of this Order, the lands described in Schedule 3 may be used for the erection of one single-family dwelling and buildings and structures accessory thereto provided the following requirements are met:

Maximum lot coverage	15 per cent
Minimum front yard	25 feet
Minimum side yard	10 feet on one side and 4 feet on the other side
Minimum rear yard	25 feet
Maximum height	30 feet
Minimum ground floor area	one-storey—1,000 square feet one and one-half storeys or more—750 square feet

O. Reg. 313/70, s. 1.

43. Notwithstanding the other provisions of this Order, the lands described in Schedule 4 may be used for the erection of one single-family dwelling and buildings and structures accessory thereto provided the following requirements are met:

Maximum lot coverage	15 per cent
Minimum front yard	25 feet
Minimum side yard	10 feet on one side and 4 feet on the other side
Minimum rear yard	25 feet
Maximum height	30 feet
Minimum ground floor area	one-storey—1,000 square feet one and one-half storeys or more—750 square feet.

O. Reg. 313/70, s. 1.

44. Notwithstanding the other provisions of this Order, the lands described in Schedule 5 may be used for the erection of one additional single-family dwelling and buildings and structures accessory thereto provided the following requirements are met:

Maximum lot coverage	15 per cent
Minimum front yard	25 feet
Minimum side yard	10 feet on one side and 4 feet on the other side
Minimum rear yard	25 feet
Maximum height	30 feet
Minimum ground floor area	one-storey—1,000 square feet one and one-half storeys or more—750 square feet

O. Reg. 369/70, s. 1.

45. Notwithstanding the other provisions of this Order, the lands described in Schedule 6 may be used for the erection of one single-family dwelling and buildings and structures accessory thereto provided the following requirements are met:

Maximum lot coverage	15 per cent
Minimum front yard	25 feet
Minimum side yard	10 feet on one side and 4 feet on the other side
Minimum rear yard	25 feet
Maximum height	30 feet
Minimum ground floor area	one-storey—1,000 square feet one and one-half storeys or more—750 square feet

O. Reg. 369/70, s. 1.

46. Notwithstanding any other provisions of this Order, the construction and erection of a total of twenty chalets is permitted on the lands described in Schedule 7 upon the condition that each chalet shall not be occupied until it is connected to the sewerage system approved by the Ontario Water Resources Commission on the 19th day of August, 1969 under Sewage Works Approval bearing Certificate No. 3-0573-69-006. O. Reg. 369/70, s. 1.

47. Notwithstanding the other provisions of this Order, the lands described in schedules 8, 9, 10, 11, 12, 13 and 14 may, in each case, be used for the erection of one single-family dwelling and buildings and structures accessory thereto provided the following requirements are met:

Maximum lot coverage	15 per cent
Minimum front yard	25 feet
Minimum side yard	10 feet on one side and 4 feet on the other side
Minimum rear yard	25 feet
Maximum height	30 feet
Minimum ground floor area	one-storey—1,000 square feet one and one-half storeys or more—750 square feet

O. Reg. 416/70, s. 1.

48. Notwithstanding the other provisions of this Order, the lands described in Schedule 15 may be used for the erection of one additional single-family dwelling and buildings and structures accessory thereto provided the following requirements are met:

Maximum lot coverage	15 per cent
Minimum front yard	25 feet
Minimum side yard	10 feet on one side and 4 feet on the other side
Minimum rear yard	25 feet
Maximum height	30 feet
Minimum ground floor area	one-storey—1,000 square feet one and one-half storeys or more—750 square feet

O. Reg. 416/70, s. 1.

49. Notwithstanding the other provisions of this Order, the lands described in schedules 16 and 17 may, in each case, be used for the erection of one single-family dwelling and buildings and structures accessory thereto provided the following requirements are met:

Maximum lot coverage	15 per cent
Minimum front yard	25 feet
Minimum side yard	10 feet on one side and 4 feet on the other side
Minimum rear yard	25 feet
Maximum height	30 feet
Minimum ground floor area	one-storey—1,000 square feet one and one-half storeys or more—750 square feet

O. Reg. 505/70, s. 1.

50. Notwithstanding the other provisions of the Order, the lands described in Schedule 18 may be used for the erection of one additional single-family dwelling and buildings and structures accessory thereto provided the following requirements are met:

Maximum lot coverage	15 per cent
Minimum front yard	25 feet
Minimum side yard	10 feet on one side and 4 feet on the other side
Minimum rear yard	25 feet
Maximum height	30 feet

Minimum ground floor area	one-storey—1,000 square feet one and one-half storeys or more—750 square feet

O. Reg. 505/70, s. 1.

Schedule 1

All and singular that certain parcel or tract of land and premises situate, lying and being in the Township of Nottawasaga in the County of Simcoe, and being composed of a part of the north half of Lot 13 in Concession VII, more particularly described as follows:

Premising that bearings herein are referred to the bearing of the road allowance between Lots 12 and 13, Concession VI of the said Township, assumed to be north 74° 15′ 00″ east;

Beginning at an iron survey bar marking the north-east angle of Lot 13, Concession VII;

Thence south 7° 30′ 30″ east, along the easterly limit of the said Lot 13, a distance of 992.62 feet to its intersection with the line between the north and south halves of the said lot;

Thence south 74° 15′ 00″ west, along the said half lot line, a distance of 550.35 feet to an iron survey bar marking its intersection with the easterly limit of the existing Township of deviation road passing through this lot;

Thence north 5° 40′ 30″ east, along the said easterly limit of deviation road, a distance of 219.50 feet to an iron survey bar marking the beginning of a tangential curve to the right of radius 629.12 feet;

Thence northeasterly and following the last-mentioned curve in the easterly limit, an arc distance of 150.34 feet, the chord equivalent of which is 149.98 feet measured on a course of north 12° 31′ 15″ east, to an iron survey bar marking the end of the said curve;

Thence north 19° 22′ 00″ east and being tangential to the last mentioned curve and being also along the aforesaid easterly limit of deviation road, a distance of 789.70 feet to an iron survey bar marking the intersection of the said limit with the existing northerly limit of Lot 13;

Thence north 74° 15′ 00″ east, along the said existing northerly limit of Lot 13, a distance of 87.21 feet to the place of beginning. O. Reg. 259/70, s. 2, *amended*.

Schedule 2

FIRSTLY

All and singular that certain parcel or tract of land and premises, situate, lying and being in the Township of Nottawasaga in the County of Simcoe, and being composed of a part of Lot 9 in Concession VI, more particularly described as follows:

Premising that the bearings herein are referred to the bearings of Louisa Street as shown on Registered Plan 243, assumed to be North 76° 10′ 00″ east;

Beginning at a point on the northerly limit of said lot, said point being 1101.375 feet measured on a course of north 77° 47′ 30″ east from the northwest angle of the said township lot;

Thence north 77° 47′ 30″ east a distance of 114.925 feet to a point;

Thence south 01° 49′ 00″ west 216.34 feet to a point;

Thence north 84° 56′ 30″ east 561.38 feet to a point;

Thence north 11° 59′ 20″ east 79.33 feet to a point;

Thence south 72° 12′ 30″ east 101.93 feet to a point;

Thence north 17° 07′ 30″ east 165 feet to a point, said point being the point of intersection of the westerly limit of Willow Street with the southerly limit of Mill Street as shown on registered plan No. 243;

Thence south 72° 12′ 30″ east a distance of 66 feet to a point;

Thence south 17° 07′ 30″ west a distance of 165 feet to a point;

Thence south 72° 12′ 30″ east 264 feet to a point;

Thence north 17° 07′ 30″ east 165 feet to a point being the northeasterly angle of Lot 8 as shown on registered plan No. 243;

Thence south 72° 12′ 30″ east a distance of 103.62 feet to a point, said point being the point of intersection of the southerly limit of Mill Street with Mill-Site East;

Thence north 65° 09′ 30″ east a distance of 583.14 feet to a point;

Thence north 70° 50′ east a distance of 04.68 feet to a point;

Thence north 77° 40′ a distance of 201.96 feet to a point;

Thence running north 67° 52′ east a distance of 302.28 feet to a point;

Thence south 71° 26′ east a distance of 165 feet more or less to the southeasterly angle of Cedar Street;

Thence south 76° 10′ west a distance of 49.5 feet along the southerly limit of Cedar Street to the easterly limit of Cedar Street;

Thence along the easterly limit of Cedar Street to the southwest angle of Block B;

Thence along the southern boundary of said Block B to the easterly limit of Lot 9 in Concession VI.

Thence southerly along the easterly limit of said Township lot a distance of 224.04 feet to the line dividing the north and south halves of said Lot 9;

Thence westerly a distance of 1,101.375 feet on a course parallel with the southern boundary of said Lot 9;

Thence south and parallel with the easterly boundary of said Lot 9, a distance of 990 feet to a point on the southern boundary of said Lot 9;

Thence westerly along said southern boundary, a distance of 2,202.75 feet to a point;

Thence northerly and parallel with the westerly boundary of said Lot 9 a distance of 1,980 feet more or less to a point on the northerly limit thereof.

SECONDLY

The whole of lots 5, 6, 7 and 8 on the south side of Mill Street as shown on a Plan registered in the Registry Office for the Registry Division of Simcoe as Number 243 for the Township of Nottawasaga. O. Reg. 313/70, s. 2, *amended*.

Schedule 3

All and singular that certain parcel or tract of land and premises, situate, lying and being in the Township of Nottawasaga in the County of Simcoe, and being composed of a part of the south half of Lot 18 in Concession XI, more particularly described as follows:

Premising that bearings are astronomic and are derived from The Department of Highways Plan 25-74-9;

Beginning at a point 33 feet northerly from the southerly limit of the said Lot 18, said point being 403.41 feet easterly from the westerly limit thereof;

Thence north 9° 06′ 00″ west a distance of 957.72 feet more or less to the line dividing the north and south halves of said Lot 18;

Thence north 73° 07′ 30″ east a distance of 220 feet to a point;

Thence south 9° 06′ 00″ east a distance of 957.72 feet more or less to a point lying 33 feet north of the line dividing lots 17 and 18 in Concession XI, of the said Township of Nottawasaga;

Thence south 73° 06′ 30″ west a distance of 220 feet more or less to the place of beginning. O. Reg. 313/70, s. 2, *amended*.

Schedule 4

All and singular that certain parcel or tract of land and premises, situate, lying and being in the Township of Nottawasaga in the County of Simcoe and being composed of a part of Lot 23 in Concession I in the Township, more particularly described as follows:

Beginning at the southwest corner of Lot 23 in Concession I in the said Township of Nottawasaga;

Thence north 8° 02′ 00″ west 237.96 feet to a point;

Thence north 9° 57′ 20″ west 87.57 feet to the place of beginning;

Thence north 9° 57′ 20″ west along the line between concessions I and II in the said Township of Nottawasaga 499.47 feet to a point;

Thence north 72° 03′ 20″ east 587.25 feet to a point;

Thence south 53° 18′ 30″ east 198 feet to a point;

Thence north 36° 41′ 30″ east 121.90 feet to a point;

Thence south 53° 18′ 30″ east 444.37 feet to a point;

Thence south 69° 57′ 30″ west 1128.75 feet to the place of beginning, all of which is shown outlined in red on a sketch of survey prepared by Clare W. A. Jones, O.L.S., on August 14, 1968, and shown as PART I being 10.108 acres. O. Reg. 313/70, s. 2, *amended*.

Schedule 5

FIRSTLY:

All and singular that certain parcel or tract of land and premises, situate, lying and being in the Township of Nottawasaga in the County of Simcoe, and being composed of part of Lot 1, according to a plan registered in the Registry Office for the Registry Division of Simcoe as number 1096, more particularly discribed as follows:

Premising that the bearings herein are astronomic and are derived from registered plan 1096;

Beginning at a point in the northwesterly limit of the said Lot 1, distant 17.00 feet northeasterly therealong from the most westerly angle thereof;

Thence north 32° 18′ 30″ east, along the said northwesterly limit of Lot 1, a distance of 88.08 feet to an iron survey bar;

Thence south 57° 41′ 30″ east, parallel to the southwesterly limit of the said Lot 1, a distance of 100.00 feet to an iron survey bar set in the southeasterly limit of the said lot;

Thence south 32° 18′ 30″ west, along the said southeasterly limit, a distance of 88.00 feet to an iron survey bar;

Thence north 57° 41′ 30″ west, parallel with the said southwesterly limit of Lot 1, a distance of 100.00 feet, more or less, to the place of beginning.

SECONDLY:

All and singular that certain parcel or tract of land and premises, situate, lying and being in the Township of Nottawasaga in the County of Simcoe and being composed of parts of lots 1 and 2 and all of Lot 2A, according to a plan registered in the Registry Office for the Registry Division of Simcoe as 1096, more particularly described as follows:

Premising that the bearings herein are astronomic and are derived from registered plan 1096;

Commencing at an iron survey bar set in the northwesterly limit of the said Lot 1, distant 105.08 feet northeasterly therealong from the most westerly angle thereof;

Thence north 32° 18′ 30″ east, along the northwesterly limit of lots 1, 2A and 2, in all a distance of 130.00 feet to an iron survey bar;

Thence south 57° 41′ 30″ east, parallel to the southwesterly limit of Lot 1, a distance of 100.00 feet to a point in the southeasterly limit of Lot 2;

Thence south 32° 18′ 30″ west, along the southeasterly limits of lots 2, 2A and 1, in all a distance of 130.00 feet to an iron survey bar;

Thence north 57° 41′ 30″ west, a distance of 100.00 feet, more or less, to the place of beginning O. Reg. 369/70, s. 2. *amended*.

Schedule 6

All and singular that certain parcel or tract of land and premises, situate, lying and being in part of Lot 33 in Concession VIII in the Township of Nottawasaga in the County of Simcoe and shown as Part 2 on Reference Plan 583 deposited in the Registry Office for the Registry Division of Simcoe. O. Reg. 369/70, s. 2, *amended*.

Schedule 7

All and singular those certain parcels or tracts of land and premises, situate, lying and being in the Township of Nottawasaga in the County of Simcoe, more particularly described as follows:

PARCEL I: The whole of the west half of Lot Number 16 in Concession IX in the Township of Nottawasaga containing 100 acres, more or less.

PARCEL II: The whole of the south half of Lot Number 17 in Concession IX in the Township of Nottawasaga, except the following:

Premising that the southerly limit of that part of the King's Highway known as No. 24 has a bearing of north 73° 23′ 15″ east, in accordance with D.H.O. Plan P-2574-9, and relating all bearings herein thereto;

Beginning at the southeasterly angle of the said Lot;

Thence north 9° 06′ 00″ west, along the easterly limit of the Lot a distance of 985.38 feet, more or less, to the northeasterly angle of the south half of Lot 17;

Thence south 73° 04′ 45″ west, along the limit between the north and south halves of the Lot a distance of 3097.44 feet to an iron bar marking its intersection with the northeasterly crest of the ravine of the Mad River;

Thence south 63° 32′ 30″ east, along the said crest of ravine, a distance of 961.53 feet to an iron bar;

Thence south 82°32′ 30″ east, continuing along said crest of ravine, a distance of 326.45 feet to an iron bar;

Thence south 68° 21′ 00″ east, continuing along the said crest of ravine, a distance of 293.85 feet, more or less, to an iron bar planted in the southerly limit of the lot;

Thence north 73° 00′ 00″ east, along the southerly limit of the lot a distance of 1737.75 feet, more or less, to the place of beginning.

PARCEL III: The whole or the north half of Lot 17 in Concession IX in the Township of Nottawasaga, except the following:

Premising that the southerly limit of that part of the King's Highway known as No. 24 has a bearing of north 73° 23′ 15″ east, in accordance with D.H.O. Plan P-2574-9, and relating all bearings herein thereto;

Beginning at the northeasterly angle of the lot;

Thence south 73° 05′ 00″ west, along the northerly limit of the lot, a distance of 3283.99 feet, more or less, to an iron bar planted therein;

Thence south 00° 55′ 00″ west, along the northeasterly crest of the ravine of the Mad River, a distance of 446.71 feet to an iron bar;

Thence south 20° 02′ 30″ west, continuing along the crest of the ravine, a distance of 98.75 feet to an iron bar;

Thence south 21° 39′ 00″ east, continuing to follow the crest of the ravine, a distance of 242.62 feet to an iron bar;

Thence south 59° 40′ 00″ east, continuing to follow the northeasterly crest of the ravine, a distance of 325.33 feet to an iron bar planted in the limit between the north and south halves of the lot;

Thence north 73° 04′ 45″ east, along the limit between the north and south halves of the lot a distance of 3097.44 feet, more or less, to the southeasterly angle of the north half of Lot 17;

Thence north 9° 06′ 00″ west, along the easterly limit of the lot, a distance of 995.41 feet, more or less, to the place of beginning.

PARCEL IV: The whole of the south half of Lot 18 in Concession IX in the Township of Nottawasaga, except the following:

Premising that the southerly limit of that part of the King's Highway known as No. 24 has a bearing of north 73° 23′ 15″ east in accordance with D.H.O. Plan P-2574-9, and relating all bearings herein thereto;

Beginning at the southeasterly angle of the lot;

Thence south 73° 05′ 00″ west, along the southerly limit of the lot, a distance of 3431.08 feet to an iron bar planted therein;

Thence north 29° 50′ 00″ west, a distance of 1039.87 feet, more or less, to an iron bar planted in the limit between the north and south halves of the lot;

Thence north 73° 16′ 00″ east, along the limit between the north and south halves of the lot a distance of 3799.12 feet, more or less, to the northeasterly angle of the south half of Lot 18;

Thence south 9° 06′ 00″ east, along the easterly limit of the south half of the lot a distance of 1009.22 feet, more or less, to the place of beginning.

PARCEL V: Part of the north half of Lot 18 in Concession IX in the Township of Nottawasaga containing by admeasurement an area of 16.76 acres, more or less more particularly discribed as follows:

Premising that the southerly limit of that part of the King's Highway known as No. 24 has a bearing of north 73° 23′ 15″ east, in accordance with D.H.O. Plan P-2574-9, and relating all bearings herein thereto;

Beginning at an iron bar planted in the southerly limit of that part of the King's Highway known as No. 24 distant 222.92 feet easterly therealong from its intersection with the line between concessions IX and X;

Thence south 8° 35′ 45″ east, a distance of 983.97 feet, more or less, to an iron bar planted in the limit between the north and south halves of Lot 18;

Thence north 73° 16′ 00″ east, along the limit between the north and south halves of Lot 18, a distance of 600.00 feet to an iron bar planted therein;

Thence north 7° 34′ 30″ east, a distance of 1066.95 feet, more or less, to an iron bar planted in the southerly limit of that part of the King's Highway known as No. 24, which iron bar is 900.00 feet easterly therealong from the place of beginning;

Thence south 73° 23′ 15″ west, along the southerly limit of the King's Highway Number 24, a distance of 900.00 feet, more or less, to the place of beginning

PARCEL VI: Part of the north half of Lot 16 in the 10th Concession, in the Township of Nottawasaga containing by admeasurement an area of 5.11 acres, more or less, more particularly described as follows:

Premising that the limit between concessions 9 and 10 has a bearing of north 9° 08′ 30″ west and relating all bearings herein thereto;

Beginning at the northeasterly angle of the lot;

Thence south 9° 08′ 30″ east, along the limit between concessions IX and X, a distance of 610.57 feet to an iron bar;

Thence south 76° 03′ 00″ west, a distance of 158.07 feet to an iron bar;

Thence north 46° 45′ 30″ west, a distance of 690.69 feet, more or less, to an iron bar planted in the northerly limit of the lot;

Thence north 73° 18′ 30″ east, along the northerly limit of the lot a distance of 584.23 feet, more or less, to the place of beginning.

PARCEL VII: The whole of Lot 17 in Concession X in the Township of Nottawasaga, containing 200 acres, more or less.

PARCEL VIII: The whole of the southwest quarter of Lot 18 in Concession X, in the Township of Nottawasaga, containing 50 acres, more or less.

PARCEL IX: The east half of Lot Number 18 in Concession X in the Township of Nottawasaga, except the following:

FIRSTLY:

That certain parcel or tract of land and premises expropriated by the Department of Highways, more particularly described in a certain Instrument registered the 6th day of March, 1950, as Number 22228.

SECONDLY:

That certain parcel or tract of land and premises expropriated by the Department of Highways, more particularly described in a certain Instrument registered the 30th day of March, 1950, as Number 22250.

PARCEL X: All that portion of Lot 18, Concession IX, in the Township of Nottawasaga, shown as Part I on the Department of Highways Plan P-2574-39 attached to registered Instrument Number 283861. O. Reg. 369/70, s. 2, *amended*.

Schedule 8

All and Singular that certain parcel or tract of land and premises situate, lying and being in the Township of Nottawasaga in the County of Simcoe, and being composed of part of Lot 26, Concession II, in the said Township, more particularly described as follows:

Premising that the westerly limit of said Lot 26 has an assumed course of north 9° 18′ 10″ west in accordance with D.H.O. Plan pl 904-19 and relating all bearings herein thereto;

Beginning at a point that may be located as follows:

Beginning at a survey monument planted in the westerly limit of said Lot 26 distant 218.49 feet measured southerly thereon from the northwesterly angle of said Lot 26;

Thence north 73° 36′ 30″ east 491.89 feet to a survey monument at the point of commencement;

Thence north 8° 46′ 30″ west 222.41 feet to a survey monument in the northerly limit of said Lot 26;

Thence north 73° 11′ 00″ east along the northerly limit of said Lot 26, 90.70 feet to a survey monument;

Thence south 16° 23′ 30″ east, 221.12 feet to a survey monument;

Thence south 73° 36′ 30″ west 120.18 feet to the place of beginning. O. Reg. 416/70, s. 2, *amended*.

Schedule 9

All and Singular that certain parcel or tract of land and premises situate, lying and being in the Township of Nottawasaga in the County of Simcoe, and being composed of Lot 8 and the west half of Lot 9 according to a Plan registered in the Registry Office for the Registry Division of Simcoe as No. 168. O. Reg. 416/70, s. 2, *amended*.

Schedule 10

All and Singular that certain parcel or tract of land and premises situate, lying and being in the Township of Nottawasaga in the County of Simcoe, and being composed of Lot 4 west of Marion Street and Lot 4 east of Eleanor Street according to a Plan registered in the Registry Office for the Registry Division of Simcoe as No. 187. O. Reg. 416/70, s. 2, *amended*.

Schedule 11

All and Singular that certain parcel or tract of land and premises situate, lying and being in the Township of Nottawasaga in the County of Simcoe and being composed of part of Lot 44 according to a Plan registered in the Registry Office for the Registry Division of Simcoe as Number 1524, more particularly described as follows:

Premising that the bearings herein are astronomic and are derived from Registered Plan 1524;

Beginning at an iron survey bar set in the northerly limit of the said Lot 44 and distant 832.69 feet measured westerly therealong from the northeast angle thereof;

Thence continuing south 70° 07′ west along the said northerly limit a distance of 95 feet to an iron survey bar;

Thence south 19° 53′ east a distance of 174.52 feet to an iron survey bar set in the southerly limit of Lot 32, Concession I as defined by the line of post and wire fence existing in August, 1967;

Thence north 70° 08′ 30″ east along the said southerly limit a distance of 95.00 feet to an iron survey bar;

Thence north 19° 53′ west a distance of 174.53 feet to the place of beginning. O. Reg. 416/70, s. 2, *amended*.

Schedule 12

All and Singular that certain parcel or tract of land and premises situate, lying and being in the Township of Nottawasaga in the County of Simcoe and being composed of Lot 119 according to a Plan registered in the Registry Office for the Registry Division of Simcoe as No. 1096. O. Reg. 416/70, s. 2, *amended*.

Schedule 13

All and Singular that certain parcel or tract of land and premises situate, lying and being in the Township of Nottawasaga in the County of Simcoe, and being composed of part of Lot 18, Concession XII in the said Township, more particularly described as follows:

Premising that the bearings herein are astronomic and are derived from the Department of Highways of Ontario Plan P-2574-9;

Beginning at an iron survey bar set in the northerly limit of the existing travelled road through Lot 18 distant 1180.07 feet on a course of north 76° 07′ 30″ west from a point in the easterly limit of said Lot 18, distant 384.78 feet measured northerly therealong from the southeast corner of said Lot 18;

Thence north 76° 07′ 30″ west along the northerly limit of the travelled road 162.20 feet to an iron survey bar;

Thence north 47° 52′ 10″ east a distance of 121.68 feet to an iron survey bar;

Thence north 8° 28′ 30″ west parallel to the easterly limit of said Lot 18 a distance of 40 feet more or less, to the existing southerly water's edge of the Mad River;

Thence northwesterly along the said water's edge 95 feet, more or less, to its intersection with a line drawn on a course of north 5° 18′ 30″ west through the place of beginning.

Thence south 5° 18′ 30″ west along the last mentioned line, a distance of 3 feet, more or less, to an iron survey bar;

Thence continuing south 5° 18′ 30″ west a distance of 198.19 feet to the place of beginning. O. Reg. 416/70, s. 2, *amended*.

Schedule 14

All and Singular that certain parcel or tract of land and premises situate, lying and being in the Township of Nottawasaga in the County of Simcoe and being composed of a part of Lot 5 in Concession X in the said Township, more particularly described as follows:

Premising that bearings herein are referred to the bearing of the line between concession IX and X assumed to be north 8° 10′ west;

Beginning at an iron survey bar marking the northeast angle of Lot 5, Concession X;

Thence south 74° 53′ 40″ west, along the northerly limit of the said lot, a distance of 2606.10 feet to an iron survey bar set at its intersection with a post and wire fence existing in May, 1969 and being an existing property limit;

Thence south 22° 17′ 20″ east, along the line of the last mentioned fence, a distance of 192.50 feet to an iron survey bar;

Thence south 51° 38′ 50″ east and being along the line of an existing property line as defined by a post and wire fence existing in May 1969, a distance of 457.81 feet to an iron survey bar marking an angle therein;

Thence north 74° 14′ 00″ east, continuing to follow the said existing property line, a distance of 192.64 feet to an iron survey bar;

Thence south 16° 13′ 00″ east, continuing to follow an existing post and wire fence, a distance of 435.01 feet to an iron survey bar set in the existing line between the north and south halves of Lot 5;

Thence north 75° 08′ 30″ east, along the said existing half lot line, a distance of 1502.58 feet to an iron survey bar marking its intersection with the northerly limit of the River Road;

Thence north 59° 09′ 50″ east, along the northerly limit of the River Road, a distance of 194.88 feet to an iron survey bar marking an angle therein;

Thence north 68° 26′ 45″ east, continuing to follow a northerly limit of the said road, a distance of 308.02 feet to an iron survey bar marking its intersection with the easterly limit of the said Lot 5;

Thence north 8° 10′ 00″ west, along the said easterly limit, a distance of 917.91 feet to the place of beginning. O. Reg. 416/70, s. 2, *amended*.

Schedule 15

All and Singular that certain parcel or tract of land and premises situate, lying and being in the Township of Nottawasaga in the County of Simcoe, and being composed of the north half of Lot 26 in Concession IX of the said Township. O. Reg. 416/70, s. 2, *amended*.

Schedule 16

All and Singular that certain parcel or tract of land and premises, situate, lying and being in the Township of Nottawasaga in the County of Simcoe, and being composed of part of the south half of Lot 40, Concession XII in the said Township, more particularly described as follows:

Premising that the bearings herein are astronomic and derived from the Department of Highways of Ontario Plan P-2574-4;

Beginning at an iron survey bar set in the southerly limit of the said Lot 40 and distant 2798.00 feet measured easterly therealong from the southwest angle thereof;

Thence north 73° 22′ 00″ east, continuing to follow the said southerly limit of lot 40, a distance of 100.00 feet to an iron survey bar;

Thence north 9° 25′ 00″ west, being parallel to the westerly limit of said lot, a distance of 170.00 feet to an iron survey bar;

Thence south 73° 22′ 00″ west a distance of 100.00 feet to an iron survey bar;

Thence south 9° 25′ 00″ east parallel to the aforesaid westerly limit a distance of 170.00 feet to the place of beginning. O. Reg. 505/70, s. 2, *amended*.

Schedule 17

All and Singular that certain parcel or tract of land and premises situate, lying and being in the Township of Nottawasaga in the County of Simcoe, and being composed of Lot 5 west of Marion Street and Lot 5 east of Eleanor Street according to a Plan registered in the Registry Office for the Registry Division of Simcoe as No. 187. O. Reg. 505/70, s. 2, *amended*.

Schedule 18

All and Singular that certain parcel or tract of land and premises situate, lying and being in the Township of Nottawasaga in the County of Simcoe, and being composed of the north half of Lot 38 in Concession X in the said Township. O. Reg. 505/70, s. 2, *amended*.

REGULATION 676

under The Planning Act

ZONING ORDER—DISTRICT OF SUDBURY, GEOGRAPHIC TOWNSHIPS OF BRODER AND DILL

1. In this Order,

(*a*) "accessory", when used to describe a use, building or structure, means a use, building or structure normally incidental or subordinate to the principal use, building or structure located on the same lot and includes the erection of permanent dwellings and other auxiliary buildings necessary for the operation of the principal use;

(*b*) "agricultural use" means a use of land, buildings or structures for the purpose of market gardening, dairying, animal husbandry, poultry raising or the cultivation of field crops and such uses as are customarily and normally related to agriculture;

(*c*) "dwelling unit" means one or more habitable rooms designed for use by, and occupied by, not more than one family and in which separate kitchen and sanitary facilities are provided for the exclusive use of such family, with a private entrance from outside the building or from a common hallway or stairway inside the building;

(*d*) "floor area" means the total area of all floors contained within the outside walls of a building, excluding, in the case of a dwelling, the floor area of a private garage, porch, verandah, unfinished attic, basement or cellar;

(*e*) "front yard" means a yard extending across the full width of a lot on which a building or structure is situate, and extending from the front lot line to the nearest main wall of the building or structure for which such front yard is required;

(*f*) "frontage" means the horizontal width of a lot measured along a straight line 20 feet back from and parallel to a line joining the intersections of the two side lot lines with the front lot line;

(*g*) "home occupation" means any occupation for gain or support conducted entirely within a dwelling by members of the family residing in the dwelling, provided that,

(i) there is no external display or advertising other than a sign having a total display area not exceeding 2 square feet,

(ii) there is no external storage of goods or materials, and not more than 25 per cent of the total floor area is used for the home occupation use, and

(iii) there are no persons employed in the dwelling except,

a. the members of the family residing in the dwelling, or

b. in the case of a dentist, physician or veterinarian, a staff of one person;

(*h*) "lot" means a parcel of land, described in a deed or other document legally capable of conveying land, or shown as a lot or block on a registered plan of subdivision or part thereof, and includes any parts of such parcel that are within a right-of-way or easement;

(*i*) "lot coverage" means the percentage of the lot area covered by the ground floor area of all buildings situate on the lot;

(*j*) "rear yard" means a yard extending across the full width of a lot upon which a building or structure is situate, and extending from the rear lot line to the nearest main wall of the building or structure for which such rear yard is required;

(*k*) "side yard" means a yard extending from the front yard to the rear yard and from the side lot line to the nearest main wall of the building or structure for which such side yard is required;

(*l*) "single-family dwelling" means a separate building containing only one dwelling unit;

(*m*) "street" means a public highway that is a principal means of access to abutting lots, that is under the jurisdiction of the Province of Ontario or the Local Roads Boards of Long Lake, Sunnyside, Broder-Dill, Dill Lake or Dill-Secord, or is a road within a registered plan of subdivision; and

(*n*) "yard" means a space open from the ground to the sky on the lot on which a building or structure is situate. O. Reg. 355/70, s. 1.

APPLICATION

2. This Order applies to all the lands within the geographic townships of Broder and Dill in the Territorial District of Sudbury. O. Reg. 355/70, s. 2.

PART I

GENERAL

3. The purpose of this Order is to control the use of land and buildings within the areas referred to in section 2, and no land in such areas shall be used, or any building or structure erected, enlarged, or otherwise used or altered therein, except in accordance with this Order. O. Reg. 355/70, s. 3, *amended*.

4. This Order shall not apply to prevent the use of any land, building or structure for any purpose that would be otherwise prohibited by this Order if such land, building or structure was lawfully used for such purpose on the 14th day of August, 1970, so long as it continues to be used for that purpose. O. Reg. 355/70, s. 4, *amended*.

PUBLIC SERVICES AND UTILITIES

5. Notwithstanding anything contained in this Order.

(*a*) the Local Roads Boards of Long Lake, Sunnyside, Broder-Dill, Dill Lake and Dill-Secord;

(*b*) any department or agency of the Government of Canada or Ontario; and

(*c*) any public utility,

may, for the purpose of providing a service to the public, use land and erect any building or structure, notwithstanding that the building, structure or use does not conform with the provisions of this Order. O. Reg. 355/70, s. 5.

REBUILDING AND REPAIRS

6.—(1) Nothing in this Order prevents the reconstruction of any building or structure that is damaged by causes beyond the control of the owner subsequent to the 14th day of August, 1970, provided that its original use is not altered.

(2) Nothing in this Order prevents the strengthening or restoration to a safe condition of any building or structure or part of any such building or structure. O. Reg. 355/70, s. 6.

BUILDING TO FRONT STREET

7. No person shall erect any building or structure on the lands to which this Order applies unless the land upon which such building or structure is erected is a lot which fronts upon a street. O. Reg. 355/70, s. 7.

TEMPORARY USES

8. A tool shed, scaffold, or other building or structure incidental to construction on the lot where it is situate may be maintained on such lot where construction work is in progress for as long as is necessary for such work, but this section ceases to apply when there is an abandonment or completion of such work. O. Reg. 355/70, s. 8.

EXISTING BUILDINGS ON LOTS WITH INADEQUATE LOT REQUIREMENTS

9. Where a single-family dwelling has been erected prior to the 14th day of August, 1970 upon a lot with less than the minimum lot frontage or area required by this Order, such dwelling may be enlarged provided that there is compliance with all other applicable provisions of this Order and subject to the approval of the Medical Officer of Health. O. Reg. 355/70, s. 9.

HEIGHT RESTRICTIONS

10. Nothing in this Order limits the height of a church spire, belfry, flagpole, clock tower, chimney, water tank, radio or television antenna, barn or silo. O. Reg. 355/70, s. 10.

REMOVAL OF BUILDINGS

11. No building shall be moved onto any lot in the lands to which this Order applies unless its erection and use is permitted by this Order. O. Reg. 355/70, s. 11.

PART II

PERMITTED USES

12.—(1) Every use of land and every erection or use of buildings or structures within the geographic townships of Broder and Dill is prohibited except,

(*a*) agricultural uses;

(*b*) lumbering and forestry;

(*c*) mining, which includes surveying and drilling, but does not include the actual establishment of a new mine, pit or quarry;

(*d*) open-air recreational uses;

(*e*) home occupations;

(*f*) uses, buildings or structures existing on the 14th day of August, 1970.

(*g*) enlargements or extensions to any single-family dwellings or cottages existing on the 14th day of August, 1970, provided that there is compliance with all other applicable provisions of this Order; and

(*h*) uses, buildings or structures accessory to any of the permitted uses in this section.

(2) Notwithstanding the provisions of subsection 1, one single-family dwelling may be erected and used on each of the following described parcels of land:

1. Lots 21 and 22, Plan M-165;
2. Lot 14, Plan M-291;
3. Lot 34, Plan M-358;
4. Lot 4, Plan M-365;
5. Lot 30, Plan M-379; and
6. Lot 169, Plan M-403.

O. Reg. 355/70, s. 12; O. Reg. 504/70, s. 1, *amended*.

13. Requirements for single-family dwellings, and extensions to, or enlargements of single-family dwellings or cottages existing on the 14th day of August, 1970 and uses, buildings and structures accessory thereto are established as follows:

Minimum lot area	15,000 square feet
Minimum lot frontage	100 feet
Maximum lot coverage	15 per cent
Minimum rear yard	25 feet
Minimum front yard	25 feet
Maximum height	30 feet
Minimum side yard	10 feet on one side and 4 feet on the other.

O. Reg. 504/70, s. 2, *amended*.

REGULATION 677

under The Plant Diseases Act

GENERAL

DESIGNATION OF PLANT DISEASES

1. The diseases named in the Schedule are designated plant diseases within the meaning of the Act. R.R.O. 1960, Reg. 485, s. 1.

DUTIES OF PROVINCIAL ENTOMOLOGIST

2. The Provincial Entomologist shall,

(*a*) instruct inspectors in methods of controlling or eradicating plant diseases;

(*b*) assist inspectors by supplying information in respect of plant diseases;

(*c*) supervise the work of the inspectors; and

(*d*) carry out his duties prescribed by the Act and this Regulation. R.R.O. 1960, Reg. 485, s. 2.

DUTIES OF INSPECTORS

3. Inspectors shall,

(*a*) carry out such duties as are assigned to them by the Director and the Provincial Entomologist under the Act and this Regulation; and

(*b*) report on inspections with respect to the control or eradication of plant diseases to the Director and the Provincial Entomologist. R.R.O. 1960, Reg. 485, s. 3.

LICENCES

4.—(1) An application for a licence to operate a nursery shall be in Form 1.

(2) A licence to operate a nursery shall be in Form 2.

(3) The fee for a licence is $1 and shall be forwarded with the application for the licence.

(4) A licence expires with the 31st day of December of the year for which it is issued. R.R.O. 1960, Reg. 485, s. 4.

5.—(1) An application for a licence as a dealer in nursery stock shall be in Form 3.

(2) A licence as a dealer in nursery stock shall be in Form 4.

(3) The fee for a licence as a dealer in nursery stock is $1 and shall be forwarded with the application for the licence.

(4) A licence expires with the 31st day of December of the year for which it is issued. R.R.O. 1960, Reg. 485, s. 5.

ESTABLISHMENT OF PLANT DISEASE CONTROL AREAS

6.—(1) One or more persons may petition the Director for the establishment of a plant disease control area for any designated plant disease and the petition shall include,

(*a*) the defined limits of the area;

(*b*) the name of the plant disease;

(*c*) the names and addresses of all owners or occupiers of land within the area; and

(*d*) the names and addresses of all persons petitioning.

(2) A petition shall be in Form 5.

(3) On receipt of a petition under subsection 1, the Director shall obtain a report from the Provincial Entomologist or an inspector in respect of the establishment of the plant disease control area petitioned for.

(4) The director may by order establish the area petitioned for as a plant disease control area with such variations and for such period of time as he considers proper.

(5) Where a plant disease control area has been established for a plant disease, every person owning or occupying land within the area shall carry out the provisions of the Act and this Regulation with respect to the control or eradication of the plant disease on his land. R.R.O. 1960, Reg. 485, s. 6.

CONTROL OR ERADICATION OF PLANT DISEASES

7.—(1) No person who operates a nursery shall,

(*a*) take stock or permit stock to be taken for the purpose of propagation from any tree or shrub infected with a plant disease; or

(*b*) use or permit to be used stock taken for the purpose of propagation from any tree or shrub infected with a plant disease.

(2) No person who operates a nursery or is a dealer in nursery stock shall sell or permit to be sold nursery stock propagated from stock obtained for purposes of propagation from any tree or shrub infected with a plant disease. R.R.O. 1960, Reg. 485, s. 7.

8.—(1) Every person licensed to operate a nursery or to be a dealer in nursery stock may attach to,

(*a*) any plant; and

(*b*) where more than one plant is packaged in a box or other container, the box or other container,

a certificate as to the freedom from plant disease of the plant or plants, as the case may be.

(2) Upon the report of an inspector, the Provincial Entomologist may issue the certificate to the licensee.

(3) A certificate shall be in Form 6. R.R.O. 1960, Reg. 485, s. 8.

APPLE MAGGOT

9. Every person who is the owner or occupant of land on which there are apple trees or hawthorn trees in a plant disease control area for apple maggot, or in a municipality having a by-law designating maggot as a plant disease under section 5 of the Act, shall,

(*a*) spray the trees during the apple growing season in a manner and with such materials as are prescribed by the Director and at such intervals of time, but at least twice during the season, as will ensure destruction of apple maggot; or

(*b*) cut down and destroy before the 30th day of June all hawthorn trees or apples trees growing on the land. R.R.O. 1960, Reg. 485, s. 9; O. Reg. 250/70, s. 1.

BACTERIAL RING ROT

10.—(1) Subject to subsection 2, where bacterial ring rot is found in potatoes, the owner or person in possession of the potatoes shall dispose of all potatoes on the premises in the manner set out in subsections 4 and 5,

(*a*) where the bacterial ring rot is found on or before the 15th day of February, not later than the 15th day of March next following; and

(*b*) where the bacterial ring rot is found after the 15th day of February, within two weeks of the finding of bacterial ring rot or before the 15th day of March, whichever is the later.

(2) Subsection 1 does not apply to potatoes that are treated before the 15th day of February with maleic hydrazide and that after the treatment show no evidence of sprouting at any time.

(3) Potatoes infected with bacterial ring rot may be disposed of for any purpose other than for seed.

(4) Subject to subsection 5, where in disposing of potatoes infected with bacterial ring rot the potatoes are removed from the premises in bags or other containers, the bags or other containers shall be marked with the words "table potatoes".

(5) Potatoes infected with bacterial ring rot that are in containers not marked with the words "table potatoes" shall be,

(*a*) used for processing purposes;

(*b*) fed to live stock;

(*c*) removed from the premises for the purpose of processing, feeding to live stock or destruction; or

(*d*) destroyed so that the premises can be disinfected.

(6) The owner or person in possession of premises on which potatoes infected with bacterial ring rot are found shall, after disposal of all potatoes, disinfect,

(*a*) all warehouses, cellars, bins and other parts of the premises in which the potatoes were handled or stored;

(*b*) all machinery, other equipment and tools that come into contact with the potatoes;

(*c*) all parts of vehicles that were used in the transportation of potatoes and that came into contact with the potatoes;

(*d*) all bags, crates and baskets used in handling or storing the potatoes; and

(*e*) all potato planters and other equipment and tools used in the planting of the potato crop in which bacterial ring rot was found.

(7) Except with the written permission of an inspector, disinfection under subsection 6 shall be made before any potatoes are brought upon the premises.

(8) Disinfection under subsection 6 shall be made,

(*a*) in the case of warehouses, cellars, bins and other parts of premises, and crates and baskets, by spraying thoroughly all surfaces with copper sulphate solution prepared by dissolving copper sulphate in water in the proportion of one pound of copper sulphate to ten gallons of water;

(*b*) in the case of machinery, other equipment, tools and vehicles, by spraying thoroughly or drenching all exposed surfaces thereof with a solution of formalin prepared by mixing formalin with water in the proportion of one pint of formalin to thirty gallons of water; and

(*c*) in the case of bags, by soaking them for at least two hours in the solution prescribed in clause *b*.

(9) No person shall use or permit to be used machinery, other equipment, tools or vehicles that have been in contact with potatoes infected with bacterial ring rot unless the machinery, other equipment, tools or vehicles have been disinfected.

(10) Every person owning or occupying premises where bacterial ring rot is found in potatoes shall, upon the request of an inspector, report the manner of disposal of all potatoes from the premises and, where the potatoes have been disposed of to other persons, the names and addresses of the persons.

(11) No person shall exhibit potatoes infected with bacterial ring rot at any agricultural fair or exhibition.

(12) No person shall store seed-potatoes in any part of a warehouse or other place of storage where potatoes infected with bacterial ring rot were stored unless that part of the warehouse or other place of storage is disinfected before the seed-potatoes are stored.

(13) No dealer shall store seed-potatoes in any warehouse or other place of storage commonly used for potato storage unless the entire space to be used for storage of the seed-potatoes is disinfected before the seed-potatoes are stored or is used only for the storage of seed-potatoes. R.R.O. 1960, Reg. 485, s. 10.

BLACK KNOT

11. Every person who is the owner or occupier of land on which there are trees or shrubs in a plant disease control area for black knot, or in a municipality having a by-law designating black knot as a plant disease under section 5 of the Act, shall,

(*a*) in the case of infestation by black knot on the trunk of a tree, cut out the area of infestation; and

(*b*) in the case of infestation by black knot on a shrub, or the limb of a tree, cut off the shrub or limb at least four inches below the area of infestation,

and destroy all infested parts of the tree or shrub by burning. R.R.O. 1960, Reg. 485, s. 11.

FIRE BLIGHT AND SAN JOSE SCALE

12. Every person who operates a nursery or is a dealer in nursery stock shall break down and destroy by burning all plants infected with fire blight or infested with San Jose scale on his premises. R.R.O. 1960, Reg. 485, s. 12.

LITTLE PEACH, PEACH YELLOWS, X-DISEASE

13. Every person who is the owner or occupier of land on which there are peach trees shall cut down and destroy by burning all peach trees infested with little peach, peach yellows or X-disease of peach. R.R.O. 1960, Reg. 485, s. 13.

Schedule

Item	Common Name	Scientific Name
1	Apple maggot	Rhagoletis pomonella (Walsh)
2	Bacterial ring rot	Corynebacterium sepedonium (Spieck. & Kotth.) Skapt. & Burkh.
3	Black knot	Dibotryon morbosum (Schw.) R. & S.
4	Fire blight	Erwinia amylovorus (Burrill) Winslow et al.
5	Little peach	Little peach virus
6	Peach yellows	Peach yellows virus
7	X-disease of peach	X-disease virus
8	San Jose scale	Aspidiotus perniciosus Comst.
9	Bulb and stem nematode	Ditylenchus dipsaci (Kuhn 1857) Filipjev, 1936

R.R.O. 1960, Reg. 485, Sched.

Form 1

The Plant Diseases Act

APPLICATION FOR LICENCE
TO OPERATE A NURSERY

To: The Director,
Farm Products Inspection Branch,
Department of Agriculture and Food,
Parliament Buildings,
Toronto.

.....
(name of applicant)

.....
(address)

applies for a licence to operate a nursery under *The Plant Diseases Act* and the regulations, and in support of this application the following facts are stated:

1. Business address of applicant.....

2. Name of nursery.....

3. Owner of nursery.....
(give name of person, partner-

.....
ship or corporation, and if partnership, give names of all partners)

4. Head office of nursery.....
(lot and concession or street

.....
address, municipality, county, etc.)

5. Locations of premises where plants are grown or offered for sale:

Item	Lot No.	Concession	Township	County, etc.
1				
2				
3				
4				

6. The premises of the nursery comply with the Act and the regulations.

7. The licence fee of $1 accompanies this application.

.....
(signature of applicant)

By .....
(title of persons signing if a partnership or corporation)

R.R.O. 1960, Reg. 485, Form 1.

Form 2

The Plant Diseases Act

Licence No.....

LICENCE TO OPERATE A NURSERY

Under *The Plant Diseases Act* and the regulations, and subject to the limitations thereof, this licence is issued

to.....
(name

.....
(address)

to operate a nursery under the name of.....

.....

at.....
(location)

This licence expires with the 31st day of December,

19...

Issued at Toronto the.....day of.....,

19...

.....
Director

R.R.O. 1960, Reg. 485, Form 2.

Form 3

The Plant Diseases Act

APPLICATION FOR A LICENCE
AS A DEALER IN NURSERY STOCK

To: The Director,
Farm Products Inspection Branch,
Department of Agriculture and Food,
Parliament Buildings,
Toronto.

.....
(name of applicant)

.....
(address)

applies for a licence as a dealer in nursery stock under *The Plant Diseases Act* and the regulations, and in support of this application the following facts are stated:

1. Business address of applicant.....

2. Owner of business.....
(give name of person, partner-

.....
ship or corporation, and if partnership, give names of all partners)

3. Locations of premises where plants are grown or offered for sale:

Item	Lot No.	Concession	Township	County, etc.
1				
2				
3				
4				

4. The premises where business is carried on and where plants are grown or offered for sale comply with the Act and the regulations.

5. The licence fee of $1 accompanies this application

.....
(signature of applicant)

By .....
(title of person signing, if a partnership or corporation)

R.R.O. 1960, Reg. 485, Form 3.

Form 4

The Plant Diseases Act

Licence No.....

LICENCE AS A DEALER IN NURSERY STOCK

Under *The Plant Diseases Act* and the regulations, and subject to the limitations thereof, this licence

is issued to.....
(name)

.....
(address)

as a dealer in nursery stock under the name of

.....
(name under which business is operated)

at.....
(location)

This licence expires with the 31st day of December, 19...

Issued at Toronto the.....day of....., 19...

.....
Director

R.R.O. 1960, Reg. 485, Form 4.

Form 5

The Plant Diseases Act

PETITION FOR ESTABLISHMENT OF A PLANT DISEASE CONTROL AREA

FOR.....
(name of plant disease)

To: The Director,
Farm Products Inspection Branch,
Department of Agriculture and Food,
Parliament Buildings,
Toronto.

....
(name of petitioner) (address)

....
(name of petitioner) (address)

petition for the establishment of a plant disease control area for.....
(name of plant disease)

under *The Plant Diseases Act* and the regulations, and in support of this petition the following facts are stated:

1. The defined limits of the plant disease control area petitioned for are as follows:.....
(give the territorial limits of the

.....
area and the locations of the orchards to be included in the area)

2. The names and addresses of all owners or occupiers of land within the area are as follows:

Item	Name	Address	State whether occupant is owner
1			
2			
3			
4			

3. Each petitioner undertakes to comply with the Act and the regulations providing for the control or eradication of .....on lands that he owns or occupies within the area.
(name of plant disease)

4. The particulars of the locations of the orchards in the area are as follows:

Item	Lot No.	Concession	Township	County, etc.	Acreage	
					Bearing	Non-bearing
1						
2						
3						
4						

5. Where the plant disease is apple maggot, state whether all apple-bearing trees are at least 300 yards from the limits of the plant disease control area:

.....
(yes or no)

6. The signatures of all petitioners:

....

....

....

....

Dated at....., Ontario, the.....day of

....., 19...

R.R.O. 1960, Reg. 485, Form 5.

Form 6

The Plant Diseases Act

CERTIFICATE OF FREEDOM FROM PLANT DISEASES

CERTIFICATE No.....

I certify that any plants

*grown.....
(state whether in the nursery, farm garden, orchard or other place)

*kept on the premises of.....
(name of dealer in nursery

.....located at.....
stock)

are free from.....
(state plant diseases)

under *The Plant Diseases Act* and the regulations.

Dated at....., the.....day of.....,

19...

.....
Provincial Entomologist

*Strike out words not applicable.

R.R.O. 1960, Reg. 485, Form 6.

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